

Union Calendar No. 314

104TH CONGRESS
2D Session

H. R. 3666

[Report No. 104-628]

A BILL

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes.

JUNE 18, 1996

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 1996

Mr. LEWIS, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the

1 Departments of Veterans Affairs and Housing and Urban
2 Development, and for sundry independent agencies,
3 boards, commissions, corporations, and offices for the fis-
4 cal year ending September 30, 1997, and for other pur-
5 poses, namely:

6 TITLE I

7 DEPARTMENT OF VETERANS AFFAIRS

8 VETERANS BENEFITS ADMINISTRATION

9 COMPENSATION AND PENSIONS

10 (INCLUDING TRANSFERS OF FUNDS)

11 For the payment of compensation benefits to or on
12 behalf of veterans as authorized by law (38 U.S.C. 107,
13 chapters 11, 13, 51, 53, 55, and 61); pension benefits to
14 or on behalf of veterans as authorized by law (38 U.S.C.
15 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
16 ial benefits, emergency and other officers' retirement pay,
17 adjusted-service credits and certificates, payment of pre-
18 miums due on commercial life insurance policies guaran-
19 teed under the provisions of Article IV of the Soldiers'
20 and Sailors' Civil Relief Act of 1940, as amended, and
21 for other benefits as authorized by law (38 U.S.C. 107,
22 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61;
23 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735;
24 76 Stat. 1198); \$18,497,854,000, to remain available
25 until expended: *Provided*, That not to exceed \$26,417,000

1 of the amount appropriated shall be reimbursed to “Gen-
2 eral operating expenses” and “Medical care” for necessary
3 expenses in implementing those provisions authorized in
4 the Omnibus Budget Reconciliation Act of 1990, and in
5 the Veterans’ Benefits Act of 1992 (38 U.S.C. chapters
6 51, 53, and 55), the funding source for which is specifi-
7 cally provided as the “Compensation and pensions” appro-
8 priation: *Provided further*, That such sums as may be
9 earned on an actual qualifying patient basis, shall be reim-
10 bursed to “Medical facilities revolving fund” to augment
11 the funding of individual medical facilities for nursing
12 home care provided to pensioners as authorized by the
13 Veterans’ Benefits Act of 1992 (38 U.S.C. chapter 55).

14 READJUSTMENT BENEFITS

15 For the payment of readjustment and rehabilitation
16 benefits to or on behalf of veterans as authorized by 38
17 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55,
18 and 61, \$1,227,000,000, to remain available until ex-
19 pended: *Provided*, That funds shall be available to pay any
20 court order, court award or any compromise settlement
21 arising from litigation involving the vocational training
22 program authorized by section 18 of Public Law 98–77,
23 as amended.

1 VETERANS INSURANCE AND INDEMNITIES

2 For military and naval insurance, national service life
3 insurance, servicemen's indemnities, service-disabled vet-
4 erans insurance, and veterans mortgage life insurance as
5 authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72
6 Stat. 487, \$38,970,000, to remain available until ex-
7 pended.

8 GUARANTY AND INDEMNITY PROGRAM ACCOUNT
9 (INCLUDING TRANSFER OF FUNDS)

10 For the cost of direct and guaranteed loans, such
11 sums as may be necessary to carry out the program, as
12 authorized by 38 U.S.C. chapter 37, as amended: *Pro-*
13 *vided*, That such costs, including the cost of modifying
14 such loans, shall be as defined in section 502 of the Con-
15 gressional Budget Act of 1974, as amended.

16 In addition, for administrative expenses to carry out
17 the direct and guaranteed loan programs, \$105,226,000,
18 which may be transferred to and merged with the appro-
19 priation for "General operating expenses".

20 LOAN GUARANTY PROGRAM ACCOUNT
21 (INCLUDING TRANSFER OF FUNDS)

22 For the cost of direct and guaranteed loans, such
23 sums as may be necessary to carry out the program, as
24 authorized by 38 U.S.C. chapter 37, as amended: *Pro-*
25 *vided*, That such costs, including the cost of modifying

1 such loans, shall be as defined in section 502 of the Con-
 2 gressional Budget Act of 1974, as amended.

3 In addition, for administrative expenses to carry out
 4 the direct and guaranteed loan programs, \$33,810,000,
 5 which may be transferred to and merged with the appro-
 6 priation for “General operating expenses”.

7 DIRECT LOAN PROGRAM ACCOUNT

8 (INCLUDING TRANSFER OF FUNDS)

9 For the cost of direct loans, such sums as may be
 10 necessary to carry out the program, as authorized by 38
 11 U.S.C. chapter 37, as amended: *Provided*, That such costs,
 12 including the cost of modifying such loans, shall be as de-
 13 fined in section 502 of the Congressional Budget Act of
 14 1974, as amended: *Provided further*, That during 1997,
 15 within the resources available, not to exceed \$300,000 in
 16 gross obligations for direct loans are authorized for spe-
 17 cially adapted housing loans.

18 In addition, for administrative expenses to carry out
 19 the direct loan program, \$80,000, which may be trans-
 20 ferred to and merged with the appropriation for “General
 21 operating expenses”.

22 EDUCATION LOAN FUND PROGRAM ACCOUNT

23 (INCLUDING TRANSFER OF FUNDS)

24 For the cost of direct loans, \$1,000, as authorized
 25 by 38 U.S.C. 3698, as amended: *Provided*, That such

1 costs, including the cost of modifying such loans, shall be
2 as defined in section 502 of the Congressional Budget Act
3 of 1974, as amended: *Provided further*, That these funds
4 are available to subsidize gross obligations for the prin-
5 cipal amount of direct loans not to exceed \$3,000.

6 In addition, for administrative expenses necessary to
7 carry out the direct loan program, \$195,000, which may
8 be transferred to and merged with the appropriation for
9 “General operating expenses”.

10 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
11 (INCLUDING TRANSFER OF FUNDS)

12 For the cost of direct loans, \$49,000, as authorized
13 by 38 U.S.C. chapter 31, as amended: *Provided*, That such
14 costs, including the cost of modifying such loans, shall be
15 as defined in section 502 of the Congressional Budget Act
16 of 1974, as amended: *Provided further*, That these funds
17 are available to subsidize gross obligations for the prin-
18 cipal amount of direct loans not to exceed \$1,964,000.

19 In addition, for administrative expenses necessary to
20 carry out the direct loan program, \$377,000, which may
21 be transferred to and merged with the appropriation for
22 “General operating expenses”.

1 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
2 ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For administrative expenses to carry out the direct
5 loan program authorized by 38 U.S.C. chapter 37, sub-
6 chapter V, as amended, \$205,000, which may be trans-
7 ferred to and merged with the appropriation for “General
8 operating expenses”.

9 VETERANS HEALTH ADMINISTRATION
10 MEDICAL CARE

11 For necessary expenses for the maintenance and op-
12 eration of hospitals, nursing homes, and domiciliary facili-
13 ties; for furnishing, as authorized by law, inpatient and
14 outpatient care and treatment to beneficiaries of the De-
15 partment of Veterans Affairs, including care and treat-
16 ment in facilities not under the jurisdiction of the Depart-
17 ment; and furnishing recreational facilities, supplies, and
18 equipment; funeral, burial, and other expenses incidental
19 thereto for beneficiaries receiving care in the Department;
20 administrative expenses in support of planning, design,
21 project management, real property acquisition and disposi-
22 tion, construction and renovation of any facility under the
23 jurisdiction or for the use of the Department; oversight,
24 engineering and architectural activities not charged to
25 project cost; repairing, altering, improving or providing fa-

1 cilities in the several hospitals and homes under the juris-
2 diction of the Department, not otherwise provided for, ei-
3 ther by contract or by the hire of temporary employees
4 and purchase of materials; uniforms or allowances there-
5 for, as authorized by 5 U.S.C. 5901–5902; aid to State
6 homes as authorized by 38 U.S.C. 1741; and not to exceed
7 \$8,000,000 to fund cost comparison studies as referred
8 to in 38 U.S.C. 8110(a)(5); \$17,008,447,000, plus reim-
9 bursements: *Provided*, That of the funds made available
10 under this heading, \$570,000,000 is for the equipment
11 and land and structures object classifications only, which
12 amount shall not become available for obligation until Au-
13 gust 1, 1997, and shall remain available until September
14 30, 1998.

15 MEDICAL AND PROSTHETIC RESEARCH

16 For necessary expenses in carrying out programs of
17 medical and prosthetic research and development as au-
18 thorized by 38 U.S.C. chapter 73, to remain available until
19 September 30, 1998, \$257,000,000, plus reimbursements.

20 MEDICAL ADMINISTRATION AND MISCELLANEOUS

21 OPERATING EXPENSES

22 For necessary expenses in the administration of med-
23 ical, hospital, nursing home, domiciliary, construction,
24 supply, and research activities, as authorized by law; ad-
25 ministrative expenses in support of planning, design,

1 project management, architectural, engineering, real prop-
2 erty acquisition and disposition, construction and renova-
3 tion of any facility under the jurisdiction or for the use
4 of the Department of Veterans Affairs, including site ac-
5 quisition; engineering and architectural activities not
6 charged to project cost; and research and development in
7 building construction technology; \$59,207,000, plus reim-
8 bursements.

9 TRANSITIONAL HOUSING LOAN PROGRAM

10 (INCLUDING TRANSFER OF FUNDS)

11 For the cost of direct loans, \$7,000, as authorized
12 by Public Law 102–54, section 8, which shall be trans-
13 ferred from the “General post fund”: *Provided*, That such
14 costs, including the cost of modifying such loans, shall be
15 as defined in section 502 of the Congressional Budget Act
16 of 1974, as amended: *Provided further*, That these funds
17 are available to subsidize gross obligations for the prin-
18 cipal amount of direct loans not to exceed \$70,000.

19 In addition, for administrative expenses to carry out
20 the direct loan program, \$54,000, which shall be trans-
21 ferred from the “General post fund”, as authorized by
22 Public Law 102–54, section 8.

1 DEPARTMENTAL ADMINISTRATION

2 GENERAL OPERATING EXPENSES

3 For necessary operating expenses of the Department
4 of Veterans Affairs, not otherwise provided for, including
5 uniforms or allowances therefor; not to exceed \$25,000 for
6 official reception and representation expenses; hire of pas-
7 senger motor vehicles; and reimbursement of the General
8 Services Administration for security guard services, and
9 the Department of Defense for the cost of overseas em-
10 ployee mail; \$823,584,000: *Provided*, That of the amount
11 appropriated, and any other funds made available from
12 any other source for activities funded under this heading,
13 not to exceed \$3,206,000 for personnel compensation and
14 benefits and \$50,000 for travel shall be available in the
15 Office of the Secretary: *Provided further*, That during fis-
16 cal year 1997, notwithstanding any other provision of law,
17 the number of individuals employed by the Department
18 of Veterans Affairs (1) in other than “career appointee”
19 positions in the Senior Executive Service shall not exceed
20 6, and (2) in schedule C positions shall not exceed 11:
21 *Provided further*, That funds under this heading shall be
22 available to administer the Service Members Occupational
23 Conversion and Training Act.

1 NATIONAL CEMETERY SYSTEM

2 For necessary expenses for the maintenance and op-
3 eration of the National Cemetery System, not otherwise
4 provided for, including uniforms or allowances therefor;
5 cemeterial expenses as authorized by law; purchase of two
6 passenger motor vehicles for use in cemeterial operations;
7 and hire of passenger motor vehicles, \$76,864,000.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
10 General in carrying out the Inspector General Act of 1978,
11 as amended, \$30,900,000.

12 CONSTRUCTION, MAJOR PROJECTS

13 For constructing, altering, extending and improving
14 any of the facilities under the jurisdiction or for the use
15 of the Department of Veterans Affairs, or for any of the
16 purposes set forth in sections 316, 2404, 2406, 8102,
17 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, Unit-
18 ed States Code, including planning, architectural and en-
19 gineering services, maintenance or guarantee period serv-
20 ices costs associated with equipment guarantees provided
21 under the project, services of claims analysts, offsite utility
22 and storm drainage system construction costs, and site ac-
23 quisition, where the estimated cost of a project is
24 \$3,000,000 or more or where funds for a project were
25 made available in a previous major project appropriation,

1 \$245,358,000, to remain available until expended: *Pro-*
2 *vided*, That except for advance planning of projects funded
3 through the advance planning fund and the design of
4 projects funded through the design fund, none of these
5 funds shall be used for any project which has not been
6 considered and approved by the Congress in the budgetary
7 process: *Provided further*, That funds provided in this ap-
8 propriation for fiscal year 1997, for each approved project
9 shall be obligated (1) by the awarding of a construction
10 documents contract by September 30, 1997, and (2) by
11 the awarding of a construction contract by September 30,
12 1998: *Provided further*, That the Secretary shall promptly
13 report in writing to the Comptroller General and to the
14 Committees on Appropriations any approved major con-
15 struction project in which obligations are not incurred
16 within the time limitations established above; and the
17 Comptroller General shall review the report in accordance
18 with the procedures established by section 1015 of the Im-
19 poundment Control Act of 1974 (title X of Public Law
20 93-344): *Provided further*, That no funds from any other
21 account except the “Parking revolving fund”, may be obli-
22 gated for constructing, altering, extending, or improving
23 a project which was approved in the budget process and
24 funded in this account until one year after substantial
25 completion and beneficial occupancy by the Department

1 of Veterans Affairs of the project or any part thereof with
2 respect to that part only.

3 CONSTRUCTION, MINOR PROJECTS

4 For constructing, altering, extending, and improving
5 any of the facilities under the jurisdiction or for the use
6 of the Department of Veterans Affairs, including plan-
7 ning, architectural and engineering services, maintenance
8 or guarantee period services costs associated with equip-
9 ment guarantees provided under the project, services of
10 claims analysts, offsite utility and storm drainage system
11 construction costs, and site acquisition, or for any of the
12 purposes set forth in sections 316, 2404, 2406, 8102,
13 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, Unit-
14 ed States Code, where the estimated cost of a project is
15 less than \$3,000,000; \$160,000,000, to remain available
16 until expended, along with unobligated balances of pre-
17 vious “Construction, minor projects” appropriations which
18 are hereby made available for any project where the esti-
19 mated cost is less than \$3,000,000: *Provided*, That funds
20 in this account shall be available for (1) repairs to any
21 of the nonmedical facilities under the jurisdiction or for
22 the use of the Department which are necessary because
23 of loss or damage caused by any natural disaster or catas-
24 trophe, and (2) temporary measures necessary to prevent
25 or to minimize further loss by such causes.

1 PARKING REVOLVING FUND

2 For the parking revolving fund as authorized by 38
3 U.S.C. 8109, \$12,300,000, together with income from fees
4 collected, to remain available until expended, which shall
5 be available for all authorized expenses except operations
6 and maintenance costs, which will be funded from “Medi-
7 cal care”.

8 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
9 FACILITIES

10 For grants to assist States to acquire or construct
11 State nursing home and domiciliary facilities and to re-
12 model, modify or alter existing hospital, nursing home and
13 domiciliary facilities in State homes, for furnishing care
14 to veterans as authorized by 38 U.S.C. 8131–8137,
15 \$47,397,000, to remain available until expended.

16 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS
17 CEMETERIES

18 For grants to aid States in establishing, expanding,
19 or improving State veteran cemeteries as authorized by 38
20 U.S.C. 2408, \$1,000,000, to remain available until ex-
21 pended.

22 FRANCHISE FUND

23 (INCLUDING TRANSFER OF FUNDS)

24 There is hereby established in the Treasury a fran-
25 chise fund pilot, as authorized by section 403 of Public
26 Law 103–356, to be available as provided in such section

1 for expenses and equipment necessary for the maintenance
2 and operation of such administrative services as the Sec-
3 retary determines may be performed more advantageously
4 as central services: *Provided*, That any inventories, equip-
5 ment and other assets pertaining to the services to be pro-
6 vided by the franchise fund, either on hand or on order,
7 less the related liabilities or unpaid obligations, and any
8 appropriations made hereafter for the purpose of provid-
9 ing capital, shall be used to capitalize the franchise fund:
10 *Provided further*, That the franchise fund may be paid in
11 advance from funds available to the Department and other
12 Federal agencies for which such centralized services are
13 performed, at rates which will return in full all expenses
14 of operation, including accrued leave, depreciation of fund
15 plant and equipment, amortization of automated data
16 processing (ADP) software and systems (either acquired
17 or donated), and an amount necessary to maintain a rea-
18 sonable operating reserve, as determined by the Secretary:
19 *Provided further*, That the franchise fund shall provide
20 services on a competitive basis: *Provided further*, That an
21 amount not to exceed four percent of the total annual in-
22 come to such fund may be retained in the fund for fiscal
23 year 1997 and each fiscal year thereafter, to remain avail-
24 able until expended, to be used for the acquisition of cap-
25 ital equipment and for the improvement and implementa-

1 tion of Departmental financial management, ADP, and
2 other support systems: *Provided further*, That no later
3 than thirty days after the end of each fiscal year amounts
4 in excess of this reserve limitation shall be transferred to
5 the Treasury: *Provided further*, That such franchise fund
6 pilot shall terminate pursuant to section 403(f) of Public
7 Law 103–356.

8 ADMINISTRATIVE PROVISIONS

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 101. Any appropriation for 1997 for “Com-
11 pensation and pensions”, “Readjustment benefits”, and
12 “Veterans insurance and indemnities” may be transferred
13 to any other of the mentioned appropriations.

14 SEC. 102. Appropriations available to the Depart-
15 ment of Veterans Affairs for 1997 for salaries and ex-
16 penses shall be available for services authorized by 5
17 U.S.C. 3109.

18 SEC. 103. No appropriations in this Act for the De-
19 partment of Veterans Affairs (except the appropriations
20 for “Construction, major projects”, “Construction, minor
21 projects”, and the “Parking revolving fund”) shall be
22 available for the purchase of any site for or toward the
23 construction of any new hospital or home.

24 SEC. 104. No appropriations in this Act for the De-
25 partment of Veterans Affairs shall be available for hos-

1 pitalization or examination of any persons (except bene-
2 ficiaries entitled under the laws bestowing such benefits
3 to veterans, and persons receiving such treatment under
4 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless re-
5 imbursement of cost is made to the “Medical care” ac-
6 count at such rates as may be fixed by the Secretary of
7 Veterans Affairs.

8 SEC. 105. Appropriations available to the Depart-
9 ment of Veterans Affairs for fiscal year 1997 for “Com-
10 pensation and pensions”, “Readjustment benefits”, and
11 “Veterans insurance and indemnities” shall be available
12 for payment of prior year accrued obligations required to
13 be recorded by law against the corresponding prior year
14 accounts within the last quarter of fiscal year 1996.

15 SEC. 106. Appropriations accounts available to the
16 Department of Veterans Affairs for fiscal year 1997 shall
17 be available to pay prior year obligations of corresponding
18 prior year appropriations accounts resulting from title X
19 of the Competitive Equality Banking Act, Public Law
20 100–86, except that if such obligations are from trust
21 fund accounts they shall be payable from “Compensation
22 and pensions”.

23 SEC. 107. Notwithstanding any other provision of
24 law, during fiscal year 1997, the Secretary of Veterans
25 Affairs shall, from the National Service Life Insurance

1 Fund (38 U.S.C. 1920), the Veterans' Special Life Insur-
2 ance Fund (38 U.S.C. 1923), and the United States Gov-
3 ernment Life Insurance Fund (38 U.S.C. 1955), reim-
4 burse the "General operating expenses" account for the
5 cost of administration of the insurance programs financed
6 through those accounts: *Provided*, That reimbursement
7 shall be made only from the surplus earnings accumulated
8 in an insurance program in fiscal year 1997, that are
9 available for dividends in that program after claims have
10 been paid and actuarially determined reserves have been
11 set aside: *Provided further*, That if the cost of administra-
12 tion of an insurance program exceeds the amount of sur-
13 plus earnings accumulated in that program, reimburse-
14 ment shall be made only to the extent of such surplus
15 earnings: *Provided further*, That the Secretary shall deter-
16 mine the cost of administration for fiscal year 1997, which
17 is properly allocable to the provision of each insurance pro-
18 gram and to the provision of any total disability income
19 insurance included in such insurance program.

1 TITLE II
2 DEPARTMENT OF HOUSING AND URBAN
3 DEVELOPMENT
4 HOUSING PROGRAMS
5 ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING
6 (INCLUDING RESCISSION)

7 For assistance under the United States Housing Act
8 of 1937, as amended (the “Act” herein) (42 U.S.C. 1437),
9 not otherwise provided for, \$5,372,000,000, to remain
10 available until expended: *Provided*, That of the total
11 amount provided under this head, \$4,572,000,000 shall be
12 for assistance under the United States Housing Act of
13 1937 (42 U.S.C. 1437) for use in connection with expiring
14 or terminating section 8 subsidy contracts of which
15 \$975,000,000 shall be available on September 15, 1997:
16 *Provided further*, That the Secretary may determine not
17 to apply section 8(o)(6)(B) of the Act to housing vouchers
18 during fiscal year 1997: *Provided further*, That of the total
19 amount provided under this head, \$800,000,000 shall be
20 for amendments to section 8 contracts other than con-
21 tracts for projects developed under section 202 of the
22 Housing Act of 1959, as amended: *Provided further*, That
23 50 per centum of the amounts of budget authority, or in
24 lieu thereof 50 per centum of the cash amounts associated
25 with such budget authority, that are recaptured from

1 projects described in section 1012(a) of the Stewart B.
2 McKinney Homeless Assistance Amendments Act of 1988
3 (Public Law 100–628, 102 Stat. 3224, 3268) shall be re-
4 scinded, or in the case of cash, shall be remitted to the
5 Treasury, and such amounts of budget authority or cash
6 recaptured and not rescinded or remitted to the Treasury
7 shall be used by State housing finance agencies or local
8 governments or local housing agencies with projects ap-
9 proved by the Secretary of Housing and Urban Develop-
10 ment for which settlement occurred after January 1,
11 1992, in accordance with such section.

12 HOUSING FOR SPECIAL POPULATIONS: ELDERLY AND
13 DISABLED

14 For capital advances, including amendments to cap-
15 ital advance contracts, and for project rental assistance
16 and amendments thereto, for Supportive Housing for the
17 Elderly under section 202 of the Housing Act of 1959,
18 as amended, \$595,000,000, to remain available until ex-
19 pended.

20 For capital advances, including amendments to cap-
21 ital advance contracts, and for project rental assistance
22 and amendments thereto, for Supportive Housing for Per-
23 sons with Disabilities under section 811 of the Cranston-
24 Gonzalez National Affordable Housing Act, \$174,000,000,
25 to remain available until expended, of which 25 percent
26 shall be used for tenant-based rental assistance under sec-

1 tion 8(o) of the United States Housing Act of 1937 (42
2 U.S.C. 1437(o)), in addition to any other amounts avail-
3 able for section 8(o).

4 The Secretary may waive any provision of section 202
5 of the Housing Act of 1959 and section 811 of the Cran-
6 ston-Gonzalez National Affordable Housing Act (including
7 the provisions governing the terms and conditions of
8 project rental assistance) that the Secretary determines is
9 not necessary to achieve the objectives of these programs,
10 or that otherwise impedes the ability to develop, operate
11 or administer projects assisted under these programs, and
12 may make provision for alternative conditions or terms
13 where appropriate.

14 FLEXIBLE SUBSIDY FUND

15 (INCLUDING TRANSFER OF FUNDS)

16 From the fund established by section 236(g) of the
17 National Housing Act, as amended, all uncommitted bal-
18 ances of excess rental charges as of September 30, 1996,
19 and any collection during fiscal year 1997, shall be trans-
20 ferred, as authorized under such section, to the fund au-
21 thorized under section 201(j) of the Housing and Commu-
22 nity Development Amendments of 1978, as amended.

1 RENTAL HOUSING ASSISTANCE
2 (RESCISSION)

3 The limitation otherwise applicable to the maximum
4 payments that may be required in any fiscal year by all
5 contracts entered into under section 236 of the National
6 Housing Act (12 U.S.C. 1715z-1) is reduced in fiscal year
7 1997 by not more than \$2,000,000 in uncommitted bal-
8 ances of authorizations provided for this purpose in appro-
9 priations Acts.

10 PUBLIC AND INDIAN HOUSING
11 HOUSING CERTIFICATE FUND

12 For tenant-based assistance under section 8 of the
13 United States Housing Act of 1937 (42 U.S.C. 1437f),
14 as amended, \$166,000,000, to remain available until ex-
15 pended: *Provided*, That of the total amount provided
16 under this head, \$50,000,000 shall be for nonelderly dis-
17 abled families relocating pursuant to designation of a pub-
18 lic housing development under section 7 of such Act: *Pro-*
19 *vided further*, That the remainder of the amount provided
20 under this head shall be used only for housing assistance
21 for relocating residents of properties (i) that are eligible
22 for assistance under the Low Income Housing Preserva-
23 tion and Resident Homeownership Act of 1990
24 (LIHPRHA) or the Emergency Low-Income Housing
25 Preservation Act of 1987 (ELIHPA) in accordance with

1 the terms and conditions of the tenth and eleventh provi-
2 sos of the second undesignated paragraph under the head
3 “Annual Contributions for Assisted Housing” in Public
4 Law 104–134; (ii) that are owned by the Secretary and
5 being disposed of; (iii) for which section 8 assistance is
6 allocated under subsection (f) of section 204 of this Act
7 (relating to portfolio reengineering); or (iv) subject to spe-
8 cial workout assistance team intervention compliance ac-
9 tions: *Provided further*, That notwithstanding any other
10 provision of law, a public housing agency administering
11 certificate or voucher assistance provided under subsection
12 (b) or (o) of section 8 of the United States Housing Act
13 of 1937, as amended, shall delay for 3 months, the use
14 of any amounts of such assistance (or the certificate or
15 voucher representing assistance amounts) made available
16 by the termination during fiscal year 1997 of such assist-
17 ance on behalf of any family for any reason, but not later
18 than October 1, 1997, with the exception of any certifi-
19 cates assigned or committed to project-based assistance as
20 permitted otherwise by the Act, accomplished prior to the
21 effective date of this Act: *Provided further*, That section
22 8(c)(2)(A) of the United States Housing Act of 1937, as
23 amended (42 U.S.C. 1437f(c)(2)(A)) is further amend-
24 ed—

1 (1) in the third sentence by inserting “and fis-
2 cal year 1997” after “1995”; and

3 (2) in the last sentence by inserting “and fiscal
4 year 1997” after “1995”.

5 PUBLIC HOUSING OPERATING FUND

6 For payments to public housing agencies and Indian
7 housing authorities for operating subsidies for low-income
8 housing projects as authorized by section 9 of the United
9 States Housing Act of 1937, as amended (42 U.S.C.
10 1437g), \$2,850,000,000.

11 PUBLIC HOUSING CAPITAL FUND

12 (INCLUDING TRANSFERS OF FUNDS)

13 For the Public Housing Capital Fund program under
14 the United States Housing Act of 1937, as amended (42
15 U.S.C. 1437), \$2,700,000,000, to remain available until
16 expended, of which \$2,415,000,000 shall be for mod-
17 ernization of existing public housing projects;
18 \$200,000,000 for Indian Housing Development;
19 \$50,000,000 for grants to public housing agencies (includ-
20 ing Indian housing authorities), nonprofit corporations,
21 and other appropriate entities for a supportive services
22 program to assist residents of public and assisted housing,
23 former residents of such housing receiving tenant-based
24 assistance under section 8 of such Act, and other low-in-
25 come families and individuals, principally for the benefit

1 of public housing residents, to become self-sufficient;
2 \$20,000,000 for technical assistance for the inspection of
3 public housing units, contract expertise, and training and
4 technical assistance directly or indirectly, under grants,
5 contracts, or cooperative agreements, to assist in the over-
6 sight and management of public and Indian housing
7 (whether or not the housing is being modernized with as-
8 sistance under this proviso) or tenant-based assistance, in-
9 cluding, but not limited to, an annual resident survey,
10 data collection and analysis, training and technical assist-
11 ance by or to officials and employees of the department
12 and of public housing agencies and to residents in connec-
13 tion with the public and Indian housing program or for
14 carrying out activities under section 6(j) of the Act;
15 \$10,000,000 for the Tenant Opportunity Program; and
16 \$5,000,000 for the Jobs-Plus Demonstration for Public
17 Housing families: *Provided*, That all obligated and unobli-
18 gated balances as of the end of fiscal year 1996 heretofore
19 provided for the development or acquisition costs of public
20 housing (including public housing for Indian families), for
21 modernization of existing public housing projects (includ-
22 ing such projects for Indian families), for public and In-
23 dian housing amendments, for modernization and develop-
24 ment technical assistance, for lease adjustments for the
25 section 23 program, and for the Family Investment Cen-

1 ters program shall be transferred to amounts made avail-
2 able under this heading.

3 REVITALIZATION OF SEVERELY DISTRESSED PUBLIC
4 HOUSING (HOPE VII)

5 For grants to public housing agencies for assisting
6 in the demolition of obsolete public housing projects or
7 portions thereof, the revitalization (where appropriate) of
8 sites (including remaining public housing units) on which
9 such projects are located, replacement housing which will
10 avoid or lessen concentrations of very low-income families,
11 and tenant-based assistance in accordance with section 8
12 of the United States Housing Act of 1937; and for provid-
13 ing replacement housing and assisting tenants to be dis-
14 placed by the demolition, \$550,000,000, to remain avail-
15 able until expended, of which the Secretary may use up
16 to \$2,500,000 for technical assistance, to be provided di-
17 rectly or indirectly by grants, contracts or cooperative
18 agreements, including training and cost of necessary travel
19 for participants in such training, by or to officials and em-
20 ployees of the Department and of public housing agencies
21 and to residents: *Provided*, That, notwithstanding any
22 other provision of law, the funds made available to the
23 Housing Authority of New Orleans under HOPE VI for
24 purposes of Desire Homes, shall not be obligated or ex-
25 pended for on-site construction until an independent third
26 party has determined whether the site is appropriate.

1 DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING
2 (INCLUDING TRANSFER OF FUNDS)

3 For grants to public and Indian housing agencies for
4 use in eliminating crime in public housing projects author-
5 ized by 42 U.S.C. 11901–11908, for grants for federally
6 assisted low-income housing authorized by 42 U.S.C.
7 11909, and for drug information clearinghouse services
8 authorized by 42 U.S.C. 11921–11925, \$290,000,000, to
9 remain available until expended, \$10,000,000 of which
10 shall be for grants, technical assistance, contracts and
11 other assistance training, program assessment, and execu-
12 tion for or on behalf of public housing agencies and resi-
13 dent organizations (including the cost of necessary travel
14 for participants in such training), \$5,000,000 of which
15 shall be used in connection with efforts to combat violent
16 crime in public and assisted housing under the Operation
17 Safe Home program administered by the Inspector Gen-
18 eral of the Department of Housing and Urban Develop-
19 ment, and \$5,000,000 of which shall be transferred to the
20 Office of Inspector General for Operation Safe Home: *Pro-*
21 *vided*, That the term “drug-related crime”, as defined in
22 42 U.S.C. 11905(2), shall also include other types of
23 crime as determined by the Secretary.

1 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
2 ACCOUNT

3 For the cost of guaranteed loans, as authorized by
4 section 184 of the Housing and Community Development
5 Act of 1992 (106 Stat. 3739), \$3,000,000: *Provided*, That
6 such costs, including the costs of modifying such loans,
7 shall be as defined in section 502 of the Congressional
8 Budget Act of 1974, as amended: *Provided further*, That
9 these funds are available to subsidize total loan principal,
10 any part of which is to be guaranteed, not to exceed
11 \$36,900,000.

12 COMMUNITY PLANNING AND DEVELOPMENT
13 COMMUNITY DEVELOPMENT BLOCK GRANTS FUND
14 (INCLUDING TRANSFER OF FUNDS)

15 For grants to States and units of general local gov-
16 ernment and for related expenses, not otherwise provided
17 for, to carry out a community development grants pro-
18 gram as authorized by title I of the Housing and Commu-
19 nity Development Act of 1974, as amended (the “Act”
20 herein) (42 U.S.C. 5301), \$4,300,000,000, to remain
21 available until September 30, 1999, of which \$61,400,000
22 shall be for grants to Indian tribes notwithstanding sec-
23 tion 106(a)(1) of the Act: *Provided*, That \$2,100,000 shall
24 be available as a grant to the Housing Assistance Council,
25 \$1,000,000 shall be available as a grant to the National

1 American Indian Housing Council, and \$49,000,000 shall
2 be available for grants pursuant to section 107 of such
3 Act, including up to \$14,000,000 for the development and
4 operation of a management information system: *Provided*
5 *further*, That not to exceed 20 percent of any grant made
6 with funds appropriated herein (other than a grant made
7 available under the preceding proviso to the Housing As-
8 sistance Council or the National American Indian Housing
9 Council, or a grant using funds under section 107(b)(3)
10 of the Housing and Community Development Act of 1974,
11 as amended) shall be expended for “Planning and Man-
12 agement Development” and “Administration” as defined
13 in regulations promulgated by the Department: *Provided*
14 *further*, That for fiscal year 1997 and thereafter, section
15 105(a)(25) of such Act, shall continue to be effective and
16 the termination and conforming provisions of section
17 907(b)(2) of the Cranston-Gonzalez National Affordable
18 Housing Act shall not be effective: *Provided further*, That
19 section 916(f) of the Cranston-Gonzalez National Afford-
20 able Housing Act is repealed.

21 Of the amount made available under this heading,
22 notwithstanding any other provision of law, \$20,000,000
23 shall be available for youthbuild program activities author-
24 ized by subtitle D of title IV of the Cranston-Gonzalez
25 National Affordable Housing Act, as amended, and such

1 activities shall be an eligible activity with respect to any
2 funds made available under this heading.

3 Of the amount made available under this heading,
4 notwithstanding any other provision of law, \$60,000,000
5 shall be available for the lead-based paint hazard reduc-
6 tion program as authorized under sections 1011 and 1053
7 of the Residential Lead-Based Hazard Reduction Act of
8 1992.

9 Of the amount made available under this heading,
10 \$40,000,000 shall be available for Economic Development
11 Initiative grants as authorized by section 232 of the Multi-
12 family Housing Property Disposition Reform Act of 1994,
13 Public Law 103–233, including \$11,000,000 of the fore-
14 going amount shall, notwithstanding any other provision
15 of law, be used for Economic Development Grants in ac-
16 cordance with the terms and conditions specified for such
17 grants in the Report accompanying this Act.

18 For the cost of guaranteed loans, \$31,750,000, as au-
19 thorized by section 108 of the Housing and Community
20 Development Act of 1974: *Provided*, That such costs, in-
21 cluding the cost of modifying such loans, shall be as de-
22 fined in section 502 of the Congressional Budget Act of
23 1974, as amended: *Provided further*, That these funds are
24 available to subsidize total loan principal, any part of
25 which is to be guaranteed, not to exceed \$1,500,000,000,

1 notwithstanding any aggregate limitation on outstanding
2 obligations guaranteed in section 108(k) of the Housing
3 and Community Development Act of 1974. In addition,
4 for administrative expenses to carry out the guaranteed
5 loan program, \$675,000 which shall be transferred to and
6 merged with the appropriation for salaries and expenses.

7 HOME INVESTMENT PARTNERSHIPS PROGRAM

8 For the HOME investment partnerships program, as
9 authorized under title II of the Cranston-Gonzalez Na-
10 tional Affordable Housing Act (Public Law 101–625), as
11 amended, \$1,400,000,000, to remain available until ex-
12 pended: *Provided*, That \$21,000,000 shall be available for
13 grants to Indian Tribes: *Provided further*, That up to 0.5
14 percent, but not less than \$7,000,000, shall be available
15 for the development and operation of a management infor-
16 mation system: *Provided further*, That \$15,000,000 shall
17 be available for Housing Counseling under section 106 of
18 the Housing and Urban Development Act of 1968.

19 HOMELESS ASSISTANCE FUNDS

20 For the emergency shelter grants program (as au-
21 thorized under subtitle B of title IV of the Stewart B.
22 McKinney Homeless Assistance Act (Public Law 100–77),
23 as amended); the supportive housing program (as author-
24 ized under subtitle C of title IV of such Act); the section
25 8 moderate rehabilitation single room occupancy program
26 (as authorized under the United States Housing Act of

1 1937, as amended) to assist homeless individuals pursuant
 2 to section 441 of the Stewart B. McKinney Homeless As-
 3 sistance Act; and the shelter plus care program (as au-
 4 thorized under subtitle F of title IV of such Act),
 5 \$823,000,000, to remain available until expended.

6 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

7 (INCLUDING TRANSFER OF FUNDS)

8 For carrying out the Housing Opportunities for Per-
 9 sons with AIDS program, as authorized by the AIDS
 10 Housing Opportunity Act (42 U.S.C. 12901),
 11 \$171,000,000, to remain available until expended: *Pro-*
 12 *vided*, That any amounts previously appropriated for such
 13 program, and any related assets and liabilities, in the “An-
 14 nual contributions for assisted housing” account, shall be
 15 transferred to and merged with amounts in this account.

16 FEDERAL HOUSING ADMINISTRATION

17 FHA—MUTUAL MORTGAGE INSURANCE PROGRAM

18 ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 During fiscal year 1997, commitments to guarantee
 21 loans to carry out the purposes of section 203(b) of the
 22 National Housing Act, as amended, shall not exceed a loan
 23 principal of \$110,000,000,000: *Provided*, That during fis-
 24 cal year 1997, the Secretary shall sell assigned mortgage
 25 notes having an unpaid principal balance of up to

1 \$2,000,000,000, which notes were originally insured under
2 section 203(b) of the National Housing Act: *Provided fur-*
3 *ther*, That the Secretary may use the amount of any nega-
4 tive subsidy resulting from the sale of such assigned mort-
5 gage notes during fiscal year 1997 for the purposes in-
6 cluded under this heading.

7 During fiscal year 1997, obligations to make direct
8 loans to carry out the purposes of section 204(g) of the
9 National Housing Act, as amended, shall not exceed
10 \$200,000,000: *Provided*, That the foregoing amount shall
11 be for loans to nonprofit and governmental entities in con-
12 nection with sales of single family real properties owned
13 by the Secretary and formerly insured under section 203
14 of such Act.

15 For administrative expenses necessary to carry out
16 the guaranteed and direct loan program, \$341,595,000,
17 to be derived from the FHA-mutual mortgage insurance
18 guaranteed loans receipt account, of which not to exceed
19 \$334,483,000 shall be transferred to the appropriation for
20 departmental salaries and expenses; and of which not to
21 exceed \$7,112,000 shall be transferred to the appropria-
22 tion for the Office of Inspector General.

1 FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the cost of guaranteed loans, as authorized by
4 sections 238 and 519 of the National Housing Act (12
5 U.S.C. 1715z-3 and 1735c), including the cost of loan
6 guarantee modifications (as that term is defined in section
7 502 of the Congressional Budget Act of 1974, as amend-
8 ed) \$85,000,0000, to remain available until expended:
9 *Provided*, That these funds are available to subsidize total
10 loan principal, any part of which is to be guaranteed, of
11 up to \$17,400,000,000: *Provided further*, That during fis-
12 cal year 1997, the Secretary shall sell assigned notes hav-
13 ing an unpaid principal balance of up to \$2,500,000,000,
14 which notes are held by the Secretary under the General
15 Insurance and Special Risk Insurance funds: *Provided fur-*
16 *ther*, That any amounts made available in any prior appro-
17 priations Act for the cost (as such term is defined in sec-
18 tion 502 of the Congressional Budget Act of 1974) of
19 guaranteed loans that are obligations of the funds estab-
20 lished under section 238 or 519 of the National Housing
21 Act that have not been obligated or that are deobligated
22 shall be available to the Secretary of Housing and Urban
23 Development in connection with the making of such guar-
24 antees and shall remain available until expended, notwith-

1 standing the expiration of any period of availability other-
 2 wise applicable to such amounts.

3 Gross obligations for the principal amount of direct
 4 loans, as authorized by sections 204(g), 207(l), 238(a),
 5 and 519(a) of the National Housing Act, shall not exceed
 6 \$120,000,000; of which not to exceed \$100,000,000 shall
 7 be for bridge financing in connection with the sale of mul-
 8 tifamily real properties owned by the Secretary and for-
 9 merly insured under such Act; and of which not to exceed
 10 \$20,000,000 shall be for loans to nonprofit and govern-
 11 mental entities in connection with the sale of single-family
 12 real properties owned by the Secretary and formerly in-
 13 sured under such Act.

14 In addition, for administrative expenses necessary to
 15 carry out the guaranteed and direct loan programs,
 16 \$202,470,000, of which \$198,299,000 shall be transferred
 17 to the appropriation for salaries and expenses; and of
 18 which \$4,171,000 shall be transferred to the appropriation
 19 for the Office of Inspector General.

20 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
 21 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
 22 GUARANTEE PROGRAM ACCOUNT
 23 (INCLUDING TRANSFER OF FUNDS)

24 During fiscal year 1997, new commitments to issue
 25 guarantees to carry out the purposes of section 306 of the

1 National Housing Act, as amended (12 U.S.C. 1721(g)),
2 shall not exceed \$110,000,000,000.

3 For administrative expenses necessary to carry out
4 the guaranteed mortgage-backed securities program,
5 \$9,101,000, to be derived from the GNMA-guarantees of
6 mortgage-backed securities guaranteed loan receipt ac-
7 count, of which not to exceed \$9,101,000 shall be trans-
8 ferred to the appropriation for salaries and expenses.

9 POLICY DEVELOPMENT AND RESEARCH

10 RESEARCH AND TECHNOLOGY

11 For contracts, grants, and necessary expenses of pro-
12 grams of research and studies relating to housing and
13 urban problems, not otherwise provided for, as authorized
14 by title V of the Housing and Urban Development Act
15 of 1970, as amended (12 U.S.C. 1701z-1 et seq.), includ-
16 ing carrying out the functions of the Secretary under sec-
17 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,
18 \$34,000,000, to remain available until September 30,
19 1998.

20 FAIR HOUSING AND EQUAL OPPORTUNITY

21 FAIR HOUSING ACTIVITIES

22 For contracts, grants, and other assistance, not oth-
23 erwise provided for, as authorized by title VIII of the Civil
24 Rights Act of 1968, as amended by the Fair Housing
25 Amendments Act of 1988, and for contracts with qualified

1 fair housing enforcement organizations, as authorized by
2 section 561 of the Housing and Community Development
3 Act of 1987, as amended, \$30,000,000, to remain avail-
4 able until September 30, 1998, of which \$15,000,000 shall
5 be to carry out activities pursuant to section 561.

6 MANAGEMENT AND ADMINISTRATION

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary administrative and non-administrative
10 expenses of the Department of Housing and Urban Devel-
11 opment, not otherwise provided for, including not to ex-
12 ceed \$7,000 for official reception and representation ex-
13 penses, \$962,558,000, of which \$532,782,000 shall be
14 provided from the various funds of the Federal Housing
15 Administration, \$9,101,000 shall be provided from funds
16 of the Government National Mortgage Association, and
17 \$675,000 shall be provided from the Community Develop-
18 ment Grants Program account.

19 OFFICE OF INSPECTOR GENERAL

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, as amended, \$52,850,000, of which
24 \$11,283,000 shall be provided from the various funds of
25 the Federal Housing Administration and \$5,000,000 shall
26 be provided from the amount earmarked for Operation

1 Safe Home in the Drug elimination grants for low income
 2 housing account.

3 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT
 4 SALARIES AND EXPENSES
 5 (INCLUDING TRANSFER OF FUNDS)

6 For carrying out the Federal Housing Enterprise Fi-
 7 nancial Safety and Soundness Act of 1992, \$14,895,000,
 8 to remain available until expended, from the Federal
 9 Housing Enterprise Oversight Fund: *Provided*, That such
 10 amounts shall be collected by the Director as authorized
 11 by section 1316(a) and (b) of such Act, and deposited in
 12 the Fund under section 1316(f) of such Act.

13 ADMINISTRATIVE PROVISIONS

14 SEC. 201. MINIMUM RENTS.—Notwithstanding sec-
 15 tion 3(a) and 8(o)(2) of the United States Housing Act
 16 of 1937, as amended, for fiscal year 1997—

17 (1) public housing agencies shall require each
 18 family who is assisted under the certificate or mod-
 19 erate rehabilitation program under section 8 of such
 20 Act to pay a minimum monthly rent of up to \$25;

21 (2) public housing agencies shall reduce the
 22 monthly assistance payment on behalf of each family
 23 who is assisted under the voucher program under
 24 section 8 of such Act so that the family pays a mini-
 25 mum monthly rent of up to \$25;

1 (3) with respect to housing assisted under other
2 programs for rental assistance under section 8 of
3 such Act, the Secretary shall require each family
4 who is assisted under such program to pay a mini-
5 mum monthly rent of up to \$25; and

6 (4) public housing agencies shall require each
7 family who is assisted under the public housing pro-
8 gram (including public housing for Indian families)
9 to pay a minimum monthly rent of up to \$25.

10 SEC. 202. ADMINISTRATIVE FEES.—Notwithstand-
11 ing section 8(q) of the United States Housing Act of 1937,
12 as amended—

13 (a) The Secretary shall establish fees for the cost of
14 administering the certificate, voucher and moderate reha-
15 bilitation programs.

16 (1)(A) For fiscal year 1997, the fee for each
17 month for which a dwelling unit is covered by an as-
18 sistance contract shall be 7.5 percent of the base
19 amount, adjusted as provided herein, in the case of
20 an agency that, on an annual basis, is administering
21 a program of no more than 600 units, and 7 percent
22 of the base amount, adjusted as provided herein, for
23 each additional unit above 600.

24 (B) The base amount shall be the higher of—

1 (i) the fair market rental for fiscal year
2 1993 for a 2-bedroom existing rental dwelling
3 unit in the market area of the agency; and

4 (ii) such fair market rental for fiscal year
5 1994, but not more than 103.5 percent of the
6 amount determined under clause (i).

7 (C) The base amount shall be adjusted to re-
8 flect changes in the wage data or other objectively
9 measurable data that reflect the costs of administer-
10 ing the program during fiscal year 1996; except that
11 the Secretary may require that the base amount be
12 not less than a minimum amount and not more than
13 a maximum amount.

14 (2) For subsequent fiscal years, the Secretary
15 shall publish a notice in the Federal Register, for
16 each geographic area, establishing the amount of the
17 fee that would apply for the agencies administering
18 the program, based on changes in wage data or
19 other objectively measurable data that reflect the
20 cost of administering the program, as determined by
21 the Secretary.

22 (3) The Secretary may increase the fee if nec-
23 essary to reflect higher costs of administering small
24 programs and programs operating over large geo-
25 graphic areas.

1 (4) The Secretary may decrease the fee for
2 PHA-owned units.

3 (b) Beginning in fiscal year 1997 and thereafter, the
4 Secretary shall also establish reasonable fees (as deter-
5 mined by the Secretary) for—

6 (1) the costs of preliminary expenses, in the
7 amount of \$500, for a public housing agency, but
8 only in the first year it administers a tenant-based
9 assistance program under the United States Hous-
10 ing Act of 1937 and only if, immediately before the
11 effective date of this Act, it was not administering
12 a tenant-based assistance program under the 1937
13 Act (as in effect immediately before the effective
14 date of this Act), in connection with its initial incre-
15 ment of assistance received;

16 (2) the costs incurred in assisting families who
17 experience difficulty (as determined by the Sec-
18 retary) in obtaining appropriate housing under the
19 program; and

20 (3) extraordinary costs approved by the Sec-
21 retary.

22 SEC. 203. SINGLE FAMILY ASSIGNMENT PRO-
23 GRAM.—Section 407(c) of the Balanced Budget Downpay-
24 ment Act, I (12 U.S.C. 1710 note), is amended by striking
25 “October 1, 1996” and inserting “October 1, 1997”.

1 SEC. 204. PORTFOLIO REENGINEERING.—(a) FIND-
2 INGS.—The Congress finds that—

3 (1) approximately 8,500 multifamily projects
4 with mortgages insured by the Secretary of Housing
5 and Urban Development under the National Hous-
6 ing Act are also receiving rental subsidies under con-
7 tracts entered into pursuant to section 8 of the
8 United States Housing Act of 1937;

9 (2) of the units with contracts that expire in
10 1997, approximately 83,000 units have section 8
11 contracts at rent levels that exceed market rate;

12 (3) the majority of such projects are receiving
13 rental assistance under such section 8 in amounts
14 exceeding the rents paid for comparable
15 unsubsidized units in the same or comparable mar-
16 ket areas, thereby creating an unreasonable burden
17 on Federal taxpayers;

18 (4) most of these projects have substantial
19 amounts of deferred maintenance and other capital
20 needs, despite receiving such assistance;

21 (5) in the absence of the renewal of the rental
22 assistance contracts for the projects at rents above
23 market rent, many of the projects would default on
24 their insured mortgages, resulting in massive claims

1 under the multifamily mortgage insurance program
2 of the Secretary;

3 (6) it is in the interests of the taxpayers, the
4 tenants, owners, and operators of the projects, the
5 mortgagees and investors in the projects, and the
6 communities in which the projects are located to re-
7 duce the Federal rental assistance to market rates,
8 to address the capital needs of the projects, and con-
9 sistent with existing contractual rights, to eliminate
10 the economic risk of Federal mortgage insurance
11 claims on projects that are dependent on Federal
12 rent subsidies;

13 (7) the Department of Housing and Urban De-
14 velopment does not have the capacity to carry out a
15 program to restructure the portfolio of loans for
16 such projects and, therefore, should enter into agree-
17 ments with partners that will be delegated the au-
18 thority to take actions as may be necessary to
19 achieve the goals in subsection (b) through the tran-
20 sition of the projects to (i) market rate rents, and
21 (ii) financing not dependent on Federal mortgage in-
22 surance;

23 (8) such projects provide housing for many low-
24 income families, a significant proportion of which
25 are elderly or disabled families, and their particular

1 housing needs should be recognized in carrying out
2 the program under this section;

3 (9) many responsible owners of such properties
4 have managed the properties in a competent and ef-
5 ficient manner, consistent with the purposes of the
6 Federal mortgage insurance and rental assistance
7 programs, by maintaining the properties as safe, de-
8 cent, and affordable housing and acting as good
9 partners of the Federal Government to provide hous-
10 ing for low-income families needing housing; and

11 (10) the program under this section should be
12 carried out in a manner that recognizes the capabili-
13 ties, performance, and legal rights of such respon-
14 sible owners.

15 (b) GOALS.—The Secretary of Housing and Urban
16 Development shall carry out the program under this sec-
17 tion in a manner that will—

18 (1) protect the financial interests of the Federal
19 Government through debt restructuring and subsidy
20 reduction;

21 (2) protect the rights of owners of properties
22 under the program, by providing a mechanism to re-
23 structure mortgages that would otherwise default;
24 and

1 (3) in the most effective manner, address the
2 goals of—

3 (A) maintaining existing housing stock in
4 an affordable, decent, safe, and sanitary condi-
5 tion;

6 (B) minimizing involuntary displacement
7 and other adverse impacts on tenants;

8 (C) treating responsible owners as valued
9 partners in the ongoing operations regarding a
10 property;

11 (D) being cognizant of adverse income tax
12 consequences to owners;

13 (E) taking into account local housing mar-
14 ket conditions;

15 (F) supporting fair housing strategies;

16 (G) encouraging responsible ownership and
17 management of property;

18 (H) minimizing adverse impacts on resi-
19 dential neighborhoods; and

20 (I) promoting the economic self-sufficiency
21 of tenants.

22 (c) COMMUNITY AND TENANT INPUT.—In carrying
23 out this section, the Secretary shall develop procedures to
24 provide appropriate and timely notice to officials of the
25 unit of general local government affected, the community

1 in which the project is located, and the tenants of the
2 project.

3 (d) APPLICABILITY.—

4 (1) IN GENERAL.—This section applies to
5 any—

6 (A) multifamily housing project with a
7 mortgage insured by the Secretary under the
8 National Housing Act, and

9 (B) mortgage debt on a multifamily hous-
10 ing project that is subject to such an insured
11 mortgage,

12 but only if the multifamily housing project referred
13 to in subparagraph (A) or (B) is covered in whole
14 or in part by a contract for project-based assistance
15 described in paragraph (2).

16 (2) PROJECT-BASED ASSISTANCE.—A contract
17 for project-based assistance described in this para-
18 graph is a contract—

19 (A) that expires during fiscal year 1997;

20 (B) under which the current assisted rents
21 are, in the aggregate, in excess of market rents;
22 and

23 (C) that provides assistance under—

24 (i) the new construction or substantial
25 rehabilitation program under section

1 8(b)(2) of the United States Housing Act
2 of 1937 (as in effect before October 1,
3 1983);

4 (ii) the property disposition program
5 under section 8(b) of such Act;

6 (iii) the loan management set-aside
7 program under section 8(b) of such Act;

8 (iv) the project-based certificate pro-
9 gram under section 8(d)(2) of such Act;

10 (v) the moderate rehabilitation pro-
11 gram under section 8(e)(2) of such Act;

12 (vi) section 23 of the United States
13 Housing Act of 1937 (as in effect before
14 January 1, 1975);

15 (vii) the preservation program under
16 the Emergency Low Income Housing Pres-
17 ervation Act of 1987 or the Low-Income
18 Housing Preservation and Resident Home-
19 ownership Act of 1990;

20 (viii) the rent supplement program
21 under section 101 of the Housing and
22 Urban Development Act of 1965;

23 (ix) section 8 of the United States
24 Housing Act of 1937, following conversion
25 from assistance under section 101 of the

1 Housing and Urban Development Act of
2 1965; or

3 (x) section 236(f)(2) of the National
4 Housing Act.

5 (e) QUALIFIED LIABILITY MANAGERS.—

6 (1) USE.—In carrying out the program under
7 this section, the Secretary may use arrangements
8 with one or more third parties (in this section re-
9 ferred to as “qualified liability managers”) under
10 which the Secretary may provide for the assumption
11 by delegation, contract, or otherwise of some or all
12 of the functions, obligations, and benefits of the Sec-
13 retary, as the Secretary determines to be reasonably
14 necessary to accomplish the goals of this section.

15 (2) SELECTION.—Qualified liability managers
16 shall be selected by the Secretary using competitive
17 procedures. Each qualified liability manager shall be
18 a State housing finance agency with the dem-
19 onstrated financial and technical capacity (A) to as-
20 sume and manage the insurance risk of the Sec-
21 retary, (B) to discharge public purpose objectives
22 (including the goals set out in subsection (b)), and
23 (C) to restructure and recapitalize the housing
24 projects described in subsection (d). In the absence
25 of a State housing finance agency with the dem-

1 onstrated financial and technical capacity to carry
2 out the responsibilities set forth in clauses (A)
3 through (C) of the preceding sentence, a qualified li-
4 ability manager shall be composed of a State hous-
5 ing finance agency that partners with one or more
6 entities (including public entities, private sector enti-
7 ties, and nonprofit organizations) with the dem-
8 onstrated financial and technical capacity to carry
9 out such responsibilities. Each qualified liability
10 manager shall demonstrate an understanding of the
11 public purposes of the multifamily housing mortgage
12 insurance programs under the National Housing Act
13 and the project-based assistance programs under
14 section (d)(2) and the role of responsible project
15 owners under such programs.

16 (3) ROLE.—Under the program under this sec-
17 tion, each selected qualified liability manager shall
18 assume, to the maximum extent possible, the finan-
19 cial risk of the Secretary for the mortgage insurance
20 for one or more projects described in subsection (d),
21 and the responsibility for the restructuring of the fi-
22 nancial and physical condition of such projects and
23 the protection of the tenants residing in the projects.
24 In carrying out activities under this section, the
25 qualified liability managers shall—

1 (A) protect residents and communities by
2 providing for protections against displacement
3 of existing residents under subsection (f), for
4 local government and community involvement in
5 the restructuring process, and for promotion of
6 the economic self-sufficiency of residents;

7 (B) before expiration of the section 8 con-
8 tract on a project described in subsection (d),
9 act efficiently by reducing the debt on the prop-
10 erty to a level that can be supported by market
11 rents and concurrently reducing section 8 rents
12 that are over market rents to market rents;

13 (C) act in a manner that respects the legal
14 rights of owners and lenders;

15 (D) when the owner has negotiated in good
16 faith, act to prevent defaults of the mortgages
17 to the extent economically practicable; and

18 (E) protect Federal taxpayers by ensuring
19 that projects that are restructured will be finan-
20 cially and physically viable.

21 (4) CONDITIONS ON ACTIVITIES.—A qualified
22 liability manager may take one or more of the ac-
23 tions under paragraph (5) to restructure the finan-
24 cial and physical condition of a project described in
25 subsection (d), only if the qualified liability manager

1 determines that such actions are economically pru-
2 dent and feasible.

3 (5) AUTHORIZED ACTIONS.—Except as provided
4 in paragraphs (4) and (6), and notwithstanding any
5 other provision of law, the Secretary and a qualified
6 liability manager may take the following actions (ex-
7 cept that a qualified liability manager may take only
8 actions under subparagraphs (C) through (F)) in
9 order to accomplish the goals of this section:

10 (A) REINSURANCE AND PARTICIPATION.—

11 In order to transfer the economic liability for
12 the existing mortgage insurance on the projects
13 from the Secretary, to the maximum extent pos-
14 sible, enter into contracts to purchase reinsur-
15 ance, or enter into participation or otherwise
16 transfer economic interest in contracts of insur-
17 ance or in the premiums paid, or due to be
18 paid, on such insurance, or both, to the quali-
19 fied liability manager, on such terms and condi-
20 tions as the Secretary may determine.

21 (B) DELEGATION.—Delegate to the quali-
22 fied liability manager the authority to carry out
23 some or all of the functions and responsibilities
24 of the Secretary in connection with mortgages

1 insured by the Secretary and with mortgages
2 held and properties owned by the Secretary.

3 (C) CONSIDERATION FOR PARTICIPA-
4 TION.—From available amounts, including
5 amounts under subsection (i), enter into such
6 agreements, provide such concessions, incur
7 such costs, make such grants (including grants
8 to cover all or a portion of the rehabilitation
9 costs for a project) and other payments, and
10 provide other valuable consideration, as may
11 reasonably be necessary to induce participation
12 of owners, lenders, servicers, third parties, and
13 other entities in the program under this section,
14 taking into consideration any accumulated re-
15 sidual receipts and reserves for replacements
16 for the project.

17 (D) MODIFICATION OF RESTRICTIONS.—
18 Remove, relinquish, extinguish, modify, or agree
19 to the removal of any mortgage, regulatory
20 agreement, project-based assistance contract,
21 use agreement, or restriction that had been im-
22 posed or required, including restrictions on dis-
23 tributions of income.

24 (E) ASSIGNMENT.—In the event the Sec-
25 retary or qualified liability manager determines

1 that, upon expiration of any contract described
2 in subsection (d)(2), the insured mortgage
3 would default, permit the mortgagee to elect to
4 assign the mortgage, make a full payment of
5 claim under the National Housing Act, thereby
6 extinguishing any remaining insurance risk of
7 the Secretary.

8 (F) PROPERTY MANAGEMENT AND DIS-
9 POSITION.—Manage and dispose of multifamily
10 properties owned and multifamily mortgages
11 held, on such terms and conditions as may be
12 determined.

13 (6) REQUIRED CONSENT.—In order to ensure
14 that contract rights are not abrogated, the actions
15 authorized under paragraph (5) shall be subject to
16 such third party consents as are necessary (if any),
17 including consent by—

18 (A) the Government National Mortgage
19 Association, in any case in which such Associa-
20 tion owns a mortgage insured by the Secretary;

21 (B) an issuer under the mortgage-backed
22 securities program of the Government National
23 Mortgage Association, subject to the respon-
24 sibilities of the issuer to its security holders and
25 the Association under such program; and

1 (C) parties to any contractual agreement
2 which the Secretary proposed to modify or dis-
3 continue.

4 (f) RENTAL ASSISTANCE.—

5 (1) TENANT-BASED ASSISTANCE.—Except in
6 the case of projects subject to paragraph (2), in con-
7 nection with the termination of any assistance con-
8 tract described in subsection (d)(2) for a project, the
9 Secretary or a qualified liability manager shall pro-
10 vide tenant-based assistance under section 8 to—

11 (A) each eligible family residing in the
12 project at the time the assistance under sub-
13 section (d)(2) terminates; and

14 (B) each household residing in the project
15 that becomes qualified as an eligible family
16 within 12 months of such time due to a rent in-
17 crease.

18 Notwithstanding sections 8(c)(1) and 8(o)(1), in the
19 case of eligible families that reside in a project cov-
20 ered by one or more actions under this section where
21 the reasonable rent (which rent shall include any
22 amount allowed for utilities and shall not exceed
23 comparable market rents for the relevant housing
24 market area) exceeds the fair market rent limitation
25 or the payment standard, as applicable, the amount

1 of assistance under this subsection for the family
2 shall be determined based on such reasonable rent.
3 For the certificate program under section 8(b), the
4 maximum monthly rent under the contract (plus any
5 amount allowed for utilities) shall be such reasonable
6 rent for the unit. For the voucher program under
7 section 8(o), the payment standard shall be deemed
8 to be such reasonable rent for the unit.

9 (2) PROJECT-BASED ASSISTANCE.—Notwith-
10 standing paragraph (1) of this section and the re-
11 quirements of section 8(d)(2), at the request of the
12 appropriate unit of general local government, the ap-
13 propriate public housing agency shall provide
14 project-based assistance under section 8 for the
15 project in accordance with guidelines issued by the
16 Secretary.

17 (g) EFFECT ON OTHER AUTHORITY.—Nothing in
18 this section shall be construed to limit the Secretary’s au-
19 thority under other provisions of law.

20 (h) DEFINITIONS.—For purposes of this section, the
21 following definitions shall apply:

22 (1) ELIGIBLE FAMILY.—The term “eligible
23 family” means an individual or family—

1 (A) who qualifies as a very low-income
2 family under section 3(b) of the United States
3 Housing Act of 1937; or

4 (B) who—

5 (i) resides in a project to which the
6 program under this section applies;

7 (ii) qualifies as a low-income family
8 (other than a very low-income family)
9 under section 3(b) of the United States
10 Housing Act of 1937, or, regardless of in-
11 come, qualifies as an elderly or disabled
12 family under section 3(b) of such Act; and

13 (iii) who, without section 8 assistance,
14 would be required to pay more than the
15 amount determined under section 3(a)(1)
16 of the United States Housing Act of 1937
17 for rent for the unit in which the eligible
18 family resides (or in another unit in the
19 same project).

20 (2) SECRETARY.—The term “Secretary” means
21 the Secretary of Housing and Urban Development.

22 (3) SECTION 8.—The term “section 8” means
23 section 8 of the United States Housing Act of 1937.

24 (i) FUNDING.—For purposes of carrying out this sec-
25 tion, the Secretary may make available any amounts—

1 (1) from the appropriate insurance fund as oth-
2 erwise authorized under the National Housing Act
3 and for activities as authorized in this section; and

4 (2) recaptured from a project under the pro-
5 gram in connection with the termination, non-
6 renewal, or expiration of a contract (A) under sec-
7 tion 8, or (B) for interest reduction payments under
8 section 236 of the National Housing Act.

9 SEC. 205. SECTION 8 CONTRACT RENEWALS.—(a)
10 AUTHORITY.—For fiscal year 1997 and fiscal years there-
11 after, the Secretary of Housing and Urban Development
12 may use amounts available for the renewal of assistance
13 under section 8 of the United States Housing Act of 1937,
14 upon termination or expiration of a contract for assistance
15 under section 8 (other than a contract for tenant-based
16 assistance) to provide assistance under section 8, at rent
17 levels not to exceed the lesser of (1) the rents in effect
18 upon termination or expiration, or (2) comparable market
19 rents, for the eligible families assisted under the contracts
20 at expiration or termination but, in no case may rents be
21 increased to comparable market rents. In the case of any
22 project assisted under section 8, not insured under the Na-
23 tional Housing Act, and for which the original primary
24 financing was provided by a public agency and remains
25 outstanding, contract rents shall be renewed at the rents

1 in effect upon termination or expiration of the contract.
 2 Such assistance shall be in accordance with terms and con-
 3 ditions prescribed by the Secretary. The Secretary may
 4 approve assisted rents in excess of market rents (but not
 5 more than the rents in effect upon termination or expira-
 6 tion) for a particular housing project, but only if the Sec-
 7 retary finds that such market rents are not sufficient to
 8 cover reasonable operating expenses (excluding debt serv-
 9 ice) for that project, taking into account reasonable oper-
 10 ating costs for similar properties.

11 (b) REPEAL.—The sentence immediately preceding
 12 section 8(w) of the United States Housing Act of 1937
 13 (42 U.S.C. 1437f(w)) is hereby repealed.

14 SEC. 206. FLEXIBLE AUTHORITY.—During fiscal
 15 year 1997 and fiscal years thereafter, the Secretary may
 16 manage and dispose of multifamily properties owned by
 17 the Secretary and multifamily mortgages held by the Sec-
 18 retary on such terms and conditions as the Secretary may
 19 determine, notwithstanding any other provision of law.

20 TITLE III

21 INDEPENDENT AGENCIES

22 AMERICAN BATTLE MONUMENTS COMMISSION

23 SALARIES AND EXPENSES

24 For necessary expenses, not otherwise provided for,
 25 of the American Battle Monuments Commission, including

1 the acquisition of land or interest in land in foreign coun-
2 tries; purchases and repair of uniforms for caretakers of
3 national cemeteries and monuments outside of the United
4 States and its territories and possessions; rent of office
5 and garage space in foreign countries; purchase (one for
6 replacement only) and hire of passenger motor vehicles;
7 and insurance of official motor vehicles in foreign coun-
8 tries, when required by law of such countries;
9 \$22,265,000, to remain available until expended: *Pro-*
10 *vided*, That where station allowance has been authorized
11 by the Department of the Army for officers of the Army
12 serving the Army at certain foreign stations, the same al-
13 lowance shall be authorized for officers of the Armed
14 Forces assigned to the Commission while serving at the
15 same foreign stations, and this appropriation is hereby
16 made available for the payment of such allowance: *Pro-*
17 *vided further*, That when traveling on business of the Com-
18 mission, officers of the Armed Forces serving as members
19 or as Secretary of the Commission may be reimbursed for
20 expenses as provided for civilian members of the Commis-
21 sion: *Provided further*, That the Commission shall reim-
22 burse other Government agencies, including the Armed
23 Forces, for salary, pay, and allowances of personnel as-
24 signed to it.

1 DEPARTMENT OF THE TREASURY
2 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
3 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
4 FUND PROGRAM ACCOUNT

5 For grants, loans, and technical assistance to qualify-
6 ing community development lenders, and administrative
7 expenses of the Fund, \$45,000,000, to remain available
8 until September 30, 1998, of which \$8,000,000 may be
9 used for the cost of direct loans, and up to \$800,000 may
10 be used for administrative expenses to carry out the direct
11 loan program: *Provided*, That the cost of direct loans, in-
12 cluding the cost of modifying such loans, shall be as de-
13 fined in section 502 of the Congressional Budget Act of
14 1974: *Provided further*, That not more than \$19,400,000
15 of the funds made available under this heading may be
16 used for programs and activities authorized in section 114
17 of the Community Development Banking and Financial
18 Institutions Act of 1994.

19 CONSUMER PRODUCT SAFETY COMMISSION
20 SALARIES AND EXPENSES

21 For necessary expenses of the Consumer Product
22 Safety Commission, including hire of passenger motor ve-
23 hicles, services as authorized by 5 U.S.C. 3109, but at
24 rates for individuals not to exceed the per diem rate equiv-
25 alent to the rate for GS-18, purchase of nominal awards

1 to recognize non-Federal officials' contributions to Com-
2 mission activities, and not to exceed \$500 for official re-
3 ception and representation expenses, \$42,500,000.

4 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

5 NATIONAL AND COMMUNITY SERVICE PROGRAMS

6 OPERATING EXPENSES

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses for the Corporation for Na-
9 tional and Community Service (referred to in the matter
10 under this heading as the "Corporation") in carrying out
11 programs, activities, and initiatives under the National
12 and Community Service Act of 1990 (referred to in the
13 matter under this heading as the "Act") (42 U.S.C. 12501
14 et seq.), \$365,000,000, of which \$265,000,000 shall be
15 available for obligation from September 1, 1997, through
16 September 30, 1998: *Provided*, That not more than
17 \$25,000,000 shall be available for administrative expenses
18 authorized under section 501(a)(4) of the Act (42 U.S.C.
19 12671(a)(4)): *Provided further*, That not more than
20 \$2,500 shall be for official reception and representation
21 expenses: *Provided further*, That not more than
22 \$40,000,000, to remain available without fiscal year limi-
23 tation, shall be transferred to the National Service Trust
24 account for educational awards authorized under subtitle
25 D of title I of the Act (42 U.S.C. 12601 et seq.): *Provided*

1 *further*, That not more than \$201,000,000 of the amount
2 provided under this heading shall be available for grants
3 under the National Service Trust program authorized
4 under subtitle C of title I of the Act (42 U.S.C. 12571
5 et seq.) (relating to activities including the Americorps
6 program): *Provided further*, That not more than
7 \$5,000,000 of the funds made available under this head-
8 ing shall be made available for the Points of Light Foun-
9 dation for activities authorized under title III of the Act
10 (42 U.S.C. 12661 et seq.): *Provided further*, That no funds
11 shall be available for national service programs run by
12 Federal agencies authorized under section 121(b) of such
13 Act (42 U.S.C. 12571(b)): *Provided further*, That to the
14 maximum extent feasible, funds appropriated in the pre-
15 ceding proviso shall be provided in a manner that is con-
16 sistent with the recommendations of peer review panels in
17 order to ensure that priority is given to programs that
18 demonstrate quality, innovation, replicability, and sustain-
19 ability: *Provided further*, That not more than \$17,500,000
20 of the funds made available under this heading shall be
21 available for the Civilian Community Corps authorized
22 under subtitle E of title I of the Act (42 U.S.C. 12611
23 et seq.): *Provided further*, That not more than
24 \$41,500,000 shall be available for school-based and com-
25 munity-based service-learning programs authorized under

1 subtitle B of title I of the Act (42 U.S.C. 12521 et seq.):
2 *Provided further*, That not more than \$30,000,000 shall
3 be available for quality and innovation activities author-
4 ized under subtitle H of title I of the Act (42 U.S.C.
5 12853 et seq.): *Provided further*, That not more than
6 \$5,000,000 shall be available for audits and other evalua-
7 tions authorized under section 179 of the Act (42 U.S.C.
8 12639): *Provided further*, That no funds from any other
9 appropriation, or from funds otherwise made available to
10 the Corporation, shall be used to pay for personnel com-
11 pensation and benefits, travel, or any other administrative
12 expense for the Board of Directors, the Office of the Chief
13 Executive Officer, the Office of the Managing Director,
14 the Office of the Chief Financial Officer, the Office of Na-
15 tional and Community Service Programs, the Civilian
16 Community Corps, or any field office or staff of the Cor-
17 poration working on the National and Community Service
18 or Civilian Community Corps programs: *Provided further*,
19 That to the maximum extent practicable, the Corporation
20 shall increase significantly the level of matching funds and
21 in-kind contributions provided by the private sector, shall
22 expand significantly the number of educational awards
23 provided under subtitle D of title I, and shall reduce the
24 total Federal costs per participant in all programs.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended, \$2,000,000.

5 COURT OF VETERANS APPEALS

6 SALARIES AND EXPENSES

7 For necessary expenses for the operation of the Unit-
8 ed States Court of Veterans Appeals as authorized by 38
9 U.S.C. sections 7251–7292, \$9,229,000, of which
10 \$634,000, to remain available until September 30, 1998,
11 shall be available for the purpose of providing financial
12 assistance as described, and in accordance with the proc-
13 ess and reporting procedures set forth, under this heading
14 in Public Law 102–227.

15 DEPARTMENT OF DEFENSE—CIVIL

16 CEMETERIAL EXPENSES, ARMY

17 SALARIES AND EXPENSES

18 For necessary expenses, as authorized by law, for
19 maintenance, operation, and improvement of Arlington
20 National Cemetery and Soldiers' and Airmen's Home Na-
21 tional Cemetery, including the purchase of one passenger
22 motor vehicle for replacement only, and not to exceed
23 \$1,000 for official reception and representation expenses,
24 \$11,600,000, to remain available until expended.

1 ENVIRONMENTAL PROTECTION AGENCY

2 SCIENCE AND TECHNOLOGY

3 For science and technology, including research and
4 development activities, which shall include research and
5 development activities under the Comprehensive Environ-
6 mental Response, Compensation, and Liability Act of
7 1980 (CERCLA), as amended; necessary expenses for per-
8 sonnel and related costs and travel expenses, including
9 uniforms, or allowances therefore, as authorized by 5
10 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
11 3109, but at rates for individuals not to exceed the per
12 diem rate equivalent to the rate for GS–18; procurement
13 of laboratory equipment and supplies; other operating ex-
14 penses in support of research and development; construc-
15 tion, alteration, repair, rehabilitation and renovation of fa-
16 cilities, not to exceed \$75,000 per project, \$540,000,000,
17 which shall remain available until September 30, 1998.

18 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

19 For environmental programs and management, in-
20 cluding necessary expenses, not otherwise provided for, for
21 personnel and related costs and travel expenses, including
22 uniforms, or allowances therefore, as authorized by 5
23 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
24 3109, but at rates for individuals not to exceed the per
25 diem rate equivalent to the rate for GS–18; hire of pas-

1 senger motor vehicles; hire, maintenance, and operation
2 of aircraft; purchase of reprints; library memberships in
3 societies or associations which issue publications to mem-
4 bers only or at a price to members lower than to subscrib-
5 ers who are not members; construction, alteration, repair,
6 rehabilitation, and renovation of facilities, not to exceed
7 \$75,000 per project; and not to exceed \$6,000 for official
8 reception and representation expenses, \$1,703,000,000,
9 which shall remain available until September 30, 1998.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, as amended, and for construction,
14 alteration, repair, rehabilitation, and renovation of facili-
15 ties, not to exceed \$75,000 per project, \$28,500,000.

16 BUILDINGS AND FACILITIES

17 For construction, repair, improvement, extension, al-
18 teration, and purchase of fixed equipment or facilities of,
19 or for use by, the Environmental Protection Agency,
20 \$107,220,000, to remain available until expended: *Pro-*
21 *vided*, That EPA is authorized to establish and construct
22 a consolidated research facility at Research Triangle Park,
23 North Carolina, at a maximum total construction cost of
24 \$232,000,000, and to obligate such monies as are made
25 available by this Act for this purpose: *Provided further*,

1 That EPA is authorized to construct such facility through
2 multi-year contracts incrementally funded through appro-
3 priations hereafter made available for this project: *Pro-*
4 *vided further*, That, notwithstanding the previous provisos,
5 for monies obligated pursuant to this authority, EPA may
6 not obligate monies in excess of those provided in advance
7 in annual appropriations, and such contracts shall clearly
8 provide for this limitation.

9 HAZARDOUS SUBSTANCE SUPERFUND

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses to carry out the Comprehen-
12 sive Environmental Response, Compensation, and Liabil-
13 ity Act of 1980 (CERCLA), as amended, including sec-
14 tions 111 (c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.
15 9611), and for construction, alteration, repair, rehabilita-
16 tion, and renovation of facilities, not to exceed \$75,000
17 per project; not to exceed \$2,200,000,000, to remain avail-
18 able until expended, consisting of \$1,950,000,000 as au-
19 thorized by section 517(a) of the Superfund Amendments
20 and Reauthorization Act of 1986 (SARA), as amended by
21 Public Law 101-508, and \$250,000,000 as a payment
22 from general revenues to the Hazardous Substance
23 Superfund as authorized by section 517(b) of SARA, as
24 amended by Public Law 101-508: *Provided*, That funds
25 appropriated under this heading may be allocated to other

1 Federal agencies in accordance with section 111(a) of
2 CERCLA: *Provided further*, That \$11,000,000 of the
3 funds appropriated under this heading shall be transferred
4 to the “Office of Inspector General” appropriation to re-
5 main available until September 30, 1997: *Provided further*,
6 That notwithstanding section 111(m) of CERCLA or any
7 other provision of law, not to exceed \$59,000,000 of the
8 funds appropriated under this heading shall be available
9 to the Agency for Toxic Substances and Disease Registry
10 to carry out activities described in sections 104(i),
11 111(c)(4), and 111(c)(14) of CERCLA and section 118(f)
12 of the Superfund Amendments and Reauthorization Act
13 of 1986: *Provided further*, That \$35,000,000 of the funds
14 appropriated under this heading shall be transferred to
15 the “Science and technology” appropriation to remain
16 available until September 30, 1998: *Provided further*, That
17 none of the funds appropriated under this heading shall
18 be available for the Agency for Toxic Substances and Dis-
19 ease Registry to issue in excess of 40 toxicological profiles
20 pursuant to section 104(i) of CERCLA during fiscal year
21 1997: *Provided further*, That \$861,000,000 of the funds
22 appropriated under this heading shall become available for
23 obligation only upon the enactment of future legislation
24 that specifically makes these funds available for obligation.

1 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to carry out leaking under-
4 ground storage tank cleanup activities authorized by sec-
5 tion 205 of the Superfund Amendments and Reauthoriza-
6 tion Act of 1986, and for construction, alteration, repair,
7 rehabilitation, and renovation of facilities, not to exceed
8 \$75,000 per project, \$46,500,000, to remain available
9 until expended: *Provided*, That no more than \$7,000,000
10 shall be available for administrative expenses: *Provided*
11 *further*, That \$577,000 shall be transferred to the “Office
12 of Inspector General” appropriation to remain available
13 until September 30, 1997.

14 OIL SPILL RESPONSE
15 (INCLUDING TRANSFER OF FUNDS)

16 For expenses necessary to carry out the Environ-
17 mental Protection Agency’s responsibilities under the Oil
18 Pollution Act of 1990, \$15,000,000, to be derived from
19 the Oil Spill Liability trust fund, and to remain available
20 until expended: *Provided*, That not more than \$8,000,000
21 of these funds shall be available for administrative ex-
22 penses.

23 STATE AND TRIBAL ASSISTANCE GRANTS

24 For environmental programs and infrastructure as-
25 sistance, including capitalization grants for State revolv-

1 ing funds and performance partnership grants,
2 \$2,768,207,000, to remain available until expended, of
3 which \$1,800,000,000 shall be for making capitalization
4 grants for State revolving funds to support water infra-
5 structure financing; \$100,000,000 for architectural, engi-
6 neering, planning, design, construction and related activi-
7 ties in connection with the construction of high priority
8 water and wastewater facilities in the area of the United
9 States-Mexico Border, after consultation with the appro-
10 priate border commission; \$50,000,000 for grants to the
11 State of Texas, which shall be matched by an equal
12 amount of State funds from State resources, for the pur-
13 pose of improving wastewater treatment for colonias;
14 \$15,000,000 for grants to the State of Alaska subject to
15 an appropriate cost share as determined by the Adminis-
16 trator, to address wastewater infrastructure needs of rural
17 and Alaska Native Villages; \$129,000,000 for making
18 grants for the construction of wastewater treatment facili-
19 ties and the development of groundwater in accordance
20 with the terms and conditions specified for such grants
21 in the Report accompanying this Act; and \$674,207,000
22 for grants to States and federally recognized tribes for
23 multi-media or single media pollution prevention, control
24 and abatement and related activities pursuant to the pro-
25 visions set forth under this heading in Public Law 104–

1 134: *Provided*, That, from funds appropriated under this
 2 heading, the Administrator may make grants to federally
 3 recognized Indian governments for the development of
 4 multi-media environmental programs: *Provided further*,
 5 That of the \$1,800,000,000 for capitalization grants for
 6 State revolving funds to support water infrastructure fi-
 7 nancing, \$450,000,000 shall be for drinking water State
 8 revolving funds, but if no drinking water State revolving
 9 fund legislation is enacted by June 1, 1997, these funds
 10 shall immediately be available for making capitalization
 11 grants under title VI of the Federal Water Pollution Con-
 12 trol Act, as amended.

13 WORKING CAPITAL FUND

14 (INCLUDING TRANSFER OF FUNDS)

15 There is hereby established in the Treasury a fran-
 16 chise fund pilot to be known as the “Working capital
 17 fund”, as authorized by section 403 of Public Law 103–
 18 356, to be available as provided in such section for ex-
 19 penses and equipment necessary for the maintenance and
 20 operation of such administrative services as the Adminis-
 21 trator determines may be performed more advantageously
 22 as central services: *Provided*, That any inventories, equip-
 23 ment, and other assets pertaining to the services to be pro-
 24 vided by such fund, either on hand or on order, less the
 25 related liabilities or unpaid obligations, and any appropria-

1 tions made hereafter for the purpose of providing capital,
2 shall be used to capitalize such fund: *Provided further*,
3 That such fund shall be paid in advance from funds avail-
4 able to the Agency and other Federal agencies for which
5 such centralized services are performed, at rates which will
6 return in full all expenses of operation, including accrued
7 leave, depreciation of fund plant and equipment, amortiza-
8 tion of automated data processing (ADP) software and
9 systems (either acquired or donated), and an amount nec-
10 essary to maintain a reasonable operating reserve, as de-
11 termined by the Administrator: *Provided further*, That
12 such fund shall provide services on a competitive basis:
13 *Provided further*, That an amount not to exceed four per-
14 cent of the total annual income to such fund may be re-
15 tained in the fund for fiscal year 1997 and each fiscal
16 year thereafter, to remain available until expended, to be
17 used for the acquisition of capital equipment and for the
18 improvement and implementation of Agency financial
19 management, ADP, and other support systems: *Provided*
20 *further*, That no later than thirty days after the end of
21 each fiscal year amounts in excess of this reserve limita-
22 tion shall be transferred to the Treasury: *Provided further*,
23 That such franchise fund pilot shall terminate pursuant
24 to section 403(f) of Public Law 103–356.

1 ADMINISTRATIVE PROVISION

2 SEC. 301. Notwithstanding any other provision of
3 law, funds made available in this Act to the Environmental
4 Protection Agency for any account, program or project
5 may be transferred to Science and Technology for nec-
6 essary research activities, subject to the terms and condi-
7 tions set forth in the Report accompanying this Act.

8 EXECUTIVE OFFICE OF THE PRESIDENT

9 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

10 For necessary expenses of the Office of Science and
11 Technology Policy, in carrying out the purposes of the Na-
12 tional Science and Technology Policy, Organization, and
13 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire
14 of passenger motor vehicles, and services as authorized by
15 5 U.S.C. 3109, not to exceed \$2,500 for official reception
16 and representation expenses, and rental of conference
17 rooms in the District of Columbia, \$4,932,000.

18 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

19 ENVIRONMENTAL QUALITY

20 For necessary expenses to continue functions as-
21 signed to the Council on Environmental Quality and Office
22 of Environmental Quality pursuant to the National Envi-
23 ronmental Policy Act of 1969, the Environmental Quality
24 Improvement Act of 1970, and Reorganization Plan No.
25 1 of 1977, \$2,250,000.

9 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

19 In addition, for administrative expenses to carry out
20 the direct loan program, \$548,000.

For necessary expenses, not otherwise provided for,
including hire and purchase of motor vehicles (31 U.S.C.
1343); uniforms, or allowances therefor, as authorized by
5 U.S.C. 5901–5902; services as authorized by 5 U.S.C.

1 3109, but at rates for individuals not to exceed the per
2 diem rate equivalent to the rate for GS-18; expenses of
3 attendance of cooperating officials and individuals at
4 meetings concerned with the work of emergency prepared-
5 ness; transportation in connection with the continuity of
6 Government programs to the same extent and in the same
7 manner as permitted the Secretary of a Military Depart-
8 ment under 10 U.S.C. 2632; and not to exceed \$2,500
9 for official reception and representation expenses,
10 \$168,000,000.

11 OFFICE OF INSPECTOR GENERAL

12 For necessary expenses of the Office of Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, as amended, \$4,533,000.

15 EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

16 For necessary expenses, not otherwise provided for,
17 to carry out activities under the National Flood Insurance
18 Act of 1968, as amended, and the Flood Disaster Protec-
19 tion Act of 1973, as amended (42 U.S.C. 4001 et seq.),
20 the Robert T. Stafford Disaster Relief and Emergency As-
21 sistance Act (42 U.S.C. 5121 et seq.), the Earthquake
22 Hazards Reduction Act of 1977, as amended (42 U.S.C.
23 7701 et seq.), the Federal Fire Prevention and Control
24 Act of 1974, as amended (15 U.S.C. 2201 et seq.), the
25 Defense Production Act of 1950, as amended (50 U.S.C.

1 App. 2061 et seq.), sections 107 and 303 of the National
2 Security Act of 1947, as amended (50 U.S.C. 404–405),
3 and Reorganization Plan No. 3 of 1978, \$209,101,000.

4 EMERGENCY FOOD AND SHELTER PROGRAM

5 To carry out an emergency food and shelter program
6 pursuant to title III of Public Law 100–77, as amended,
7 \$100,000,000: *Provided*, That total administrative costs
8 shall not exceed three and one-half percent of the total
9 appropriation.

10 NATIONAL FLOOD INSURANCE FUND

11 For activities under the National Flood Insurance
12 Act of 1968, the Flood Disaster Protection Act of 1973,
13 and the National Flood Insurance Reform Act of 1994,
14 not to exceed \$20,981,000 for salaries and expenses asso-
15 ciated with flood mitigation and flood insurance oper-
16 ations, and not to exceed \$78,464,000 for flood mitigation,
17 including up to \$20,000,000 for expenses under section
18 1366 of the National Flood Insurance Act, which amount
19 shall be available until September 30, 1998. In fiscal year
20 1997, no funds in excess of (1) \$47,000,000 for operating
21 expenses, (2) \$335,680,000 for agents' commissions and
22 taxes, and (3) \$35,000,000 for interest on Treasury bor-
23 rowings shall be available from the National Flood Insur-
24 ance Fund without prior notice to the Committees on Ap-
25 propriations. For fiscal year 1997, flood insurance rates

1 shall not exceed the level established for such rates as of
2 June 1, 1996.

3 WORKING CAPITAL FUND

4 For the establishment of a working capital fund for
5 the Federal Emergency Management Agency, to be avail-
6 able without fiscal year limitation, for expenses and equip-
7 ment necessary for maintenance and operations of such
8 administrative services as the Director determines may be
9 performed more advantageously as central services: *Pro-*
10 *vided*, That any inventories, equipment, and other assets
11 pertaining to the services to be provided by such fund, ei-
12 ther on hand or on order, less the related liabilities or un-
13 paid obligations, and any appropriations made hereafter
14 for the purpose of providing capital, shall be used to cap-
15 italize such fund: *Provided further*, That such fund shall
16 be reimbursed or credited with advance payments from ap-
17 plicable appropriations and funds of the Federal Emer-
18 gency Management Agency, other Federal agencies, and
19 other sources authorized by law for which such centralized
20 services are performed, including supplies, materials, and
21 services, at rates that will return in full all expenses of
22 operation, including accrued leave, depreciation of fund
23 plant and equipment, amortization of automated data
24 processing (ADP) software and systems (either acquired
25 or donated), and an amount necessary to maintain a rea-
26 sonable operating reserve as determined by the Director:

1 *Provided further*, That income of such fund may be re-
2 tained, to remain available until expended, for purposes
3 of the fund: *Provided further*, That fees for services shall
4 be established by the Director at a level to cover the total
5 estimated costs of providing such services, such fees to be
6 deposited in the fund shall remain available until expended
7 for purposes of the fund: *Provided further*, That such fund
8 shall terminate in a manner consistent with section 403(f)
9 of Public Law 103–356.

10 ADMINISTRATIVE PROVISION

11 The Director of the Federal Emergency Management
12 Agency shall promulgate through rulemaking a methodol-
13 ogy for assessment and collection of fees to be assessed
14 and collected beginning in fiscal year 1997 applicable to
15 persons subject to the Federal Emergency Management
16 Agency’s radiological emergency preparedness regulations.
17 The aggregate charges assessed pursuant to this section
18 during fiscal year 1997 shall approximate, but not be less
19 than, 100 per centum of the amounts anticipated by the
20 Federal Emergency Management Agency to be obligated
21 for its radiological emergency preparedness program for
22 such fiscal year. The methodology for assessment and col-
23 lection of fees shall be fair and equitable, and shall reflect
24 the full amount of costs of providing radiological emer-
25 gency planning, preparedness, response and associated
26 services. Such fees shall be assessed in a manner that re-

1 fleets the use of agency resources for classes of regulated
2 persons and the administrative costs of collecting such
3 fees. Fees received pursuant to this section shall be depos-
4 ited in the general fund of the Treasury as offsetting re-
5 ceipts. Assessment and collection of such fees are only au-
6 thorized during fiscal year 1997.

7 GENERAL SERVICES ADMINISTRATION

8 CONSUMER INFORMATION CENTER FUND

9 For necessary expenses of the Consumer Information
10 Center, including services authorized by 5 U.S.C. 3109,
11 \$2,260,000, to be deposited into the Consumer Informa-
12 tion Center Fund: *Provided*, That the appropriations, rev-
13 enues and collections deposited into the fund shall be
14 available for necessary expenses of Consumer Information
15 Center activities in the aggregate amount of \$7,500,000.
16 Administrative expenses of the Consumer Information
17 Center in fiscal year 1997 shall not exceed \$2,602,000.
18 Appropriations, revenues, and collections accruing to this
19 fund during fiscal year 1997 in excess of \$7,500,000 shall
20 remain in the fund and shall not be available for expendi-
21 ture except as authorized in appropriations Acts: *Provided*
22 *further*, That notwithstanding any other provision of law,
23 the Consumer Information Center may accept and deposit
24 to this account, during fiscal year 1997, gifts for the pur-
25 pose of defraying its costs of printing, publishing, and dis-

1 tributing consumer information and educational material;
2 may expend up to \$1,100,000 of those gifts for those pur-
3 poses, in addition to amounts otherwise appropriated; and
4 the balance shall remain available for expenditure for such
5 purpose to the extent authorized in subsequent appropria-
6 tions Acts.

7 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
8 HUMAN SPACE FLIGHT

9 For necessary expenses, not otherwise provided for,
10 in the conduct and support of human space flight research
11 and development activities, including research, develop-
12 ment, operations, and services; maintenance; construction
13 of facilities including repair, rehabilitation, and modifica-
14 tion of real and personal property, and acquisition or con-
15 demnation of real property, as authorized by law; space
16 flight, spacecraft control and communications activities in-
17 cluding operations, production, and services; and pur-
18 chase, lease, charter, maintenance and operation of mis-
19 sion and administrative aircraft, \$5,362,900,000, to re-
20 main available until September 30, 1998.

21 SCIENCE, AERONAUTICS AND TECHNOLOGY

22 For necessary expenses, not otherwise provided for,
23 in the conduct and support of science, aeronautics and
24 technology research and development activities, including
25 research, development, operations, and services; mainte-

1 nance; construction of facilities including repair, rehabili-
2 tation, and modification of real and personal property, and
3 acquisition or condemnation of real property, as author-
4 ized by law; space flight, spacecraft control and commu-
5 nications activities including operations, production, and
6 services; and purchase, lease, charter, maintenance and
7 operation of mission and administrative aircraft,
8 \$5,662,100,000, to remain available until September 30,
9 1998. Chapter VII of Public Law 104–6 is amended under
10 the heading, “National Aeronautics and Space Adminis-
11 tration” by replacing “September 30, 1997” with “Sep-
12 tember 30, 1998” and “1996” with “1997”.

13 MISSION SUPPORT

14 For necessary expenses, not otherwise provided for,
15 in carrying out mission support for human space flight
16 programs and science, aeronautical, and technology pro-
17 grams, including research operations and support; space
18 communications activities including operations, production
19 and services; maintenance; construction of facilities in-
20 cluding repair, rehabilitation, and modification of facili-
21 ties, minor construction of new facilities and additions to
22 existing facilities, facility planning and design, environ-
23 mental compliance and restoration, and acquisition or con-
24 demnation of real property, as authorized by law; program
25 management; personnel and related costs, including uni-

1 forms or allowances therefor, as authorized by 5 U.S.C.
2 5901–5902; travel expenses; purchase, lease charter,
3 maintenance, and operation of mission and administrative
4 aircraft; not to exceed \$35,000 for official reception and
5 representation expenses; and purchase (not to exceed 33
6 for replacement only) and hire of passenger motor vehi-
7 cles; \$2,562,200,000, to remain available until September
8 30, 1998.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the Inspector General Act of 1978,
12 as amended, \$17,000,000.

13 ADMINISTRATIVE PROVISIONS

14 (INCLUDING TRANSFER OF FUNDS)

15 Notwithstanding the limitation on the availability of
16 funds appropriated for “Human space flight”, “Science,
17 aeronautics and technology”, or “Mission support” by this
18 appropriations Act, when (1) any activity has been initi-
19 ated by the incurrence of obligations for construction of
20 facilities as authorized by law, or (2) amounts are pro-
21 vided for full-funding for the Tracking and Data Relay
22 Satellite (TDRS) replenishment program, such amount
23 available for such activity shall remain available until ex-
24 pended. This provision does not apply to the amounts ap-
25 propriated in “Mission support” pursuant to the author-
26 ization for repair, rehabilitation and modification of facili-

1 ties, minor construction of new facilities and additions to
 2 existing facilities, and facility planning and design.

3 Notwithstanding the limitation on the availability of
 4 funds appropriated for “Human space flight”, “Science,
 5 aeronautics and technology”, or “Mission support” by this
 6 appropriations Act, the amounts appropriated for con-
 7 struction of facilities shall remain available until Septem-
 8 ber 30, 1999.

9 Notwithstanding the limitation on the availability of
 10 funds appropriated for “Mission support” and “Office of
 11 Inspector General”, amounts made available by this Act
 12 for personnel and related costs and travel expenses of the
 13 National Aeronautics and Space Administration shall re-
 14 main available until September 30, 1997 and may be used
 15 to enter into contracts for training, investigations, cost as-
 16 sociated with personnel relocation, and for other services,
 17 to be provided during the next fiscal year.

18 NATIONAL CREDIT UNION ADMINISTRATION

19 CENTRAL LIQUIDITY FACILITY

20 During fiscal year 1997, gross obligations of the
 21 Central Liquidity Facility for the principal amount of new
 22 direct loans to member credit unions, as authorized by the
 23 National Credit Union Central Liquidity Facility Act (12
 24 U.S.C. 1795), shall not exceed \$600,000,000: *Provided*,
 25 That administrative expenses of the Central Liquidity Fa-

1 cility in fiscal year 1997 shall not exceed \$560,000: *Pro-*
2 *vided further*, That \$1,000,000, together with amounts of
3 principal and interest on loans repaid, to be available until
4 expended, is available for loans to community development
5 credit unions.

6 NATIONAL SCIENCE FOUNDATION

7 RESEARCH AND RELATED ACTIVITIES

8 For necessary expenses in carrying out the National
9 Science Foundation Act of 1950, as amended (42 U.S.C.
10 1861–1875), and the Act to establish a National Medal
11 of Science (42 U.S.C. 1880–1881); services as authorized
12 by 5 U.S.C. 3109; maintenance and operation of aircraft
13 and purchase of flight services for research support; acqui-
14 sition of aircraft; \$2,422,000,000, of which not to exceed
15 \$226,000,000 shall remain available until expended for
16 Polar research and operations support, and for reimburse-
17 ment to other Federal agencies for operational and science
18 support and logistical and other related activities for the
19 United States Antarctic program; the balance to remain
20 available until September 30, 1998: *Provided*, That re-
21 ceipts for scientific support services and materials fur-
22 nished by the National Research Centers and other Na-
23 tional Science Foundation supported research facilities
24 may be credited to this appropriation: *Provided further*,
25 That to the extent that the amount appropriated is less

1 than the total amount authorized to be appropriated for
2 included program activities, all amounts, including floors
3 and ceilings, specified in the authorizing Act for those pro-
4 gram activities or their subactivities shall be reduced pro-
5 portionally.

6 MAJOR RESEARCH EQUIPMENT

7 For necessary expenses of major construction
8 projects pursuant to the National Science Foundation Act
9 of 1950, as amended, \$80,000,000, to remain available
10 until expended.

11 EDUCATION AND HUMAN RESOURCES

12 For necessary expenses in carrying out science and
13 engineering education and human resources programs and
14 activities pursuant to the National Science Foundation
15 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-
16 ing services as authorized by 5 U.S.C. 3109 and rental
17 of conference rooms in the District of Columbia,
18 \$612,000,000, to remain available until September 30,
19 1998: *Provided*, That to the extent that the amount of
20 this appropriation is less than the total amount authorized
21 to be appropriated for included program activities, all
22 amounts, including floors and ceilings, specified in the au-
23 thorizing Act for those program activities or their sub-
24 activities shall be reduced proportionally.

SALARIES AND EXPENSES

For necessary salaries and expenses of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed \$9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services and headquarters relocation; \$134,310,000: *Provided*, That contracts may be entered into under salaries and expenses in fiscal year 1997 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, \$4,690,000, to remain available until September 30, 1998.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities,

1 as authorized by the Neighborhood Reinvestment Corpora-
2 tion Act (42 U.S.C. 8101–8107), \$50,000,000.

3 SELECTIVE SERVICE SYSTEM

4 SALARIES AND EXPENSES

5 For necessary expenses of the Selective Service Sys-
6 tem, including expenses of attendance at meetings and of
7 training for uniformed personnel assigned to the Selective
8 Service System, as authorized by 5 U.S.C. 4101–4118 for
9 civilian employees; and not to exceed \$1,000 for official
10 reception and representation expenses; \$22,930,000: *Pro-*
11 *vided*, That during the current fiscal year, the President
12 may exempt this appropriation from the provisions of 31
13 U.S.C. 1341, whenever he deems such action to be nec-
14 essary in the interest of national defense: *Provided further*,
15 That none of the funds appropriated by this Act may be
16 expended for or in connection with the induction of any
17 person into the Armed Forces of the United States.

18 TITLE IV—GENERAL PROVISIONS

19 SEC. 401. Where appropriations in titles I, II, and
20 III of this Act are expendable for travel expenses and no
21 specific limitation has been placed thereon, the expendi-
22 tures for such travel expenses may not exceed the amounts
23 set forth therefore in the budget estimates submitted for
24 the appropriations: *Provided*, That this section shall not
25 apply to travel performed by uncompensated officials of

1 local boards and appeal boards of the Selective Service
2 System; to travel performed directly in connection with
3 care and treatment of medical beneficiaries of the Depart-
4 ment of Veterans Affairs; to travel performed in connec-
5 tion with major disasters or emergencies declared or deter-
6 mined by the President under the provisions of the Robert
7 T. Stafford Disaster Relief and Emergency Assistance
8 Act; to travel performed by the Offices of Inspector Gen-
9 eral in connection with audits and investigations; or to
10 payments to interagency motor pools where separately set
11 forth in the budget schedules: *Provided further*, That if
12 appropriations in titles I, II, and III exceed the amounts
13 set forth in budget estimates initially submitted for such
14 appropriations, the expenditures for travel may cor-
15 respondingly exceed the amounts therefore set forth in the
16 estimates in the same proportion.

17 SEC. 402. Appropriations and funds available for the
18 administrative expenses of the Department of Housing
19 and Urban Development and the Selective Service System
20 shall be available in the current fiscal year for purchase
21 of uniforms, or allowances therefor, as authorized by 5
22 U.S.C. 5901–5902; hire of passenger motor vehicles; and
23 services as authorized by 5 U.S.C. 3109.

24 SEC. 403. Funds of the Department of Housing and
25 Urban Development subject to the Government Corpora-

tion Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 404. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 405. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made, or

(B) the expenditure of funds pursuant to such certification, and without such a voucher

1 or abstract, is specifically authorized by law;
2 and

3 (2) unless such expenditure is subject to audit
4 by the General Accounting Office or is specifically
5 exempt by law from such audit.

6 SEC. 406. None of the funds provided in this Act to
7 any department or agency may be expended for the trans-
8 portation of any officer or employee of such department
9 or agency between his domicile and his place of employ-
10 ment, with the exception of any officer or employee au-
11 thorized such transportation under 31 U.S.C. 1344 or 5
12 U.S.C. 7905.

13 SEC. 407. None of the funds provided in this Act may
14 be used for payment, through grants or contracts, to re-
15 cipients that do not share in the cost of conducting re-
16 search resulting from proposals not specifically solicited
17 by the Government: *Provided*, That the extent of cost
18 sharing by the recipient shall reflect the mutuality of in-
19 terest of the grantee or contractor and the Government
20 in the research.

21 SEC. 408. None of the funds in this Act may be used,
22 directly or through grants, to pay or to provide reimburse-
23 ment for payment of the salary of a consultant (whether
24 retained by the Federal Government or a grantee) at more
25 than the daily equivalent of the rate paid for Level IV

1 of the Executive Schedule, unless specifically authorized
2 by law.

3 SEC. 409. None of the funds provided in this Act
4 shall be used to pay the expenses of, or otherwise com-
5 pensate, non-Federal parties intervening in regulatory or
6 adjudicatory proceedings. Nothing herein affects the au-
7 thority of the Consumer Product Safety Commission pur-
8 suant to section 7 of the Consumer Product Safety Act
9 (15 U.S.C. 2056 et seq.).

10 SEC. 410. Except as otherwise provided under exist-
11 ing law or under an existing Executive order issued pursu-
12 ant to an existing law, the obligation or expenditure of
13 any appropriation under this Act for contracts for any
14 consulting service shall be limited to contracts which are
15 (1) a matter of public record and available for public in-
16 spection, and (2) thereafter included in a publicly available
17 list of all contracts entered into within twenty-four months
18 prior to the date on which the list is made available to
19 the public and of all contracts on which performance has
20 not been completed by such date. The list required by the
21 preceding sentence shall be updated quarterly and shall
22 include a narrative description of the work to be per-
23 formed under each such contract.

24 SEC. 411. Except as otherwise provided by law, no
25 part of any appropriation contained in this Act shall be

1 obligated or expended by any executive agency, as referred
2 to in the Office of Federal Procurement Policy Act (41
3 U.S.C. 401 et seq.), for a contract for services unless such
4 executive agency (1) has awarded and entered into such
5 contract in full compliance with such Act and the regula-
6 tions promulgated thereunder, and (2) requires any report
7 prepared pursuant to such contract, including plans, eval-
8 uations, studies, analyses and manuals, and any report
9 prepared by the agency which is substantially derived from
10 or substantially includes any report prepared pursuant to
11 such contract, to contain information concerning (A) the
12 contract pursuant to which the report was prepared, and
13 (B) the contractor who prepared the report pursuant to
14 such contract.

15 SEC. 412. Except as otherwise provided in section
16 406, none of the funds provided in this Act to any depart-
17 ment or agency shall be obligated or expended to provide
18 a personal cook, chauffeur, or other personal servants to
19 any officer or employee of such department or agency.

20 SEC. 413. None of the funds provided in this Act to
21 any department or agency shall be obligated or expended
22 to procure passenger automobiles as defined in 15 U.S.C.
23 2001 with an EPA estimated miles per gallon average of
24 less than 22 miles per gallon.

1 SEC. 414. None of the funds appropriated in title I
2 of this Act shall be used to enter into any new lease of
3 real property if the estimated annual rental is more than
4 \$300,000 unless the Secretary submits, in writing, a re-
5 port to the Committees on Appropriations of the Congress
6 and a period of 30 days has expired following the date
7 on which the report is received by the Committees on Ap-
8 propriations.

9 SEC. 415. (a) PURCHASE OF AMERICAN-MADE
10 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
11 gress that, to the greatest extent practicable, all equip-
12 ment and products purchased with funds made available
13 in this Act should be American-made.

14 (b) NOTICE REQUIREMENT.—In providing financial
15 assistance to, or entering into any contract with, any en-
16 tity using funds made available in this Act, the head of
17 each Federal agency, to the greatest extent practicable,
18 shall provide to such entity a notice describing the state-
19 ment made in subsection (a) by the Congress.

20 SEC. 416. None of the funds appropriated in this Act
21 may be used to implement any cap on reimbursements to
22 grantees for indirect costs, except as published in Office
23 of Management and Budget Circular A–21.

1 SEC. 417. Such sums as may be necessary for fiscal
2 year 1997 pay raises for programs funded by this Act shall
3 be absorbed within the levels appropriated in this Act.

4 SEC. 418. None of the funds made available in this
5 Act may be used for any program, project, or activity,
6 when it is made known to the Federal entity or official
7 to which the funds are made available that the program,
8 project, or activity is not in compliance with any Federal
9 law relating to risk assessment, the protection of private
10 property rights, or unfunded mandates.

11 SEC. 419. Such funds as may be necessary to carry
12 out the orderly termination of the Office of Consumer Af-
13 fairs shall be made available from funds appropriated to
14 the Department of Health and Human Services for fiscal
15 year 1997.

16 SEC. 420. Corporations and agencies of the Depart-
17 ment of Housing and Urban Development which are sub-
18 ject to the Government Corporation Control Act, as
19 amended, are hereby authorized to make such expendi-
20 tures, within the limits of funds and borrowing authority
21 available to each such corporation or agency and in accord
22 with law, and to make such contracts and commitments
23 without regard to fiscal year limitations as provided by
24 section 104 of the Act as may be necessary in carrying
25 out the programs set forth in the budget for 1997 for such

1 corporation or agency except as hereinafter provided: *Pro-*
2 *vided*, That collections of these corporations and agencies
3 may be used for new loan or mortgage purchase commit-
4 ments only to the extent expressly provided for in this Act
5 (unless such loans are in support of other forms of assist-
6 ance provided for in this or prior appropriations Acts), ex-
7 cept that this proviso shall not apply to the mortgage in-
8 surance or guaranty operations of these corporations, or
9 where loans or mortgage purchases are necessary to pro-
10 tect the financial interest of the United States Govern-
11 ment.

12 SEC. 421. None of the funds appropriated or other-
13 wise made available by this Act may be used to pay the
14 salaries of personnel who approve a contract for the pur-
15 chase, lease, or acquisition in any manner of supercomput-
16 ing equipment or services after a preliminary determina-
17 tion, as defined in 19 U.S.C. 1673b, or final determina-
18 tion, as defined in 19 U.S.C. 1673d, by the Department
19 of Commerce that an organization providing such super-
20 computing equipment or services has offered such product
21 at other than fair value.

22 This Act may be cited as the “Departments of Veter-
23 ans Affairs and Housing and Urban Development, and
24 Independent Agencies Appropriations Act, 1997”.