

Calendar No. 858

99TH CONGRESS
2^D SESSION**H. R. 5233**

[Report No. 99-408]

IN THE SENATE OF THE UNITED STATES

AUGUST 5 (legislative day, AUGUST 4), 1986

Received; read twice and referred to the Committee on Appropriations

AUGUST 15 (legislative day, AUGUST 11), 1986

Reported by Mr. WEICKER, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1987, 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 money
4 in the Treasury not otherwise appropriated, for the Depart-
5 ments of Labor, Health and Human Services, and Education,
6 and related agencies for the fiscal year ending September 30,
7 1987, and for other purposes, namely:

1 TITLE I—DEPARTMENT OF LABOR
2 EMPLOYMENT AND TRAINING ADMINISTRATION
3 PROGRAM ADMINISTRATION

4 For expenses of administering employment and training
5 programs, ~~\$67,363,000~~ \$66,017,000 together with not to
6 exceed ~~\$44,763,000~~ \$51,882,000 which may be expended
7 from the Employment Security Administration account in the
8 Unemployment Trust Fund.

9 TRAINING AND EMPLOYMENT SERVICES

10 For expenses necessary to carry into effect the Job
11 Training Partnership Act, including the purchase and hire of
12 passenger motor vehicles, the construction, alteration, and
13 repair of buildings and other facilities, and the purchase of
14 real property for training centers as authorized by the Job
15 Training Partnership Act, ~~\$3,517,121,000~~ \$3,748,314,000
16 plus reimbursements, to be available for obligation for the
17 period July 1, 1987, through June 30, 1988, including
18 \$2,000,000 for the National Commission for Employment
19 Policy, ~~including \$3,000,000~~ and including \$5,000,000 for
20 all activities conducted by and through the National Occupa-
21 tional Information Coordinating Committee under the Job
22 Training Partnership Act, ~~and including \$10,000,000 for~~
23 ~~service delivery areas under section 101(a)(4)(A)(iii) of the~~
24 ~~Job Training Partnership Act in addition to amounts other-~~
25 ~~wise provided under sections 202 and 251(b) of the Act. Pro-~~

1 *vided*, That no funds from any other appropriation shall be
2 used to provide meal services at or for Job Corps centers:
3 *Provided further*, That of the funds made available for obliga-
4 tion for the Summer Youth Employment and Training Pro-
5 gram for the program years 1986 and 1987 the Secretary of
6 Labor may reserve an amount, which, when combined with
7 excess unexpended funds, shall not exceed fifteen percent of
8 the total provided for the program, and allot such funds to
9 the States so that each service delivery area receives, as
10 nearly as possible, an amount equal to its prior year alloca-
11 tion for this program. For the purposes of this provision,
12 "excess unexpended funds" shall mean for program year
13 1986, any amount unexpended as of September 30, 1986, in
14 excess of 10 percent of the prior year State allotment, and for
15 program year 1987, any amount unexpended as of September
16 30, 1987, in excess of 10 percent of the prior year State
17 allotment. Reallocations of excess unexpended funds pursuant
18 to this provision shall be accomplished by reducing, by an
19 amount equivalent to the amount of excess unexpended
20 funds, allotments made to the States.

21 For activities authorized by sections 236, 237, and 238
22 of the Trade Act of 1974, ~~as amended, \$26,000,000 as~~
23 *amended, including necessary related administrative ex-*
24 *penses, \$29,900,000.*

1 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

2 AMERICANS

3 To carry out the activities for national grants or con-
4 tracts with public agencies and public or private nonprofit
5 organizations under paragraph (1)(A) of section 506(a) of title
6 V of the Older Americans Act of 1965, as amended,
7 \$254,280,000.

8 To carry out the activities for grants to States under
9 paragraph (3) of section 506(a) of title V of the Older Ameri-
10 cans Act of 1965, as amended, \$71,720,000.

11 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

12 For payments during the current fiscal year of benefits
13 and payments as authorized by title II of Public Law 95-
14 250, as amended, and of trade adjustment benefit payments
15 and allowances, as provided by law (part I, subchapter B,
16 chapter 2, title II of the Trade Act of 1974, as amended)
17 \$118,000,000, together with such amounts as may be neces-
18 sary to be charged to the subsequent appropriation for pay-
19 ments for any period subsequent to September 15 of the cur-
20 rent year: *Provided*, That amounts received or recovered
21 pursuant to section 208(e) of Public Law 95-250 shall be
22 available for payments.

1 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT

2 SERVICE OPERATIONS

3 For activities authorized by the Act of June 6, 1933, as
4 amended (29 U.S.C. 49-49l-1; 39 U.S.C. 3202(a)(1)(E));
5 title III of the Social Security Act, as amended (42 U.S.C.
6 502-504); necessary administrative expenses for carrying out
7 5 U.S.C. 8501-8523, and ~~sections 231-238~~ *sections 231-*
8 *235* and 243-244, title II of the Trade Act of 1974, as
9 amended; and as authorized by section 7c of the Act of June
10 6, 1933, as amended, necessary administrative expenses
11 under sections 101(a)(15)(H)(ii) and 212(a)(14) of the Immi-
12 gration and Nationality Act, as amended (8 U.S.C. 1101 et
13 seq.), ~~\$27,300,000~~ *\$23,400,000*, together with not to exceed
14 ~~\$2,485,933,000~~ *\$2,341,901,000* which may be expended
15 from the Employment Security Administration account in the
16 Unemployment Trust Fund, and of which the sums available
17 for ~~activities authorized by title III of the Social Security~~
18 ~~Act, as amended (42 U.S.C. 502-504), and the sums avail-~~
19 ~~able for necessary administrative expenses for carrying out 5~~
20 ~~U.S.C. 8501-8523, and sections 231-235 and 243-244,~~
21 ~~title II of the Trade Act of 1974, as amended, shall be avail-~~
22 ~~able for such purposes in the basic allocation for activities~~
23 ~~authorized by title III of the Social Security Act, as amend-~~
24 ~~ed (42 U.S.C. 502-504), and the sums available in the basic~~
25 ~~allocation for necessary administrative expenses for carrying~~

1 out 5 U.S.C. 8501–8523, shall be available for obligation by
2 the States through December 31, 1987, and of which
3 \$22,700,000 together with not to exceed \$732,500,000 of
4 the amount which may be expended from said trust fund shall
5 be available for obligation for the period July 1, 1987,
6 through June 30, 1988, to fund activities under section 6 of
7 the Act of June 6, 1933, as amended, including the cost of
8 penalty mail made available to States in lieu of allotments for
9 such purpose, and of which ~~\$261,942,000~~ \$117,910,000 (in-
10 cluding not to exceed \$4,800,000 which may be used for
11 amortization payments to States which had independent re-
12 tirement plans in their State employment service agencies
13 prior to 1980) shall be available only to the extent necessary
14 to administer unemployment compensation laws to meet in-
15 creased costs of administration resulting from changes in a
16 State law or increases in the number of unemployment insur-
17 ance claims filed and claims paid or increased salary costs
18 resulting from changes in State salary compensation plans
19 embracing employees of the State generally over those upon
20 which the State's basic allocation was based, which cannot
21 be provided for by normal budgetary adjustments based on
22 State obligations as of December 31, 1987.

1 LABOR-MANAGEMENT SERVICES

2 SALARIES AND EXPENSES

3 For necessary expenses for Labor-Management Serv-
4 ices, \$62,275,000, of which \$1,100,000 shall remain
5 available until expended for a pension plan data base.

6 PENSION BENEFIT GUARANTY CORPORATION

7 PENSION BENEFIT GUARANTY CORPORATION FUND

8 The Pension Benefit Guaranty Corporation is author-
9 ized to make such expenditures, including financial assistance
10 authorized by section 104 of Public Law 96-364, within
11 limits of funds and borrowing authority available to such Cor-
12 poration, and in accord with law, and to make such contracts
13 and commitments without regard to fiscal year limitations as
14 provided by section 104 of the Government Corporation Con-
15 trol Act, as amended (31 U.S.C. 9104), as may be necessary
16 in carrying out the program through September 30, 1987, for
17 such Corporation: *Provided*, That not to exceed \$36,874,000
18 shall be available for administrative expenses of the
19 Corporation.

20 EMPLOYMENT STANDARDS ADMINISTRATION

21 SALARIES AND EXPENSES

22 For necessary expenses for the Employment Standards
23 Administration, including reimbursement to State, Federal,
24 and local agencies and their employees for inspection services
25 rendered, ~~\$193,709,000~~ \$192,709,000, together with

1 \$441,000, which may be expended from the Special Fund in
2 accordance with sections 39(c) and 44(j) of the Longshore
3 and Harbor Workers' Compensation Act.

4 SPECIAL BENEFITS

5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation, benefits, and ex-
7 penses (except administrative expenses) accruing during the
8 current or any prior fiscal year authorized by title V, chapter
9 81 of the United States Code; continuation of benefits as pro-
10 vided for under the head "Civilian War Benefits" in the Fed-
11 eral Security Agency Appropriation Act, 1947; the Employ-
12 ees' Compensation Commission Appropriation Act, 1944;
13 and sections 4(c) and 5(f) of the War Claims Act of 1948 (50
14 U.S.C. App. 2012); and 50 per centum of the additional com-
15 pensation and benefits required by section 10(h) of the Long-
16 shore and Harbor Workers' Compensation Act, as amended,
17 \$263,600,000, together with such amounts as may be neces-
18 sary to be charged to the subsequent year appropriation for
19 the payment of compensation and other benefits for any
20 period subsequent to September 15 of the current year: *Pro-*
21 *vided*, That in addition there shall be transferred from the
22 Postal Service fund to this appropriation such sums as the
23 Secretary of Labor determines to be the cost of administra-
24 tion for Postal Service employees through September 30,
25 1987.

1 BLACK LUNG DISABILITY TRUST FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For payments from the Black Lung Disability Trust
4 Fund, \$234,538,000 of which \$186,687,000 shall be avail-
5 able until September 30, 1988, for payment of all benefits as
6 authorized by section 9501(d) (1), (2), and (7) of the Internal
7 Revenue Code of 1954, as amended, and of which
8 \$25,826,000 shall be available for transfer to Employment
9 Standards Administration, Salaries and Expenses, and
10 \$21,413,000 for transfer to Departmental Management, Sal-
11 aries and Expenses, and \$612,000 for transfer to Depart-
12 mental Management, Office of Inspector General, for ex-
13 penses of operation and administration of the Black Lung
14 Benefits program as authorized by section 9501(d)(5)(A) of
15 that Act: *Provided*, That in addition, such amounts as may be
16 necessary may be charged to the subsequent year appropria-
17 tion for the payment of compensation or other benefits for
18 any period subsequent to June 15 of the current year: *Pro-*
19 *vided further*, That in addition, there are hereby appropriated
20 such amounts as may be necessary to repay advances from
21 the Treasury that are not needed to make disbursements
22 during the current fiscal year, as authorized by section
23 9501(d)(4) of that Act: *Provided further*, That in addition,
24 such amounts shall be paid from this fund into miscellaneous
25 receipts as the Secretary of the Treasury determines to be

1 the administrative expenses of the Department of the Treas-
2 ury for administering the fund during the current fiscal year,
3 as authorized by section 9501(d)(5)(B) of that Act.

4 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
5 SALARIES AND EXPENSES

6 For necessary expenses for the Occupational Safety and
7 Health Administration, \$225,811,000, including not to
8 exceed \$54,921,000, which shall be the maximum amount
9 available for grants to States under section 23(g) of the Occu-
10 pational Safety and Health Act, which grants shall be no less
11 than fifty percent of the costs of State occupational safety
12 and health programs required to be incurred under plans ap-
13 proved by the Secretary under section 18 of the Occupational
14 Safety and Health Act of 1970: *Provided*, That none of the
15 funds appropriated under this paragraph shall be obligated or
16 expended for the assessment of civil penalties issued for first
17 instance violations of any standard, rule, or regulation pro-
18 mulgated under the Occupational Safety and Health Act of
19 1970 (other than serious, willful, or repeated violations under
20 section 17 of the Act) resulting from the inspection of any
21 establishment or workplace subject to the Act, unless such
22 establishment or workplace is cited, on the basis of such in-
23 spection, for ten or more violations: *Provided further*, That
24 none of the funds appropriated under this paragraph shall be
25 obligated or expended to prescribe, issue, administer, or en-

1 force any standard, rule, regulation, or order under the Occu-
2 pational Safety and Health Act of 1970 which is applicable
3 to any person who is engaged in a farming operation which
4 does not maintain a temporary labor camp and employs ten
5 or fewer employees: *Provided further*, That none of the funds
6 appropriated under this paragraph shall be obligated or ex-
7 pended to prescribe, issue, administer, or enforce any stand-
8 ard, rule, regulation, order or administrative action under the
9 Occupational Safety and Health Act of 1970 affecting any
10 work activity by reason of recreational hunting, shooting, or
11 fishing: *Provided further*, That no funds appropriated under
12 this paragraph shall be obligated or expended to administer
13 or enforce any standard, rule, regulation, or order under the
14 Occupational Safety and Health Act of 1970 with respect to
15 any employer of ten or fewer employees who is included
16 within a category having an occupational injury lost work
17 day case rate, at the most precise Standard Industrial Classi-
18 fication Code for which such data are published, less than the
19 national average rate as such rates are most recently pub-
20 lished by the Secretary, acting through the Bureau of Labor
21 Statistics, in accordance with section 24 of that Act (29
22 U.S.C. 673), except—

23 (1) to provide, as authorized by such Act, consul-
24 tation, technical assistance, educational and training
25 services, and to conduct surveys and studies;

1 (2) to conduct an inspection or investigation in re-
2 sponse to an employee complaint, to issue a citation for
3 violations found during such inspection, and to assess a
4 penalty for violations which are not corrected within a
5 reasonable abatement period and for any willful
6 violations found;

7 (3) to take any action authorized by such Act
8 with respect to imminent dangers;

9 (4) to take any action authorized by such Act
10 with respect to health hazards;

11 (5) to take any action authorized by such Act
12 with respect to a report of an employment accident
13 which is fatal to one or more employees or which re-
14 sults in hospitalization of five or more employees, and
15 to take any action pursuant to such investigation
16 authorized by such Act; and

17 (6) to take any action authorized by such Act
18 with respect to complaints of discrimination against
19 employees for exercising rights under such Act:

20 *Provided further*, That the foregoing proviso shall not apply
21 to any person who is engaged in a farming operation which
22 does not maintain a temporary labor camp and employs ten
23 or fewer employees: *Provided further*, That none of the funds
24 appropriated under this paragraph shall be obligated or ex-
25 pended for the proposal or assessment of any civil penalties

1 for the violation or alleged violation by an employer of ten or
2 fewer employees of any standard, rule, regulation, or order
3 promulgated under the Occupational Safety and Health Act
4 of 1970 (other than serious, willful or repeated violations and
5 violations which pose imminent danger under section 13 of
6 the Act) if, prior to the inspection which gives rise to the
7 alleged violation, the employer cited has (1) voluntarily re-
8 quested consultation under a program operated pursuant to
9 section 7(c)(1) or section 18 of the Occupational Safety and
10 Health Act of 1970 or from a private consultative source
11 approved by the Administration and (2) had the consultant
12 examine the condition cited and (3) made or is in the process
13 of making a reasonable good faith effort to eliminate the
14 hazard created by the condition cited as such, which was
15 identified by the aforementioned consultant, unless changing
16 circumstances or workplace conditions render inapplicable
17 the advice obtained from such consultants: *Provided further,*
18 That none of the funds appropriated under this paragraph
19 may be obligated or expended for any State plan monitoring
20 visit by the Secretary of Labor under section 18 of the Occu-
21 pational Safety and Health Act of 1970, of any factory,
22 plant, establishment, construction site, or other area, work-
23 place or environment where such a workplace or environ-
24 ment has been inspected by an employee of a State acting
25 pursuant to section 18 of such Act within the six months

1 preceding such inspection: *Provided further*, That this limita-
2 tion does not prohibit the Secretary of Labor from conducting
3 such monitoring visit at the time and place of an inspection
4 by an employee of a State acting pursuant to section 18 of
5 such Act, or in order to investigate a complaint about State
6 program administration including a failure to respond to a
7 worker complaint regarding a violation of such Act, or in
8 order to investigate a discrimination complaint under section
9 11(c) of such Act, or as part of a special study monitoring
10 program, or to investigate a fatality or catastrophe: *Provided*
11 *further*, That none of the funds appropriated under this para-
12 graph may be obligated or expended for the inspection, inves-
13 tigation, or enforcement of any activity occurring on the
14 Outer Continental Shelf which exceeds the authority granted
15 to the Occupational Safety and Health Administration by any
16 provision of the Outer Continental Shelf Lands Act, or the
17 Outer Continental Shelf Lands Act Amendments of 1978.

18 MINE SAFETY AND HEALTH ADMINISTRATION

19 SALARIES AND EXPENSES

20 For necessary expenses for the Mine Safety and Health
21 Administration, ~~\$156,480,000~~ \$160,180,000, including pur-
22 chase and bestowal of certificates and trophies in connection
23 with mine rescue and first-aid work, and the purchase of not
24 to exceed eight passenger motor vehicles for replacement
25 only; the Secretary is authorized to accept lands, buildings,

1 equipment, and other contributions from public and private
2 sources and to prosecute projects in cooperation with other
3 agencies, Federal, State, or private; the Mine Safety and
4 Health Administration is authorized to promote health and
5 safety education and training in the mining community
6 through cooperative programs with States, industry, and
7 safety associations; and any funds available to the Depart-
8 ment may be used, with the approval of the Secretary, to
9 provide for the costs of mine rescue and survival operations
10 in the event of major disaster: *Provided*, That none of the
11 funds appropriated under this paragraph shall be obligated or
12 expended to carry out section 115 of the Federal Mine Safety
13 and Health Act of 1977 or to carry out that portion of sec-
14 tion 104(g)(1) of such Act relating to the enforcement of any
15 training requirements, with respect to shell dredging, or with
16 respect to any sand, gravel, surface stone, surface clay, col-
17 loidal phosphate, or surface limestone mine.

18 BUREAU OF LABOR STATISTICS

19 SALARIES AND EXPENSES

20 For necessary expenses for the Bureau of Labor Statis-
21 tics, including advances or reimbursements to State, Federal,
22 and local agencies and their employees for services rendered,
23 ~~\$166,589,000~~ \$168,330,000, of which \$11,435,000 shall be
24 for expenses of revising the Consumer Price Index, together
25 with not to exceed \$37,872,000, which may be expended

1 from the Employment Security Administration account in the
2 Unemployment Trust Fund: *Provided*, That ~~\$7,206,000~~
3 ~~\$8,286,000~~ shall remain available until September 30, 1988.

4 DEPARTMENTAL MANAGEMENT

5 SALARIES AND EXPENSES

6 For necessary expenses for Departmental Management,
7 including ~~\$2,408,000~~ ~~\$2,044,000~~ for the President's Com-
8 mittee on Employment of the Handicapped, ~~\$103,852,000~~
9 ~~\$103,488,000~~, together with not to exceed \$263,000 which
10 may be expended from the Employment Security Administra-
11 tion account in the Unemployment Trust Fund.

12 ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND

13 TRAINING

14 Not to exceed ~~\$139,510,000~~ ~~\$137,655,000~~ may be de-
15 rived from the Employment Security Administration account
16 in the Unemployment Trust Fund to carry out the provisions
17 of 38 U.S.C. 2001-08 and 2021-26.

18 OFFICE OF THE INSPECTOR GENERAL

19 For salaries and expenses of the Office of the Inspector
20 General in carrying out the provisions of the Inspector Gen-
21 eral Act of 1978, \$34,833,000, together with not to exceed
22 \$6,040,000, which may be expended from the Employment
23 Security Administration account in the Unemployment Trust
24 Fund.

1 SPECIAL FOREIGN CURRENCY PROGRAM

2 For payments in foreign currencies which the Treasury
3 Department determines to be excess to the normal require-
4 ments of the United States, for necessary expenses of the
5 Department of Labor, as authorized by law, ~~\$67,000~~
6 *\$47,000*, to remain available until expended. This appropria-
7 tion shall be available in addition to other appropriations to
8 such agency for payments in foreign currencies.

9 GENERAL PROVISIONS

10 SEC. 101. Appropriations in this Act available for sala-
11 ries and expenses shall be available for supplies, services, and
12 rental of conference space within the District of Columbia, as
13 the Secretary of Labor shall deem necessary for settlement of
14 labor-management disputes.

15 SEC. 102. None of the funds appropriated under this
16 Act shall be used to grant variances, interim orders or letters
17 of clarification to employers which will allow exposure of
18 workers to chemicals or other workplace hazards in excess of
19 existing Occupational Safety and Health Administration
20 standards for the purpose of conducting experiments on
21 workers' health or safety.

22 ~~SEC. 103. None of the funds appropriated in this Act~~
23 ~~shall be obligated or expended for the purpose of closing any~~
24 ~~Job Corps Center operating under part B of title IV of the~~
25 ~~Job Training Partnership Act prior to July 1, 1988.~~

1 SEC. ~~104~~ 103. Notwithstanding any other provision of
 2 this Act, no funds appropriated by this Act may be used to
 3 execute or carry out any contract with a non-governmental
 4 entity to administer or manage a Civilian Conservation
 5 Center of the Job Corps which was not under such a contract
 6 as of September 1, 1984.

7 *DISAPPROVAL OF DEFERRALS*

8 *NEGATIVE SUPPLEMENTALS*

9 *The Congress disapproves the proposed deferral of*
 10 *\$3,911,000 pertaining to the State Unemployment Insur-*
 11 *ance and Employment Service Operations appropriation as*
 12 *set forth in the 1987 Budget Appendix, page II-17, which*
 13 *was transmitted to the Congress by the President. This dis-*
 14 *approval shall be effective upon enactment into law of this*
 15 *Act and the amount of the proposed deferral disapproved*
 16 *herein shall be made available for obligation.*

17 This title may be cited as the "Department of Labor
 18 Appropriations Act, 1987".

19 **TITLE II—DEPARTMENT OF HEALTH AND**
 20 **HUMAN SERVICES**

21 **HEALTH RESOURCES AND SERVICES ADMINISTRATION**

22 **HEALTH RESOURCES AND SERVICES**

23 For carrying out titles III, IV, VII, ~~VIII~~, ~~XIII~~ VIII,
 24 X, XIII, XIX, and XXI of the Public Health Service Act,
 25 section 427(a) of the Federal Coal Mine Health and Safety

1 Act, and title V of the Social Security Act, ~~\$1,267,068,000~~
2 *\$1,499,753,000 of which \$8,000,000 shall be available for*
3 *grants under title III, part H of the Public Health Service*
4 *Act; of which \$10,000,000 shall be available to establish*
5 *geriatric educational units under section 788(b) of the Public*
6 *Health Service Act; of which \$15,000,000 shall be made*
7 *available until expended to make grants under section*
8 *1610(b) of the Public Health Service Act to private nonprofit*
9 *entities which are receiving support under section 329 or 330*
10 *of that Act; of which \$3,300,000 shall be available only for*
11 *payments to the State of Hawaii for care and treatment of*
12 *persons afflicted with Hansen's disease; of which \$2,500,000*
13 *shall be available until expended for grants and contracts*
14 *under section 301 of the Public Health Service Act for*
15 *projects to provide health services in the Commonwealth*
16 *of the Northern Mariana Islands and the territories and*
17 *possessions of the United States located in the Pacific Basin,*
18 *and to provide technical assistance relating to such projects;*
19 *of which \$5,000,000 shall be available until expended for*
20 *grants to the Kamehameha Schools/Bishop Estate to pay 50*
21 *percent of the cost of projects and to establish centers to pro-*
22 *vide maternal and child health care services for Native Ha-*
23 *waiians; of which \$250,000 shall be available for the*
24 *CARES project; of which \$1,900,000 shall be available to*
25 *develop and implement AIDS education and training cen-*

1 *ters*; of which not to exceed \$750,000 to remain available
2 until expended, shall be available for renovating the Gillis W.
3 Long Hansen's Disease Center, 42 U.S.C. 247e, as amended
4 by Public Law 99-117: *Provided*, That this appropriation
5 shall be available for payment of the costs of medical care,
6 related expenses, and burial expenses hereafter incurred by
7 or on behalf of any person who has participated in the study
8 of untreated syphilis initiated in Tuskegee, Alabama, in
9 1932, in such amounts and subject to such terms and condi-
10 tions as prescribed by the Secretary of Health and Human
11 Services and for payment, in such amounts and subject to
12 such terms and conditions, of such costs and expenses hereaf-
13 ter incurred by or on behalf of such person's wife or offspring
14 determined by the Secretary to have suffered injury or dis-
15 ease from syphilis contracted from such person: *Provided fur-*
16 *ther*, That when the Department of Health and Human Serv-
17 ices administers or operates an employee health program for
18 any Federal department or agency, payment for the full esti-
19 mated cost shall be made by way of reimbursement or in
20 advances to this appropriation: *Provided further*, *That during*
21 *the fiscal year, and within the resources and authority avail-*
22 *able under section 338 of the Public Health Service Act,*
23 *gross obligations for the principal amount of direct loans*
24 *under sections 335(c), 338C(e)(1), and 338E of that Act*
25 *shall not exceed \$1,000,000: Provided further*, *That funds*

1 *remaining unobligated in the National Health Service Corps*
2 *program shall be transferred to the Community Health Cen-*
3 *ters program to support the costs associated with the private*
4 *placement assignment of corps personnel: Provided further,*
5 *That the total principal amount of Federal loan insurance*
6 *available under section 728 of the Public Health Service Act*
7 *during fiscal year 1987 shall be granted by the Secretary of*
8 *Health and Human Services without regard to any appor-*
9 *tionment or other similar limitation.*

10 MEDICAL FACILITIES GUARANTEE AND LOAN FUND

11 FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

12 For carrying out subsections (d) and (e) of section 1602
13 of the Public Health Service Act, \$20,000,000, together
14 with any amounts received by the Secretary in connection
15 with loans and loan guarantees under title VI of the Public
16 Health Service Act, to be available without fiscal year limita-
17 tion for the payment of interest subsidies. During the fiscal
18 year no commitments for direct loans or loan guarantees shall
19 be made.

20 CENTERS FOR DISEASE CONTROL

21 DISEASE CONTROL, RESEARCH, AND TRAINING

22 To carry out titles III, XVII, and XIX and section
23 1102 of the Public Health Service Act, sections 101, 102,
24 103, 201, 202, and 203 of the Federal Mine Safety and
25 Health Act of 1977, and sections 20, 21, and 22 of the Occu-

1 pational Safety and Health Act of 1970; including insurance
 2 of official motor vehicles in foreign countries; and hire, main-
 3 tenance, and operation of aircraft, ~~\$518,254,000~~
 4 \$541,862,000, of which ~~\$3,810,000~~ \$11,800,000 shall
 5 remain available until expended for equipment and construc-
 6 tion and renovation of facilities: *Provided*, That training of
 7 employees of private agencies shall be made subject to reim-
 8 bursement or advances to this appropriation for the full cost
 9 of such training: *Provided further*, That collections from user
 10 fees, including collections from training and reimbursements
 11 and advances for the full cost of proficiency testing of private
 12 clinical laboratories, may be credited to this appropriation:
 13 *Provided further*, That any unobligated balance of the
 14 \$6,900,000 appropriated in fiscal year 1986, to remain avail-
 15 able until September 30, 1987 for the purchase and distribu-
 16 tion of drugs, shall remain available until expended: *Provided*
 17 *further*, *That notwithstanding any other provision of law,*
 18 *amounts appropriated by this Act for the Centers for Disease*
 19 *Control shall be used to maintain not less than 4,290 Feder-*
 20 *al full-time equivalent positions.*

21 NATIONAL INSTITUTES OF HEALTH

22 NATIONAL CANCER INSTITUTE

23 For carrying out section 301 and title IV of the Public
 24 Health Service Act with respect to cancer, ~~\$1,346,751,000~~
 25 \$1,397,250,000.

1 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

2 For carrying out section 301, title IV, and section 1105
3 of the Public Health Service Act with respect to cardiovascu-
4 lar, lung, and blood diseases, and blood and blood products,
5 ~~\$921,410,000~~ \$921,502,000.

6 NATIONAL INSTITUTE OF DENTAL RESEARCH

7 For carrying out section 301 and title IV of the Public
8 Health Service Act with respect to dental diseases,
9 ~~\$116,275,000~~ \$116,553,000.

10 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND

11 KIDNEY DISEASES

12 For carrying out section 301 and title IV of the Public
13 Health Service Act with respect to diabetes and digestive
14 and kidney diseases, ~~\$515,455,000~~ \$502,628,000.

15 NATIONAL INSTITUTE OF NEUROLOGICAL AND

16 COMMUNICATIVE DISORDERS AND STROKE

17 For carrying out section 301 and title IV of the Public
18 Health Service Act with respect to neurological and commu-
19 nicative disorders and stroke, ~~\$491,085,000~~ \$487,218,000.

20 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS

21 DISEASES

22 For carrying out section 301 and title IV of the Public
23 Health Service Act with respect to allergy and infectious
24 diseases, ~~\$403,853,000~~ \$494,343,000.

1 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

2 For carrying out section 301 and title IV of the Public
3 Health Service Act with respect to general medical sciences,
4 ~~\$576,562,000~~ \$565,271,000.

5 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN
6 DEVELOPMENT

7 For carrying out section 301 and title IV of the Public
8 Health Service Act with respect to child health and human
9 development, ~~\$368,509,000~~ \$362,866,000.

10 NATIONAL EYE INSTITUTE

11 For carrying out section 301 and part F of title IV of
12 the Public Health Service Act with respect to eye diseases
13 and visual disorders, ~~\$219,091,000~~ \$214,080,000.

14 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
15 SCIENCES

16 For carrying out sections 301 and 311, and title IV, of
17 the Public Health Service Act with respect to environmental
18 health sciences, ~~\$209,872,000~~ \$208,067,000.

19 NATIONAL INSTITUTE ON AGING

20 For carrying out section 301 and title IV of the Public
21 Health Service Act with respect to aging, ~~\$174,279,000~~
22 \$179,582,000.

1 NATIONAL INSTITUTE OF ARTHRITIS AND

2 MUSCULOSKELETAL AND SKIN DISEASES

3 For carrying out section 301 and title IV of the Public
4 Health Service Act with respect to arthritis, and musculo-
5 skeletal and skin diseases, ~~\$140,225,000~~ \$129,475,000.

6 RESEARCH RESOURCES

7 For carrying out section 301 and title IV of the Public
8 Health Service Act with respect to research resources and
9 general research support grants, ~~\$317,826,000~~
10 \$319,924,000: *Provided*, That none of these funds, with the
11 exception of funds for the Minority Biomedical Research Sup-
12 port program, shall be used to pay recipients of the general
13 research support grants program any amount for indirect ex-
14 penses in connection with such grants.

15 NATIONAL CENTER FOR NURSING RESEARCH

16 *For carrying out section 301 and title IV of the Public*
17 *Health Service Act, with respect to nursing research,*
18 *\$20,000,000.*

19 JOHN E. FOGARTY INTERNATIONAL CENTER

20 For carrying out the activities at the John E. Fogarty
21 International Center, ~~\$11,443,000~~ \$11,420,000, of which
22 \$1,934,000 shall be available for payment to the Gorgas Me-
23 morial Institute for maintenance and operation of the Gorgas
24 Memorial Laboratory.

1 NATIONAL LIBRARY OF MEDICINE

2 For carrying out section 301 and title IV of the Public
3 Health Service Act with respect to health information
4 communications, ~~\$61,588,000~~ \$62,088,000.

5 OFFICE OF THE DIRECTOR

6 For carrying out the responsibilities of the Office of the
7 Director, National Institutes of Health, ~~\$246,651,000~~
8 \$56,708,000, including purchase of not to exceed six passen-
9 ger motor vehicles for replacement only.

10 BUILDINGS AND FACILITIES

11 For construction of, and acquisition of sites and equip-
12 ment for, facilities of or used by the National Institutes of
13 Health, \$31,900,000, to remain available until expended.

14 ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

15 ADMINISTRATION

16 ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

17 For carrying out the Public Health Service Act with
18 respect to mental health, drug abuse, alcohol abuse, and alco-
19 holism and the Protection and Advocacy for Mentally Ill In-
20 dividuals Act of 1986, ~~\$893,434,000~~ \$1,099,113,000, of
21 which \$600,000 for renovation of government owned or
22 leased intramural research facilities shall remain available
23 until expended.

1 FEDERAL SUBSIDY FOR SAINT ELIZABETHS HOSPITAL

2 For a portion of the cost of the maintenance and oper-
3 ation of Saint Elizabeths Hospital in the District of Colum-
4 bia, \$36,353,000: *Provided*, That in fiscal year 1987 and
5 thereafter the maximum amount available to Saint Elizabeths
6 Hospital from Federal sources shall not exceed the total of
7 the following amounts: the appropriations made under this
8 heading, amounts billed to Federal agencies and entities by
9 the Secretary of Health and Human Services for services
10 provided at Saint Elizabeths Hospital, and amounts author-
11 ized by titles XVIII and XIX of the Social Security Act:
12 *Provided further*, That this amount shall not include Federal
13 funds appropriated to the District of Columbia under "Feder-
14 al Payment to the District of Columbia" and payments made
15 pursuant to section 9(c) of Public Law 98-621: *Provided fur-*
16 *ther*, That the Secretary of Health and Human Services may
17 set rates which in the aggregate do not exceed the estimated
18 total cost of inpatient and outpatient services provided
19 through Saint Elizabeths Hospital as authorized by title 16,
20 sections 2315 and 2320, title 21, sections 511, 513, 522,
21 545, 902, and 1116, and title 24, sections 301 and 302 of
22 the District of Columbia Code, and may bill and collect from
23 (prospectively or otherwise) individuals, the District of Co-
24 lumbia and other entities for any services so provided: *Pro-*
25 *vided further*, That the Secretary of Health and Human

1 Services may set rates which in the aggregate do not exceed
2 the estimated total cost of inpatient and outpatient services
3 provided through Saint Elizabeths Hospital as authorized by
4 title 24, sections 191, 196, 211, 212, 222, 253, and 324,
5 title 31, section 1535, and title 42, sections 249 and 251 of
6 the United States Code, and may bill and collect (prospec-
7 tively or otherwise) from individuals, and Federal agencies,
8 and other entities for any services so provided. Amounts so
9 collected shall be credited to the appropriation for Saint Eliz-
10 abeths Hospital and shall remain available until expended.

11 OFFICE OF ASSISTANT SECRETARY FOR HEALTH

12 PUBLIC HEALTH SERVICE MANAGEMENT

13 For the expenses necessary for the Office of Assistant
14 Secretary for Health and for carrying out titles ~~III~~ and ~~XVII~~
15 of the ~~Public Health Service Act~~, ~~\$99,271,000~~ *III, XVII,*
16 *and XX of the Public Health Service Act, and for a Federal*
17 *contribution to endow the Lister Hill Center for Health*
18 *Policy, \$117,456,000, together with not to exceed*
19 *\$1,050,000 to be transferred and expended as authorized by*
20 *section 201(g) of the Social Security Act, from the Federal*
21 *Hospital Insurance and the Federal Supplementary Medical*
22 *Insurance Trust Funds referred to therein and, in addition,*
23 *amounts received by the National Center for Health Statis-*
24 *tics from reimbursable and interagency agreements and the*
25 *sale of data tapes shall be credited to this appropriation and*

1 shall remain available until expended: *Provided, That in ad-*
 2 *dition to amounts provided herein, up to \$16,000,000 shall*
 3 *be available from amounts available under section 2113 of*
 4 *the Public Health Service Act, to carry out the National*
 5 *Medical Expenditure Survey.*

6 RETIREMENT PAY AND MEDICAL BENEFITS FOR

7 COMMISSIONED OFFICERS

8 For retirement pay and medical benefits of Public
 9 Health Service Commissioned Officers as authorized by law,
 10 and for payments under the Retired Serviceman's Family
 11 Protection Plan and Survivor Benefit Plan and for medical
 12 care of dependents and retired personnel under the Depend-
 13 ents' Medical Care Act (10 U.S.C., ch. 55), such amounts as
 14 may be required during the current fiscal year.

15 HEALTH CARE FINANCING ADMINISTRATION

16 GRANTS TO STATES FOR MEDICAID

17 For carrying out, except as otherwise provided, title
 18 XIX of the Social Security Act, ~~\$19,380,359,000~~
 19 \$19,770,000,000, to remain available until expended.

20 For making, after May 31, 1987, payments to States
 21 under title XIX of the Social Security Act, for the last quar-
 22 ter of fiscal year 1987 for unanticipated costs, incurred for
 23 the current fiscal year, such sums as may be necessary.

24 Payment under title XIX may be made for any quarter
 25 beginning after June 30, 1986, and before October 1, 1987,

1 with respect to any State plan or plan amendment in effect
 2 during any such quarter, if submitted in, or prior to such
 3 quarter and approved in that or any such subsequent quarter.

4 For making payments to States under title XIX of the
 5 Social Security Act for the first quarter of fiscal year 1988,
 6 \$7,100,000,000, to remain available until expended.

7 PAYMENTS TO HEALTH CARE TRUST FUNDS

8 For payment to the Federal Hospital Insurance and the
 9 Federal Supplementary Medical Insurance Trust Funds, as
 10 provided under sections 217(g), 229(b) and 1844 of the Social
 11 Security Act, sections 103(c) and 111(d) of the Social Securi-
 12 ty Amendments of 1965, and section 278(d) of Public Law
 13 97-248, \$20,826,000,000.

14 PROGRAM MANAGEMENT

15 For carrying out, except as otherwise provided, titles
 16 XI, XVIII, and XIX of the Social Security Act,
 17 ~~\$84,533,000~~ \$85,396,000, together with not to exceed
 18 ~~\$1,201,494,000~~ \$1,171,170,000 to be transferred to this ap-
 19 propriation as authorized by section 201(g) of the Social Se-
 20 curity Act, from the Federal Hospital Insurance and the Fed-
 21 eral Supplementary Medical Insurance Trust Funds referred
 22 to therein: *Provided*, That in addition, ~~\$15,000,000~~
 23 \$50,000,000 shall similarly be derived by transfer from said
 24 trust funds and shall be expended only to the extent neces-
 25 sary to process workloads not anticipated in the budget esti-

1 mates and to meet unanticipated costs of agencies or organi-
2 zations with which agreements have been made to participate
3 in the administration of title XVIII and after maximum ab-
4 sorption of such costs within the remainder of the existing
5 limitation has been achieved.

6 SOCIAL SECURITY ADMINISTRATION

7 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

8 For payment to the Federal Old-Age and Survivors In-
9 surance and the Federal Disability Insurance Trust Funds, as
10 provided under sections 201(m), 217(g), 228(g), 229(b), and
11 1131(b)(2) of the Social Security Act and section 152 of
12 Public Law 98-21, \$500,555,000.

13 SPECIAL BENEFITS FOR DISABLED COAL MINERS

14 For carrying out title IV of the Federal Mine Safety and
15 Health Act of 1977, including the payment of travel ex-
16 penses on an actual cost or commuted basis, to an individual,
17 for travel incident to medical examinations, and when travel
18 of more than 75 miles is required, to parties, their represent-
19 atives, and all reasonably necessary witnesses for travel
20 within the United States, Puerto Rico, and the Virgin Is-
21 lands, to reconsideration interviews and to proceedings before
22 administrative law judges, \$693,437,000, to remain available
23 until expended: *Provided*, That monthly benefits when
24 changed shall be paid consistent with section 215(g) of the
25 Social Security Act.

1 For making, after July 31, of the current fiscal year,
2 benefit payments to individuals under title IV of the Federal
3 Mine Safety and Health Act of 1977, for costs incurred in the
4 current fiscal year, such amounts as may be necessary.

5 For making benefit payments under title IV of the Fed-
6 eral Mine Safety and Health Act of 1977 for the first quarter
7 of fiscal year 1988, \$252,450,000, to remain available until
8 expended.

9 SUPPLEMENTAL SECURITY INCOME PROGRAM

10 For carrying out the Supplemental Security Income
11 Program, section 401 of Public Law 92-603, section 212 of
12 Public Law 93-66, as amended, and section 405 of Public
13 Law 95-216, including payment to the social security trust
14 funds for administrative expenses incurred pursuant to sec-
15 tion 201(g)(1) of the Social Security Act, \$8,230,068,000, to
16 remain available until expended: *Provided*, That any portion
17 of the funds provided to a State in the current fiscal year and
18 not obligated by the State during that year shall be returned
19 to the Treasury.

20 For making, after July 31 of the current fiscal year,
21 benefit payments to individuals under title XVI of the Social
22 Security Act, for unanticipated costs incurred for the current
23 fiscal year, such sums as may be necessary.

1 For carrying out the Supplemental Security Income
2 Program for the first quarter of fiscal year 1988,
3 \$2,765,000,000, to remain available until expended.

4 ASSISTANCE PAYMENTS PROGRAM

5 For carrying out, except as otherwise provided, titles I,
6 IV-A and -D, X, XI, XIV, and XVI of the Social Security
7 Act and the Act of July 5, 1960 (24 U.S.C., ch. 9),
8 ~~\$7,023,420,000~~ \$7,025,376,000, to remain available until
9 expended.

10 For making, after May 31 of the current fiscal year,
11 payments to States under titles I, IV-A and -D, X, XIV,
12 and XVI of the Social Security Act, for the last three months
13 of the current fiscal year, for unanticipated costs, incurred for
14 the current fiscal year, such sums as may be necessary.

15 For making payments to States under titles I, IV-A
16 and -D, X, XIV, and XVI of the Social Security Act for the
17 first quarter of fiscal year 1988, \$2,293,615,000, to remain
18 available until expended.

19 LOW INCOME HOME ENERGY ASSISTANCE

20 *For carrying out title XXVI of the Omnibus Budget*
21 *Reconciliation Act of 1981, \$1,875,000,000.*

22 CHILD SUPPORT ENFORCEMENT

23 For carrying out, except as otherwise provided, titles
24 IV-D and XI of the Social Security Act, \$599,633,000, to
25 remain available until expended.

1 For making, after May 31 of the current fiscal year,
2 payments to States under title IV-D of the Social Security
3 Act, for the last three months of the current fiscal year, for
4 unanticipated costs, incurred for the current fiscal year, such
5 sums as may be necessary.

6 For making payments to States under title IV-D of the
7 Social Security Act for the first quarter of fiscal year 1988,
8 \$187,000,000, to remain available until expended.

9 LIMITATION ON ADMINISTRATIVE EXPENSES

10 For necessary expenses, not more than ~~\$4,000,373,000~~
11 \$4,011,373,000 may be expended, as authorized by section
12 201(g)(1) of the Social Security Act, from any one or all of
13 the trust funds referred to therein: *Provided*, That travel ex-
14 pense payments under section 1631(h) of such Act for travel
15 to hearings may be made only when travel of more than sev-
16 enty-five miles is required: *Provided further*, That
17 \$160,000,000 of the foregoing amount shall be apportioned
18 for use only to the extent necessary to process workloads not
19 anticipated in the budget estimates, for automation projects
20 and their impact on the work force, and to meet mandatory
21 increases in costs of agencies or organizations with which
22 agreements have been made to participate in the administra-
23 tion of titles XVI and XVIII and section 221 of the Social
24 Security Act, and after maximum absorption of such costs
25 within the remainder of the existing limitation has been

1 achieved: *Provided further*, That \$225,398,000 for automatic
2 data processing and telecommunications activities shall
3 remain available until expended: *Provided further*, That none
4 of the funds appropriated by this Act may be used for the
5 manufacture, printing, or procuring of social security cards,
6 as provided in section 205(c)(2)(D) of the Social Security Act,
7 where paper and other materials used in the manufacture of
8 such cards are produced, manufactured, or assembled outside
9 of the United States.

10 HUMAN DEVELOPMENT SERVICES

11 SOCIAL SERVICES BLOCK GRANT

12 For carrying out the Social Services Block Grant Act,
13 \$2,700,000,000.

14 HUMAN DEVELOPMENT SERVICES

15 For carrying out, except as otherwise provided, the
16 Older Americans Act of 1965, the Runaway and Homeless
17 Youth Act, the Developmental Disabilities Assistance and
18 Bill of Rights Act, the Child Abuse Prevention and Treat-
19 ment Act, section 404 of Public Law 98-473, the Family
20 Violence Prevention and Services Act (title III of Public
21 ~~Law 98-457~~), ~~\$925,017,000~~ *Law 98-457*), the *Native*
22 *Americans Programs Act, chapter 8-D of title IV-A of the*
23 *Omnibus Budget Reconciliation Act of 1981 (pertaining to*
24 *grants to States for planning and development of dependent*
25 *care programs), and the Head Start Act, \$2,090,018,000.*

1 exceed \$40,000,000 to be transferred and expended as au-
2 thorized by section 201(g)(1) of the Social Security Act from
3 any one or all of the trust funds referred to therein.

4 OFFICE FOR CIVIL RIGHTS

5 For expenses necessary for the Office for Civil Rights,
6 \$15,285,000 together with not to exceed \$4,000,000 to be
7 transferred and expended as authorized by section 201(g)(1)
8 of the Social Security Act from any one or all of the trust
9 funds referred to therein.

10 POLICY RESEARCH

11 For carrying out, to the extent not otherwise provided,
12 research studies under section 1110 of the Social Security
13 Act, ~~\$8,200,000~~ \$7,200,000: *Provided*, That not less than
14 \$2,200,000 shall be obligated to continue research on pover-
15 ty conducted by the Institute for Research on Poverty.

16 GENERAL PROVISIONS

17 SEC. 201. None of the funds appropriated by this title
18 for grants-in-aid of State agencies to cover, in whole or in
19 part, the cost of operation of said agencies, including the sal-
20 aries and expenses of officers and employees of said agencies,
21 shall be withheld from the said agencies of any State which
22 have established by legislative enactment and have in oper-
23 ation a merit system and classification and compensation plan
24 covering the selection, tenure in office, and compensation of
25 their employees, because of any disapproval of their person-

1 nel or the manner of their selection by the agencies of the
2 said States, or the rates of pay of said officers or employees.

3 ~~SEC. 202.~~ Funds appropriated in this Act for the Na-
4 tional Institutes of Health shall be used to support no fewer
5 than 6,200 new and competing research project grants.

6 ~~SEC. 203~~ 202. Appropriations in this Act for the Health
7 Resources and Services Administration, the National Insti-
8 tutes of Health, the Centers for Disease Control, the Alcohol,
9 Drug Abuse, and Mental Health Administration, the Office of
10 the Assistant Secretary for Health, the Health Care Financ-
11 ing Administration, and Departmental Management shall be
12 available for expenses for active commissioned officers in the
13 Public Health Service Reserve Corps and for not to exceed
14 two thousand four hundred commissioned officers in the Reg-
15 ular Corps; expenses incident to the dissemination of health
16 information in foreign countries through exhibits and other
17 appropriate means; advances of funds for compensation,
18 travel, and subsistence expenses (or per diem in lieu thereof)
19 for persons coming from abroad to participate in health or
20 scientific activities of the Department pursuant to law; ex-
21 penses of primary and secondary schooling of dependents in
22 foreign countries, of Public Health Service commissioned offi-
23 cers stationed in foreign countries, at costs for any given area
24 not in excess of those of the Department of Defense for the
25 same area, when it is determined by the Secretary that the

1 schools available in the locality are unable to provide ade-
2 quately for the education of such dependents, and for the
3 transportation of such dependents, between such schools and
4 their places of residence when the schools are not accessible
5 to such dependents by regular means of transportation; ex-
6 penses for medical care for civilian and commissioned em-
7 ployees of the Public Health Service and their dependents,
8 assigned abroad on a permanent basis in accordance with
9 such regulations as the Secretary may provide; rental or
10 lease of living quarters (for periods not exceeding five years),
11 and provision of heat, fuel, and light and maintenance, im-
12 provement, and repair of such quarters, and advance pay-
13 ments therefor, for civilian officers, and employees of the
14 Public Health Service who are United States citizens and
15 who have a permanent station in a foreign country; purchase,
16 erection, and maintenance of temporary or portable struc-
17 tures; and for the payment of compensation to consultants or
18 individual scientists appointed for limited periods of time pur-
19 suant to section 207(f) or section 207(g) of the Public Health
20 Service Act, at rates established by the Assistant Secretary
21 for Health, or the Secretary where such action is required by
22 statute, not to exceed the per diem rate equivalent to the rate
23 for GS-18; not to exceed \$9,500 for official reception and
24 representation expenses related to any health agency of the

1 Department when specifically approved by the Assistant
2 Secretary for Health.

3 SEC. ~~204~~ 203. None of the funds contained in this Act
4 shall be used to perform abortions except where the life of
5 the mother would be endangered if the fetus were carried to
6 term, *or except for such medical procedures necessary for the*
7 *victims of rape or incest.*

8 SEC. ~~205~~ 204. Funds advanced to the National Insti-
9 tutes of Health Management Fund from appropriations in this
10 Act shall be available for the expenses of sharing medical
11 care facilities and resources pursuant to section 327A of the
12 Public Health Service Act.

13 SEC. ~~206~~ 205. Funds appropriated in this title for the
14 Social Security Administration and the Office of Child Sup-
15 port Enforcement shall be available for not to exceed
16 \$10,000 for official reception and representation expenses re-
17 lated to income maintenance or child support enforcement
18 activities of the Department when specifically approved by
19 the Commissioner of Social Security.

20 SEC. ~~207~~ 206. Funds appropriated in this title for the
21 Health Care Financing Administration shall be available for
22 not to exceed \$2,000 for official reception and representation
23 expenses when specifically approved by the Administrator of
24 the Health Care Financing Administration.

1 SEC. ~~208~~ 207. No funds appropriated for the fiscal year
2 ending September 30, 1987, by this or any other Act, may be
3 used to pay basic pay, special pays, basic allowance for sub-
4 sistence and basic allowances for quarters of the commis-
5 sioned corps of the Public Health Service described in section
6 204 of title 42, United States Code, at a level that exceeds
7 110 percent of the Executive Level 1 annual rate of basic
8 pay: *Provided*, That amounts received from employees of the
9 Department in payment for room and board may be credited
10 to the appropriation accounts "Health Resources and Serv-
11 ices", National Institutes of Health "Office of the Director",
12 "Disease Control", and "Federal Subsidy for Saint Eliza-
13 beths Hospital".

14 SEC. ~~209~~ 208. None of the funds appropriated in this
15 title shall be used to transfer the general administration of
16 programs authorized under the Native American Programs
17 Act from the Department of Health and Human Services to
18 the Department of the Interior.

19 SEC. ~~210~~ 209. Funds provided in this Act may be used
20 for one-year contracts which are to be performed in two fiscal
21 years, so long as the total amount for such contracts is obli-
22 gated in the year for which the funds are appropriated.

23 SEC. ~~211~~ 210. The Secretary shall make available
24 through assignment not more than 50 employees of the
25 Public Health Service, who shall be exempt from all FTE

1 limitations in the Department, to assist in child survival ac-
 2 tivities through and with funds provided by the Agency for
 3 International Development, the United Nations International
 4 Children's Emergency Fund or the World Health Organiza-
 5 tion. In addition, commissioned officers assigned under this
 6 section shall be exempt from all limitations on the number
 7 and grade of officers in the Public Health Service Commis-
 8 sioned Corps.

9 *SEC. 211. Notwithstanding any other provision of law,*
 10 *amounts appropriated by this Act for the National Institutes*
 11 *of Health shall be used to maintain not less than 13,507*
 12 *Federal full-time equivalent positions, as counted against*
 13 *ceiling in fiscal year 1986.*

14 This title may be cited as the "Department of Health
 15 and Human Services Appropriations Act, 1987".

16 **TITLE III—DEPARTMENT OF EDUCATION**

17 **COMPENSATORY EDUCATION FOR THE DISADVANTAGED**

18 For carrying out chapter 1 of the Education Consolida-
 19 tion and Improvement Act of 1981, as amended,
 20 ~~\$3,999,163,000~~ *\$3,889,163,000*, of which \$6,246,000 shall
 21 be used for purposes of section 555(d) of said Act to provide
 22 technical assistance and evaluate programs, and the remain-
 23 ing ~~\$3,992,917,000~~ *\$3,882,917,000* shall become available
 24 on July 1, 1987, and remain available until September 30,
 25 1988: *Provided*, That of these remaining funds, no funds

1 section 7 of said Act and ~~\$643,000,000~~ \$598,000,000 shall
2 be for entitlements under section 3 of said Act of which
3 ~~\$513,000,000~~ \$533,000,000 shall be for entitlements under
4 section 3(a) of said Act: *Provided*, That payment with respect
5 to entitlements under section 3(b) of said Act to any local
6 educational agency in which 20 per centum or more of the
7 total average daily attendance is made up of children deter-
8 mined eligible under section 3(b) shall be at 60 per centum of
9 entitlement and payment with respect to entitlements under
10 section 3(b) of said Act to any local educational agency in
11 which less than 20 per centum of the total average daily
12 attendance is made up of children determined eligible under
13 section 3(b) shall be ratably reduced from 100 per centum of
14 entitlement: *Provided further*, That payment with respect to
15 entitlements under section 3(a) to any local educational
16 agency whose children determined eligible under section 3(a)
17 amount to at least 48 per centum of such agency's total aver-
18 age daily attendance shall be at 100 per centum of entitle-
19 ment: *Provided further*, That payment with respect to enti-
20 tlements under section 3(a) to any local educational agency
21 described in section 3(d)(1)(A) of said Act shall be at 100 per
22 centum of entitlement, except that payments on behalf of chil-
23 dren who reside on property which is described in section
24 403(1)(C) shall be at 75 per centum of entitlement, so long
25 as the fiscal year 1987 per pupil payment does not exceed

1 105 per centum of the fiscal year 1986 per pupil payment:
2 whose children determined eligible under section 3(a) amount
3 to at least 35 per centum but less than 48 per centum of such
4 agency's total average daily attendance shall be at 95 per
5 centum of entitlement: *Provided further,* That payment with
6 respect to entitlements under section 3(a) to any local educa-
7 tional agency whose children determined eligible under sec-
8 tion 3(a) amount to at least 20 per centum but less than 35
9 per centum less than 20 per centum of such agency's total
10 average daily attendance shall be at 90 per centum of entitle-
11 ment: *Provided further,* That payment with respect to enti-
12 tlements under section 3(a) to any local educational agency
13 whose children determined eligible under section 3(a) amount
14 to at least 15 per centum but less than 20 per centum of such
15 agency's total average daily attendance shall be at 75 per
16 centum of entitlement: *Provided further,* That payment with
17 respect to entitlements under section 3(a) to any local educa-
18 tional agency whose children determined eligible under sec-
19 tion 3(a) amount to at least 10 per centum but less than 15
20 per centum of such agency's total average daily attendance
21 shall be at 60 per centum of entitlement: *Provided further,*
22 That payment with respect to entitlements under section 3(a)
23 to any local educational agency whose children determined
24 eligible under section 3(a) amount to less than 10 per centum
25 of such agency's total average daily attendance shall be rat-

1 ably reduced from 100 per centum of entitlement: *Provided*
 2 *further*, That payments on behalf of children who reside on
 3 property which is described in section 403(1)(C) of said Act
 4 shall be at ~~15 per centum of the respective payment level~~
 5 ~~specified in each of the preceding six provisions ratably re-~~
 6 ~~duced from 15 per centum of entitlement: *Provided further*,~~
 7 That the provisions of section 5(c) of said Act shall not apply
 8 to funds provided herein: *Provided further*, That no payments
 9 shall be made under section 7 of said Act to any local educa-
 10 tional agency whose need for assistance under that section
 11 fails to exceed the lesser of \$10,000 or 5 per centum of the
 12 district's current operating expenditures during the fiscal
 13 year preceding the one in which the disaster occurred.

14 For carrying out the Act of September 23, 1950, as
 15 amended (20 U.S.C. ch. 19), ~~\$25,000,000~~ \$20,000,000,
 16 which shall remain available until expended, shall be for pro-
 17 viding school facilities as authorized by said Act, of which
 18 ~~\$10,000,000~~ \$8,500,000 shall be for awards under section
 19 10 of said Act, ~~\$10,000,000~~ \$8,500,000 shall be for awards
 20 under sections 14(a) and 14(b) of said Act, and ~~\$5,000,000~~
 21 \$3,000,000 shall be for awards under sections 5 and 14(c) of
 22 said Act.

23 SPECIAL PROGRAMS

24 For carrying out the consolidated programs and projects
 25 authorized under chapter 2 of the Education Consolidation
 26 and Improvement Act of 1981, as amended, ~~\$544,909,000~~

1 \$526,837,000, of which ~~\$44,909,000~~ \$26,837,000 shall be
2 for programs and projects authorized under subchapter D of
3 said Act, including \$10,700,000 for programs and projects
4 authorized under subsection 583(a)(1) of said Act;
5 ~~\$4,000,000~~ for carrying out a rural education program by the
6 nine regional educational laboratories; ~~\$3,052,000~~ shall be
7 used for awards, which, except for educational television pro-
8 gramming, are not to exceed a cumulative amount of
9 ~~\$1,000,000~~ to any recipient for national impact demonstra-
10 tion or research projects; ~~\$7,000,000~~ \$7,800,000 for activi-
11 ties authorized under subsection 583(b)(1) of said Act;
12 ~~\$3,157,000~~ \$3,337,000 for programs authorized under sub-
13 section 583(b)(2) of said Act; ~~\$14,000,000~~ \$3,000,000 for
14 programs authorized under subsection 583(b)(3) of said Act;
15 and ~~\$3,000,000~~ \$2,000,000 for activities authorized under
16 subsection 583(b)(4) of said Act: *Provided, That*
17 \$500,000,000 to carry out the State block grant program
18 authorized under chapter 2 of said Act shall become available
19 for obligation on July 1, 1987, and shall remain available
20 until September 30, 1988.

21 For grants to State educational agencies and desegrega-
22 tion assistance centers authorized under section 403 of the
23 Civil Rights Act of 1964, ~~\$24,000,000~~ \$25,000,000.

1 For carrying out activities authorized under title IX,
2 part C of the Elementary and Secondary Education Act,
3 ~~\$6,000,000.~~

4 For grants or contracts to carry out dissemination ac-
5 tivities in accordance with title IX, part C, section 937(b) of
6 the Elementary and Secondary Education Act, \$1,000,000.

7 For carrying out activities authorized under section
8 1524 of the Education Amendments of 1978, ~~\$4,785,000~~
9 \$5,000,000.

10 For carrying out activities authorized under section
11 1525 of the Education Amendments of 1978, ~~\$1,914,000~~
12 \$2,000,000.

13 For carrying out activities authorized under Public Law
14 92-506, as amended, \$1,700,000: *Provided*, That said sum
15 shall become available on July 1, 1987, and shall remain
16 available until September 30, 1988.

17 For carrying out the provisions of title VII of the Edu-
18 cation for Economic Security Act, relating to magnet schools
19 assistance, \$75,000,000: *Provided*, That not more than
20 \$4,000,000 in the fiscal year may be paid to any single
21 eligible local educational agency.

22 For carrying out the provisions of title VI of the Educa-
23 tion for Economic Security Act, ~~\$2,392,000~~ to remain
24 available until expended.

1 For carrying out the provisions of title II of the Educa-
 2 tion for Economic Security Act, \$43,066,000 ~~to~~ *of which*
 3 *\$39,190,060 for State grants under section 204 shall* become
 4 available on July 1, 1987, and ~~to~~ *shall* remain available
 5 until September 30, 1988.

6 For carrying out the provisions of title IX of Public Law
 7 ~~98-558~~, \$7,177,000, ~~to~~ become available July 1, 1987, and
 8 ~~to~~ remain available until September 30, 1988.

9 BILINGUAL EDUCATION

10 For carrying out, to the extent not otherwise provided,
 11 title VII of the Elementary and Secondary Education Act,
 12 title VI of the Education Amendments of 1984, and ~~title IV,~~
 13 ~~part E~~ of the Carl D. Perkins Vocational Education Act,
 14 ~~\$179,637,000~~ \$138,955,000, of which ~~\$99,161,000~~
 15 \$94,951,000 shall be for part A, ~~\$10,300,000~~ \$10,440,000
 16 shall be for part B, and ~~\$36,490,000~~ \$33,564,000 shall be
 17 for part C of title VII of the Elementary and Secondary Edu-
 18 cation Act and ~~\$30,000,000~~ shall be for the Emergency Im-
 19 migrant Education Program authorized by title VI of the
 20 Education Amendments of 1984.

21 EDUCATION FOR THE HANDICAPPED

22 For carrying out the Education of the Handicapped Act,
 23 ~~\$1,494,420,000~~, of which ~~\$1,300,000,000~~ for section 611
 24 and ~~\$31,000,000~~ for section 619 shall become available for
 25 obligation on July 1, 1987, and shall remain available until

1 ~~September 30, 1988~~ as amended by S. 2294, as passed by
2 the Senate on June 6, 1986, \$1,741,900,000, from which
3 there are allocated \$1,408,000,000 for section 611,
4 \$60,000,000 for section 619, \$100,000,000 for section
5 621(b)(1), and such amounts shall become available for obli-
6 gation on July 1, 1987, and shall remain available until
7 ~~September 30, 1988~~, and \$6,870,000 for section 621(b)(2)
8 which shall become available on October 1, 1986.

9 REHABILITATION SERVICES AND HANDICAPPED RESEARCH

10 ~~For carrying out, to the extent not otherwise provided,~~
11 ~~the Rehabilitation Act of 1973 and the Helen Keller National~~
12 ~~Center Act, \$1,152,656,000, of which \$1,147,356,000 shall~~
13 ~~be for allotments under section 100(b)(1) of the Rehabilitation~~
14 ~~Act, \$1,000,000 shall be for activities under section 110(b)(3)~~
15 ~~of the Rehabilitation Act, and \$4,300,000 shall be for contin-~~
16 ~~ued operation of the Helen Keller National Center for Deaf-~~
17 ~~Blind Youths and Adults.~~

18 *For carrying out the Rehabilitation Act of 1973 and the*
19 *Helen Keller National Center Act, as amended by S. 2515*
20 *as reported by the Senate Committee on Labor and Human*
21 *Resources on August 6, 1986, \$1,484,758,000, of which*
22 *\$1,281,000,000 shall be for allotments under sections*
23 *100(b)(1) and 110(b)(3) of the Rehabilitation Act, and*
24 *\$4,600,000 shall be for the Helen Keller National Center.*

1 VOCATIONAL AND ADULT EDUCATION

2 For carrying out, to the extent not otherwise provided,
3 the Carl D. Perkins Vocational Education Act, and the Adult
4 Education Act, ~~\$1,016,433,000~~ \$943,163,000 which shall
5 become available for obligation on July 1, 1987, and shall
6 remain available until September 30, 1988: *Provided, That*
7 ~~\$12,000,000~~ \$10,000,000 shall be available for title IV of
8 the Carl D. Perkins Vocational Education Act including
9 \$6,000,000 for section 404 of said title: *Provided further,*
10 That ~~\$7,300,000~~ \$7,500,000 shall be available for State
11 councils under section 112 of the Carl D. Perkins Vocational
12 Education Act: *Provided further, That* ~~\$7,500,000~~
13 \$6,000,000 shall be made available to carry out title III-A
14 and \$31,633,000 shall be made available for title III-B of
15 said Vocational Education Act: *Provided further, That*
16 \$3,686,000 shall be available for part E of title IV of the
17 Carl D. Perkins Vocational Education Act.

18 STUDENT FINANCIAL ASSISTANCE

19 *For carrying out subparts 1, 2, and 3 of part A, and*
20 *parts C and E of title IV of the Higher Education Act, as*
21 *amended, \$5,196,000,000 which shall remain available until*
22 *September 30, 1988: Provided, That amounts appropriated*
23 *for Pell grants shall be available first to pay Pell grants*
24 *under the July 1986 payment schedule established by the*
25 *Secretary of Education for the 1986-87 academic year*
26 *under section 411(b)(3)(B)(ii) of the Higher Education Act:*

1 sections 420A and 1204(c) of the Higher Education Act of
2 1965, as amended; Section 406C of the General Education
3 Provisions Act; title XIII, part H, subpart 1 of the Educa-
4 tion Amendments of 1980; and section 102(b)(6) of the
5 Mutual Educational and Cultural Exchange Act of 1961;
6 \$290,220,000: Provided, That section 922(b)(2) and
7 922(e)(2) and the funding limitations set forth in section
8 922(e) of the Higher Education Act shall not apply to funds
9 in this Act.

10 For carrying out subpart 6 of Part A of title IV, part E
11 of title V, and section 734 of the Higher Education Act of
12 1965, as amended, \$41,000,000 to remain available until
13 expended.

14 For carrying out title II of H.R. 2787 as passed the
15 Senate on June 25, 1986, relating to the Technology Trans-
16 fer Institute, \$5,000,000 to remain available until expended.

17 HIGHER EDUCATION FACILITIES LOANS AND INSURANCE

18 For the payment of principal and interest, including in-
19 terest insufficiencies, as authorized by the Department of
20 Health, Education, and Welfare Appropriation Act, 1968,
21 on account of outstanding beneficial interests or participa-
22 tions held by the Government National Mortgage Associa-
23 tion, as trustee, on behalf of the Department of Education,
24 and issued pursuant to the Participation Sales Act of 1966
25 (section 302(c) of the Federal National Mortgage Association
26 Charter Act (12 U.S.C. 1717(c))), and for the payment of

1 *interest to the Treasury as required by title VII, part C,*
2 *section 733(b)(2) of the Higher Education Act, as amended*
3 *(20 U.S.C. 1132d-2(b)(2)), and for the payment of other*
4 *operating costs of the fund established pursuant to title VII,*
5 *section 733 of the Higher Education Act, as amended (20*
6 *U.S.C. 1132d-2), \$19,205,000, to remain available until*
7 *expended. The Secretary is hereby authorized to make such*
8 *expenditures, within the limits of funds available under this*
9 *heading and in accord with law, and to make such contracts*
10 *and commitments without regard to fiscal year limitation, as*
11 *provided by section 104 of the Government Corporation Con-*
12 *trol Act (31 U.S.C. 9104), as may be necessary in carrying*
13 *out the program set forth in the budget for the current fiscal*
14 *year. For the fiscal year 1986, no new commitments for*
15 *loans may be made from the fund established pursuant to*
16 *title VII, section 733 of the Higher Education Act, as*
17 *amended (20 U.S.C. 1132d-2).*

18

COLLEGE HOUSING LOANS

19 The aggregate amount of commitments for loans made
20 from the fund established pursuant to title IV of the Housing
21 Act of 1950, as amended (12 U.S.C. 1749), for the fiscal
22 year 1987 shall not exceed the total of loan repayments and
23 other income available during such period, less operating
24 costs. Payments of interest insufficiencies for the fiscal year
25 1987 as may be required by the Government National Mort-

1 gage Association, as trustee, on account of outstanding bene-
 2 ficial interests or participations issued pursuant to the Par-
 3 ticipation Sales Act of 1966 (section 302(c) of the Federal
 4 National Mortgage Association Charter Act, as amended (12
 5 U.S.C. 1717(c))) shall be made from the fund established pur-
 6 suant to title IV of the Housing Act of 1950, as amended (12
 7 U.S.C. 1749-1749c) using loan repayments and other
 8 income available during such fiscal year. During the fiscal
 9 year 1987 and within the resources and authority available,
 10 gross commitments for the principal amount of direct loans
 11 shall be ~~\$60,000,000~~ \$40,000,000.

12 EDUCATIONAL RESEARCH AND STATISTICS

13 For necessary expenses to carry out ~~section 406 of the~~
 14 ~~General Education Provisions Act, as amended, \$8,747,000~~
 15 *sections 405 and 406 of the General Education Provisions*
 16 *Act, as amended, \$63,578,000: Provided, That \$4,000,000*
 17 *of the sums appropriated shall be used for carrying out a*
 18 *rural education program by the nine regional laboratories.*

19 LIBRARIES

20 For carrying out, to the extent not otherwise provided,
 21 titles I, II, III, and ~~VI~~ of the ~~Library Services and Construc-~~
 22 ~~tion Act (20 U.S.C., ch. 16), \$130,000,000: Provided, That~~
 23 ~~\$25,000,000~~ *IV, and VI of the Library Services and Con-*
 24 *struction Act (20 U.S.C., ch. 16), and title II, part B except*
 25 *section 224, and part C of the Higher Education Act, not-*
 26 *withstanding the provisions of section 221, \$132,500,000:*

1 *Provided, That \$22,500,000* of the sums appropriated shall
2 be used to carry out the provisions of title II of the Library
3 Services and Construction Act and shall remain available
4 until expended.

5 SPECIAL INSTITUTIONS

6 AMERICAN PRINTING HOUSE FOR THE BLIND

7 For carrying out the Act of March 3, 1879, as amended
8 (20 U.S.C. 101-106), including provision of materials to
9 adults undergoing rehabilitation on the same basis as
10 provided in 1985, ~~\$5,510,000~~ *\$5,500,000*.

11 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

12 For carrying out the National Technical Institute for
13 the Deaf Act (20 U.S.C. 681 et seq.), \$32,000,000.

14 GALLAUDET COLLEGE

15 For carrying out the Model Secondary School for the
16 Deaf Act (80 Stat. 1027) and for the partial support of Gal-
17 laudet College authorized by the Act of June 18, 1954 (68
18 Stat. 265), including continuing education activities, existing
19 extension centers and the National Center for Law and the
20 Deaf, ~~\$60,737,000~~ *\$62,000,000*.

21 HOWARD UNIVERSITY

22 For partial support of Howard University (20 U.S.C.
23 121 et seq.), ~~\$170,230,000~~ *\$162,170,000*, of which
24 \$2,000,000 shall be for an endowment matching grant in ac-
25 cordance with the Howard University Endowment Act
26 (Public Law 98-480) and shall remain available until ex-

1 pended and of which \$27,106,000 shall be for partial support
2 of the Howard University Hospital.

3 DEPARTMENTAL MANAGEMENT

4 SALARIES AND EXPENSES

5 For carrying out, to the extent not otherwise provided,
6 the Department of Education Organization Act, including
7 rental of conference rooms in the District of Columbia and
8 hire of three passenger motor vehicles, ~~\$241,692,000~~
9 \$234,692,000: *Provided*, That \$500,000 shall be available
10 for carrying out the National Summit Conference on Educa-
11 tion Act of 1984: *Provided*, That not more than \$90,000
12 shall be available for travel by the Secretary of Education.

13 OFFICE FOR CIVIL RIGHTS

14 For expenses necessary for the Office for Civil Rights,
15 as authorized by section 203 of the Department of Education
16 Organization Act, ~~\$38,185,000~~ \$44,000,000.

17 OFFICE OF THE INSPECTOR GENERAL

18 For expenses necessary for the Office of the Inspector
19 General, as authorized by section 212 of the Department of
20 Education Organization Act, \$16,378,000.

21 GENERAL PROVISIONS

22 SEC. 301. None of the funds appropriated by this title
23 for grants-in-aid of State agencies to cover, in whole or in
24 part, the cost of operation of said agencies, including the sal-
25 aries and expenses of officers and employees of said agencies,
26 shall be withheld from the said agencies of any State which

1 have established by legislative enactment and have in oper-
2 ation a merit system and classification and compensation plan
3 covering the selection, tenure in office, and compensation of
4 their employees, because of any disapproval of their person-
5 nel or the manner of their selection by the agencies of the
6 said States, or the rates of pay of said officers or employees.

7 SEC. 302. Funds appropriated in this Act to the Ameri-
8 can Printing House for the Blind, Howard University, the
9 National Technical Institute for the Deaf, and Gallaudet Col-
10 lege shall be subject to audit by the Secretary of Education.

11 SEC. 303. No part of the funds contained in this title
12 may be used to force any school or school district which is
13 desegregated as that term is defined in title IV of the Civil
14 Rights Act of 1964, Public Law 88-352, to take any action
15 to force the busing of students; to force on account of race,
16 creed or color the abolishment of any school so desegregated;
17 or to force the transfer or assignment of any student attend-
18 ing any elementary or secondary school so desegregated to or
19 from a particular school over the protest of his or her parents
20 or parent.

21 SEC. 304. (a) No part of the funds contained in this title
22 shall be used to force any school or school district which is
23 desegregated as that term is defined in title IV of the Civil
24 Rights Act of 1964, Public Law 88-352, to take any action
25 to force the busing of students; to require the abolishment of

1 any school so desegregated; or to force on account of race,
2 creed or color the transfer of students to or from a particular
3 school so desegregated as a condition precedent to obtaining
4 Federal funds otherwise available to any State, school dis-
5 trict or school.

6 (b) No funds appropriated in this Act may be used for
7 the transportation of students or teachers (or for the purchase
8 of equipment for such transportation) in order to overcome
9 racial imbalance in any school or school system, or for the
10 transportation of students or teachers (or for the purchase of
11 equipment for such transportation) in order to carry out a
12 plan of racial desegregation of any school or school system.

13 SEC. 305. None of the funds contained in this Act shall
14 be used to require, directly or indirectly, the transportation of
15 any student to a school other than the school which is near-
16 est the student's home, except for a student requiring special
17 education, to the school offering such special education, in
18 order to comply with title VI of the Civil Rights Act of 1964.
19 For the purpose of this section an indirect requirement of
20 transportation of students includes the transportation of stu-
21 dents to carry out a plan involving the reorganization of the
22 grade structure of schools, the pairing of schools, or the clus-
23 tering of schools, or any combination of grade restructuring,
24 pairing or clustering. The prohibition described in this section
25 does not include the establishment of magnet schools.

1 ~~SEC. 306.~~ No funds appropriated under this Act may be
2 used to prevent the implementation of programs of voluntary
3 prayer and meditation in the public schools.

4 ~~SEC. 307~~ 303. Section 402(c) of the Housing Act of
5 1950 is amended by striking out in clause (9) "October 1,
6 1986" and inserting in its place "October 1, 1987".

7 ~~SEC. 308.~~ None of the funds appropriated by this Act
8 may be used by the Department of Education for the purpose
9 of attempting to collect a refund from the State of Illinois of
10 funds provided to such State under the Library Services and
11 Construction Act pursuant to final audit determinations for
12 the period July 1, 1977 through December 31, 1980 (audit
13 control numbers ~~05-30009~~ and ~~05-30006~~).

14 This title may be cited as the "Department of Educa-
15 tion Appropriations Act, 1987".

16 TITLE IV—RELATED AGENCIES

17 ACTION

18 OPERATING EXPENSES

19 *For expenses necessary for ACTION to carry out the*
20 *provisions of the Domestic Volunteer Service Act of 1973, as*
21 *amended, \$153,287,000, of which \$19,000,000 shall be*
22 *available to carry out title I, part A of said Act, and of which*
23 *\$2,000,000 shall be available for the VISTA Literacy*
24 *Corps.*

1 *COMMISSION ON EDUCATION OF THE DEAF*2 *SALARIES AND EXPENSES*

3 *For expenses necessary for the Commission on Educa-*
4 *tion of the Deaf as authorized by section 301 of the Educa-*
5 *tion of the Deaf Act of 1985, \$1,000,000, to remain available*
6 *until expended.*

7 *CORPORATION FOR PUBLIC BROADCASTING*8 *PUBLIC BROADCASTING FUND*

9 For payment to the Corporation for Public Broadcast-
10 ing, as authorized by the Communications Act of 1934, an
11 amount which shall be available within limitations specified
12 by that Act, for the fiscal year 1989, ~~\$214,000,000~~
13 *\$238,000,000: Provided, That no funds made available to*
14 *the Corporation for Public Broadcasting by this Act shall be*
15 *used to pay for receptions, parties, or similar forms of enter-*
16 *tainment for government officials or employees: Provided fur-*
17 *ther, That none of the funds contained in this paragraph shall*
18 *be available or used to aid or support any program or activity*
19 *from which any person is excluded, or is denied benefits, or is*
20 *discriminated against, on the basis of race, color, national*
21 *origin, religion, or sex.*

22 *FEDERAL MEDIATION AND CONCILIATION SERVICE*23 *SALARIES AND EXPENSES*

24 For expenses necessary for the Federal Mediation and
25 Conciliation Service to carry out the functions vested in it by

1 the Labor-Management Relations Act, 1947 (29 U.S.C.
2 171-180, 182), including expenses of the Labor-Management
3 Panel and boards of inquiry appointed by the President, hire
4 of passenger motor vehicles, and rental of conference rooms
5 in the District of Columbia; and for expenses necessary pur-
6 suant to Public Law 93-360 for mandatory mediation in
7 health care industry negotiation disputes and for convening
8 factfinding boards of inquiry appointed by the Director in the
9 health care industry; and for expenses necessary for the
10 Labor-Management Cooperation Act of 1978 (29 U.S.C.
11 125a); and for expenses necessary for the Service to carry
12 out the functions vested in it by the Civil Service Reform
13 Act, Public Law 95-454 (5 U.S.C. chapter 71), ~~\$22,656,000~~
14 *\$24,390,000*.

15 FEDERAL MINE SAFETY AND HEALTH REVIEW

16 COMMISSION

17 SALARIES AND EXPENSES

18 For expenses necessary for the Federal Mine Safety and
19 Health Review Commission (30 U.S.C. 801 et seq.),
20 ~~\$3,651,000~~ *\$3,919,000*.

1 NATIONAL AFRO-AMERICAN HISTORY AND CULTURE

2 COMMISSION

3 NATIONAL CENTER FOR THE STUDY OF AFRO-AMERICAN

4 HISTORY AND CULTURE

5 Funds appropriated for the "National Center for the
6 Study of Afro-American History and Culture" in the Depart-
7 ments of Labor, Health and Human Services and Education,
8 and related agencies Appropriations Act, 1986 shall remain
9 available until expended.

10 NATIONAL COMMISSION ON LIBRARIES AND

11 INFORMATION SCIENCE

12 SALARIES AND EXPENSES

13 For necessary expenses for the National Commission on
14 Libraries and Information Science, established by the Act of
15 July 20, 1970 (Public Law 91-345), ~~\$660,000~~ \$690,000.

16 NATIONAL COUNCIL ON THE HANDICAPPED

17 SALARIES AND EXPENSES

18 For expenses necessary for the National Council on the
19 Handicapped as authorized by section 405 of the Rehabilita-
20 tion Act of 1973, as amended, ~~\$732,000~~ \$850,000.

21 NATIONAL LABOR RELATIONS BOARD

22 SALARIES AND EXPENSES

23 For expenses necessary for the National Labor Rela-
24 tions Board to carry out the functions vested in it by the
25 Labor-Management Relations Act, 1947, as amended (29

1 U.S.C. 141-167), and other laws, ~~\$129,055,000~~
 2 *\$130,865,000: Provided*, That no part of this appropriation
 3 shall be available to organize or assist in organizing agricul-
 4 tural laborers or used in connection with investigations, hear-
 5 ings, directives, or orders concerning bargaining units com-
 6 posed of agricultural laborers as referred to in section 2(3) of
 7 the Act of July 5, 1935 (29 U.S.C. 152), and as amended by
 8 the Labor-Management Relations Act, 1947, as amended,
 9 and as defined in section 3(f) of the Act of June 25, 1938 (29
 10 U.S.C. 203), and including in said definition employees en-
 11 gaged in the maintenance and operation of ditches, canals,
 12 reservoirs, and waterways when maintained or operated on a
 13 mutual, nonprofit basis and at least 95 per centum of the
 14 water stored or supplied thereby is used for farming purposes.

15 NATIONAL MEDIATION BOARD

16 SALARIES AND EXPENSES

17 For expenses necessary to carry out the provisions of
 18 the Railway Labor Act, as amended (45 U.S.C. 151-188),
 19 including emergency boards appointed by the President,
 20 ~~\$6,401,000~~ *\$6,540,000*.

21 OCCUPATIONAL SAFETY AND HEALTH REVIEW

22 COMMISSION

23 SALARIES AND EXPENSES

24 For the expenses necessary for the Occupational Safety
 25 and Health Review Commission, ~~\$5,647,000~~ *\$5,750,000*.

1 PHYSICIAN PAYMENT REVIEW COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out section 1845(a) of
4 the Social Security Act, \$1,000,000 to remain available until
5 September 30, 1988, to be transferred to this appropriation
6 from the Federal Supplementary Medical Insurance Trust
7 Fund.

8 PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

9 SALARIES AND EXPENSES

10 For expenses necessary to carry out section 601 of
11 Public Law 98-21, \$3,421,000 to be transferred to this ap-
12 propriation from the Federal Hospital Insurance and the
13 Federal Supplementary Medical Insurance Trust Funds.

14 RAILROAD RETIREMENT BOARD

15 DUAL BENEFITS PAYMENTS ACCOUNT

16 For payment to the Dual Benefits Payments Account,
17 authorized under section 15(d) of the Railroad Retirement
18 Act of 1974, \$380,000,000, all of which shall be credited to
19 the account in 12 approximately equal amounts on the first
20 day of each month in the fiscal year.

21 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

22 ACCOUNTS

23 For payment to the accounts established in the Treasury
24 for the payment of benefits under the Railroad Retirement
25 Act for unnegotiated checks, \$3,100,000 which shall be the

1 maximum amount available for payments pursuant to section
2 417 of Public Law 98-76: *Provided*, That these funds shall
3 remain available through September 30, 1988.

4 LIMITATION ON ADMINISTRATION

5 For expenses necessary for the Railroad Retirement
6 Board, ~~\$56,634,000~~ \$58,877,000 to be derived from the rail-
7 road retirement accounts: *Provided*, That such portion of the
8 foregoing amount as may be necessary shall be available for
9 the payment of personnel compensation and benefits for not
10 less than 1,217 full-time equivalent employees: *Provided fur-*
11 *ther*, That \$500,000 of the foregoing amount shall be avail-
12 able only to the extent necessary to process workloads not
13 anticipated in the budget estimates and after maximum ab-
14 sorption of the costs of such workloads within the remainder
15 of the existing limitation has been achieved: *Provided further*,
16 That notwithstanding any other provision of law, no portion
17 of this limitation shall be available for payments of standard
18 level user charges pursuant to section 210(j) of the Federal
19 Property and Administrative Services Act of 1949, as
20 amended (40 U.S.C. 490(j); 45 U.S.C. 228a-r).

21 LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE

22 ADMINISTRATION FUND

23 For further expenses necessary for the Railroad Retire-
24 ment Board, for administration of the Railroad Unemploy-
25 ment Insurance Act, not less than ~~\$14,694,000~~ \$15,190,000
26 shall be apportioned for fiscal year 1987 from moneys cred-

1 ited to the railroad unemployment insurance administration
2 fund, and of this amount \$2,106,000 shall be derived from
3 contributions credited to the railroad unemployment insur-
4 ance account and shall be credited to the railroad unemploy-
5 ment insurance administration fund as authorized by section
6 11(a)(iv) of the Railroad Unemployment Insurance Act: *Pro-*
7 *vided*, That such portion of the foregoing amount as may be
8 necessary shall be available for the payment of personnel
9 compensation and benefits for not less than 336 full-time
10 equivalent employees.

11 LIMITATION ON REVIEW ACTIVITY

12 For expenses necessary for the Railroad Retirement
13 Board for audit, investigatory, and review activities, as au-
14 thorized by section 418 of Public Law 98-76 not more than
15 ~~\$1,167,000~~ \$1,367,000, to be derived from the railroad re-
16 tirement accounts and rail unemployment insurance adminis-
17 tration fund.

18 SOLDIERS' AND AIRMEN'S HOME

19 OPERATION AND MAINTENANCE

20 For maintenance and operation of the United States
21 Soldiers' and Airmen's Home, to be paid from the Soldiers'
22 and Airmen's Home permanent fund, \$34,022,000: *Pro-*
23 *vided*, That this appropriation shall not be available for the
24 payment of hospitalization of members of the Home in United
25 States Army hospitals at rates in excess of those prescribed

1 by the Secretary of the Army upon recommendation of the
2 Board of Commissioners and the Surgeon General of the
3 Army.

4 CAPITAL OUTLAY

5 For construction and renovation of the physical plant, to
6 be paid from the Soldiers' and Airmen's Home permanent
7 fund, ~~\$15,000,000~~ \$16,241,000, to remain available until
8 expended.

9 UNITED STATES INSTITUTE OF PEACE

10 For necessary expenses of the United States Institute of
11 Peace as authorized in the United States Institute of Peace
12 Act, \$1,250,000.

13 TITLE V—GENERAL PROVISIONS

14 SEC. 501. The expenditure of any appropriation under
15 this Act for any consulting service through procurement con-
16 tract, pursuant to 5 U.S.C. 3109, shall be limited to those
17 contracts where such expenditures are a matter of public
18 record and available for public inspection, except where oth-
19 erwise provided under existing law, or under existing Execu-
20 tive order issued pursuant to existing law.

21 SEC. 502. No part of any appropriation contained in this
22 Act shall be expended by any executive agency, as referred
23 to in the Office of Federal Procurement Policy Act (41
24 U.S.C. 401 et seq.), pursuant to any obligation for services
25 by contract, unless such executive agency has awarded and

1 entered into such contract in full compliance with such Act
2 and regulations promulgated thereunder.

3 SEC. 503. Appropriations contained in this Act, avail-
4 able for salaries and expenses, shall be available for services
5 as authorized by 5 U.S.C. 3109 but at rates for individuals
6 not to exceed the per diem rate equivalent to the rate for
7 GS-18.

8 SEC. 504. Appropriations contained in this Act, avail-
9 able for salaries and expenses, shall be available for uniforms
10 or allowances therefor as authorized by law (5 U.S.C. 5901-
11 5902).

12 SEC. 505. Appropriations contained in this Act, avail-
13 able for salaries and expenses, shall be available for expenses
14 of attendance at meetings which are concerned with the func-
15 tions or activities for which the appropriation is made or
16 which will contribute to improved conduct, supervision, or
17 management of those functions or activities.

18 SEC. 506. No part of the funds appropriated under this
19 Act shall be used to provide a loan, guarantee of a loan, a
20 grant, the salary of or any remuneration whatever to any
21 individual applying for admission, attending, employed by,
22 teaching at, or doing research at an institution of higher edu-
23 cation who has engaged in conduct on or after August 1,
24 1969, which involves the use of (or the assistance to others in
25 the use of) force or the threat of force or the seizure of prop-

1 erty under the control of an institution of higher education, to
2 require or prevent the availability of certain curricula, or to
3 prevent the faculty, administrative officials, or students in
4 such institution from engaging in their duties or pursuing
5 their studies at such institution.

6 SEC. 507. The Secretaries of Labor, Health and Human
7 Services, and Education are authorized to transfer unexpend-
8 ed balances of prior appropriations to accounts corresponding
9 to current appropriations provided in this Act: *Provided,*
10 That such transferred balances are used for the same pur-
11 pose, and for the same periods of time, for which they were
12 originally appropriated.

13 SEC. 508. No part of any appropriation contained in this
14 Act shall remain available for obligation beyond the current
15 fiscal year unless expressly so provided herein.

16 SEC. 509. No part of any appropriation contained in this
17 Act shall be used, other than for normal and recognized execu-
18 tive-legislative relationships, for publicity or propaganda
19 purposes, for the preparation, distribution, or use of any kit,
20 pamphlet, booklet, publication, radio, television, or film pres-
21 entation designed to support or defeat legislation pending
22 before the Congress, except in presentation to the Congress
23 itself.

24 No part of any appropriation contained in this Act shall
25 be used to pay the salary or expenses of any grant or con-

1 tract recipient, or agent acting for such recipient, related to
2 any activity designed to influence legislation or appropria-
3 tions pending before the Congress.

4 SEC. 510. The Secretaries of Labor, Health and Human
5 Services, and Education are each authorized to make avail-
6 able not to exceed \$7,500 from funds available for salaries
7 and expenses under titles I, II, and III, respectively, for offi-
8 cial reception and representation expenses; the Director of
9 the Federal Mediation and Conciliation Service is authorized
10 to make available for official reception and representation ex-
11 penses not to exceed \$2,500 from the funds available for
12 "Salaries and expenses, Federal Mediation and Conciliation
13 Service"; and the Chairman of the National Mediation Board
14 is authorized to make available for official reception and rep-
15 resentation expenses not to exceed \$2,500 from funds avail-
16 able for "Salaries and expenses, National Mediation Board".

17 SEC. 511. None of the funds appropriated by this Act
18 shall be used to pay for any research program or project or
19 any program, project, or course which is of an experimental
20 nature, or any other activity involving human participants,
21 which is determined by the Secretary or a court of competent
22 jurisdiction to present a danger to the physical, mental, or
23 emotional well-being of a participant or subject of such pro-
24 gram, project, or course, without the written, informed con-
25 sent of each participant or subject, or a participant's parents

1 or legal guardian, if such participant or subject is under
2 eighteen years of age. The Secretary shall adopt appropriate
3 regulations respecting this section.

4 SEC. 512. None of the funds provided in this Act to any
5 department or agency may be expended for the transporta-
6 tion of any officer or employee of such department or agency
7 between his domicile and his place of employment, with the
8 exception of the Secretaries of Labor, Health and Human
9 Services, and Education, and medical officers and other
10 health personnel on out-patient medical service who are ex-
11 empted from such limitations under 31 U.S.C. 1344.

12 ~~SEC. 513. No funds under title III of this Act shall be~~
13 ~~used by any educational institution which does not have a~~
14 ~~program for the prevention of drug abuse.~~

15 This Act may be cited as the "Departments of Labor,
16 Health and Human Services, and Education and related
17 agencies Appropriations Act, 1987".

Passed the House of Representatives July 31, 1986.

Attest:

Clerk.

Calendar No. 858

99TH CONGRESS
2D SESSION
H. R. 5233

[Report No. 99-408]

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1987, and for other purposes.

August 15 (legislative day, August 11), 1986

Reported with amendments

