
**DEPARTMENTS OF LABOR, HEALTH AND
HUMAN SERVICES, AND EDUCATION,
AND RELATED AGENCIES
APPROPRIATIONS ACT, 1996**

PUBLIC LAW 104-134

LABOR, HHS, AND EDUCATION APPROPRIATIONS, 1996

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PUBLIC LAW 104-134—APR. 26, 1996

***Public Law 104-134
104th Congress**

An Act

Apr. 26, 1996
[H.R. 3019]

Making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes.

Omnibus
Consolidated
Rescissions and
Appropriations
Act of 1996.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 101(d). For programs, projects or activities in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

Departments of
Labor, Health
and Human
Services, and
Education, and
Related Agencies
Appropriations
Act, 1996.
Department of
Labor
Appropriations
Act, 1996.

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, 1996 and for other purposes.

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For expenses necessary to carry into effect the Job Training Partnership Act, as amended, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act; title II of the Civil Rights Act of 1991; the Women in Apprenticeship and Nontraditional Occupations Act; National Skill Standards Act of 1994; and the School-to-Work Opportunities Act; \$4,146,278,000 plus reimbursements, of which \$3,226,559,000 is available for obligation for the period July 1, 1996 through June 30, 1997; of which \$121,467,000 is available for the period July 1, 1996 through June 30, 1999 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers; and of which \$170,000,000 shall be available from July 1, 1996 through September 30, 1997, for carrying out activities of the School-to-Work Opportunities Act: *Provided*, That \$52,502,000 shall be for carrying out section 401 of the Job Training Partnership Act,

\$4,146,278,000

* Note: This is a typeset print of the original hand enrollment as signed by the President on April 26, 1996. The text is printed without corrections. Footnotes indicate missing or illegible text in the original.

\$69,285,000 shall be for carrying out section 402 of such Act, \$7,300,000 shall be for carrying out section 441 of such Act, \$8,000,000 shall be for all activities conducted by and through the National Occupational Information Coordinating Committee under such Act, \$850,000,000 shall be for carrying out title II, part A of such Act, \$126,672,000 shall be for carrying out title II, part C of such Act and \$2,500,000 shall be available for obligation from October 1, 1995 through September 30, 1996 to support short-term training and employment-related activities incurred by the organizer of the 1996 Paralympic Games: *Provided further*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers: *Provided further*, That notwithstanding any other provision of law, the Secretary of Labor may waive any of the requirements contained in sections 4, 104, 105, 107, 108, 121, 164, 204, 253, 254, 264, 301, 311, 313, 314, and 315 of the Job Training Partnership Act in order to assist States in improving State workforce development systems, pursuant to a request submitted by a State that has prior to the date of enactment of this Act executed a Memorandum of Understanding with the United States requiring such State to meet agreed upon outcomes: *Provided further*, That funds used from this Act to carry out title III of the Job Training Partnership Act shall not be subject to the limitation contained in subsection (b) of section 315 of such Act; that the waiver allowing a reduction in the cost limitation relating to retraining services described in subsection (a)(2) of such section 315 may be granted with respect to funds from this Act if a substate grantee demonstrates to the Governor that such waiver is appropriate due to the availability of low-cost retraining services, is necessary to facilitate the provision of needs-related payments to accompany long-term training, or is necessary to facilitate the provision of appropriate basic readjustment services and that funds used from this Act to carry out the Secretary's discretionary grants under part B of such title III may be used to provide needs-related payments to participants who, in lieu of meeting the requirements relating to enrollment in training under section 314(e) of such Act, are enrolled in training by the end of the sixth week after funds have been awarded: *Provided further*, That service delivery areas may transfer funding provided herein under authority of titles II-B and II-C of the Job Training Partnership Act between the programs authorized by those titles of that Act, if such transfer is approved by the Governor: *Provided further*, That service delivery areas and substate areas may transfer funding provided herein under authority of title II-A and title III of the Job Training Partnership Act between the programs authorized by those titles of the Act, if such transfer is approved by the Governor: *Provided further*, That, notwithstanding any other provision of law, any proceeds from the sale of Job Corps Center facilities shall be retained by the Secretary of Labor to carry out the Job Corps program.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, \$290,940,000.

\$290,940,000

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To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, \$82,060,000.
 \$82,060,000 [Total, \$373,000,000.]

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I, and for training, for allowances for job search and relocation, and for related State administrative expenses under part II, subchapters B and D, chapter 2, title II of the Trade Act of 1974, as amended, \$346,100,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.
 346,100,000
 (indefinite)

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49-491-1; 39 U.S.C. 3202(a)(1)(E)); title III of the Social Security Act, as amended (42 U.S.C. 502-504); necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, and sections 225, 231-235, 243-244, and 250(d)(1), 250(d)(3), title II of the Trade Act of 1974, as amended; as authorized by section 7c of the Act of June 6, 1933, as amended, necessary administrative expenses under sections 101(a)(15)(H), 212(a)(5)(A), (m) (2) and (3), (n)(1), and 218(g) (1), (2), and (3), and 258(c) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.); necessary administrative expenses to carry out section 221(a) of the Immigration Act of 1990, \$135,328,000, together with not to exceed \$3,102,194,000 (including not to exceed \$1,653,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980, and including not to exceed \$2,000,000 which may be obligated in contracts with non-State entities for activities such as occupational and test research activities which benefit the Federal-State Employment Service System), which may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502-504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, shall be available for obligation by the States through December 31, 1996, except that funds used for automation acquisitions shall be available for obligation by States through September 30, 1998; and of which \$133,452,000, together with not to exceed \$738,283,000 of the amount which may be expended from said trust fund shall be available for obligation for the period July 1, 1996, through June 30, 1997, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail made available to States in lieu of allotments for such purpose, and of which \$216,333,000 shall be available only to the extent necessary for additional State allocations to administer unemployment compensation laws to finance increases in the number of unemployment insurance claims filed and claims paid or changes in a State law: *Provided*, That to the extent that the Average Weekly Insured Unemployment (AWIU)

¹ Limitation on trust fund transfer.

for fiscal year 1996 is projected by the Department of Labor to exceed 2.785 million, an additional \$28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: *Provided further*, That funds appropriated in this Act which are used to establish a national one-stop career center network may be obligated in contracts, grants or agreements with non-State entities: *Provided further*, That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A-87. (indefinite)

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and section 104(d) of Public Law 102-164, and section 5 of Public Law 103-6, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 1997, \$369,000,000. \$369,000,000

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 1996, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary. (indefinite)

ADVANCES TO THE EMPLOYMENT SECURITY ADMINISTRATION ACCOUNT OF THE UNEMPLOYMENT TRUST FUND

(RESCISSION)

Amounts remaining unobligated under this heading as of September 30, 1995, are hereby rescinded. - 56,300,000
(rescission)

PAYMENTS TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

(RESCISSION)

Of the amounts remaining unobligated under this heading as of September 30, 1995, \$266,000,000 are hereby rescinded. - 266,000,000
(rescission)

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs and for carrying out section 908 of the Social Security Act, \$83,054,000, together with not to exceed \$40,793,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund. 83,054,000
¹ 40,793,000

[*Net total, Employment and Training Administration, \$5,130,460.*]

¹ Limitation on trust fund transfer.

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PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

\$67,497,000 For necessary expenses for Pension and Welfare Benefits Administration, \$67,497,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96-364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 1996, for such Corporation: *Provided*, That not to exceed \$10,603,000 shall be available for administrative expenses of the Corporation: *Provided further*, That expenses of such Corporation in connection with the collection of premiums, the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-administrative expenses for the purposes hereof, and excluded from the above limitation.

¹ 10,603,000

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$265,637,000, together with \$1,007,000 which may be expended from the Special Fund in accordance with sections 39(c) and 44(j) of the Longshore and Harbor Workers' Compensation Act: *Provided*, That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91-0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): *Provided further*, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under Title I of the Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. 1801 et seq.

265,637,000

¹ 1,007,000

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or

¹ Limitation on trust fund transfer.

any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per centum of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, \$218,000,000 together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided*, That such sums as are necessary may be used under section 8104 of title 5, United States Code, by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further*, That balances of reimbursements unobligated on September 30, 1995, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary of Labor determines to be the cost of administration for employees of such fair share entities through September 30, 1996: *Provided further*, That of those funds transferred to this account from the fair share entities to pay the cost of administration, \$19,383,000 shall be made available to the Secretary of Labor for expenditures relating to capital improvements in support of Federal Employees' Compensation Act administration, and the balance of such funds shall be paid into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary may require that any person filing a notice of injury or a claim for benefits under Subchapter 5, U.S.C., chapter 81, or under subchapter 33, U.S.C. 901, et seq. (the Longshore and Harbor Workers' Compensation Act, as amended), provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

\$218,000,000

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payments from the Black Lung Disability Trust Fund, \$996,763,000, of which \$949,494,000 shall be available until September 30, 1997, for payment of all benefits as authorized by section 9501(d) (1), (2), (4), and (7), of the Internal Revenue Code of 1954, as amended, and interest on advances as authorized by section 9501(c)(2) of that Act, and of which \$27,350,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, and \$19,621,000 for transfer to Departmental Management, Salaries and Expenses, and \$298,000 for transfer to Departmental Management, Office of Inspector General, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5)(A) of that Act: *Provided*, That in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, interest, or other benefits for any period

996,763,000
(trust funds)

(indefinite)

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\$756,000
(trust funds,
indefinite)

subsequent to August 15 of the current year: *Provided further*, That in addition such amounts shall be paid from this fund into miscellaneous receipts as the Secretary of the Treasury determines to be the administrative expenses of the Department of the Treasury for administering the fund during the current fiscal year, as authorized by section 9501(d)(5)(B) of that Act.

[Total, \$997,519,000.]

[Net total, Employment Standards Administration, \$1,481,156,000.]

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

304,984,000 For necessary expenses for the Occupational Safety and Health Administration, \$304,984,000 including not to exceed \$68,295,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than fifty percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of ten or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

29 USC 670 note.

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

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

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

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two

or more employees, and to take any action pursuant to such investigation authorized by such Act; and

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

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, \$196,673,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended to carry out section 115 of the Federal Mine Safety and Health Act of 1977 or to carry out that portion of section 104(g)(1) of such Act relating to the enforcement of any training requirements, with respect to shell dredging, or with respect to any sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mine.

\$196,673,000

30 USC 962.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$293,181,000, of which \$11,549,000 shall be for expenses of revising the Consumer Price Index and shall remain available until September 30, 1997, together with not to exceed \$51,278,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

293,181,000

¹ 51,278,000

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including up to \$4,358,000 for the President's Committee on Employment of People With Disabilities, \$141,047,000; together with not to exceed \$303,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: *Provided*, That no funds

141,047,000

¹ 303,000

33 USC 921 note.

¹ Limitation on trust fund transfer.

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made available by this Act may be used by the Solicitor of Labor to participate in a review in any United States court of appeals of any decision made by the Benefits Review Board under section 21 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 921) where such participation is precluded by the decision of the United States Supreme Court in *Director, Office of Workers' Compensation Programs v. Newport News Shipbuilding*, 115 S. Ct. 1278, (1995): *Provided further*, That no funds made available by this Act may be used by the Secretary of Labor after September 12, 1996, to review a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) that has been appealed and that has been pending before the Benefits Review Board for more than 12 months, except as otherwise specified herein: *Provided further*, That any such decision pending a review by the Benefits Review Board for more than one year shall, if not acted upon by the Board before September 12, 1996, be considered affirmed by the Benefits Review Board on that date, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: *Provided further*, that beginning on September 13, 1996, the Benefits Review Board shall make a decision on an appeal of a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) not later than 1 year after the date the appeal to the Benefits Review Board was filed; however, if the Benefits Review Board fails to make a decision within the 1-year period, the decision under review shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: *Provided further* that these provisions shall not be applicable to the review of any decision issued under the Black Lung Benefits Act (30 USC 901 et seq.).

Effective date. Beginning on September 13, 1996, in any appeal to the Benefits Review Board that has been pending for one year, the petitioner may elect to maintain the proceeding before the Benefits Review Board for a period of 60 days. Such election shall be filed with the Board no later than 30 days prior to the end of the one-year period. If no decision is rendered during this 60-day period, the decision under review shall be considered affirmed by the Board on the last day of such period, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals.

Effective date. 33 USC 921 note.

WORKING CAPITAL FUND

29 USC 563. The language under this heading in Public Law 85-67, as amended, is further amended by adding the following before the last period: “: *Provided further*, That within the Working Capital Fund, there is established an Investment in Reinvention Fund (IRF), which shall be available to invest in projects of the Department designed to produce measurable improvements in agency efficiency and significant taxpayer savings. Notwithstanding any other provision of law, the Secretary of Labor may retain up to \$3,900,000 of the unobligated balances in the Department's annual Salaries and Expenses accounts as of September 30, 1995, and transfer those amounts to the IRF to provide the initial capital for the IRF, to remain available until expended, to make loans to agencies of the Department for projects designed to enhance productivity and generate cost savings. Such loans shall be repaid to the IRF no later than September 30 of the fiscal year following the fiscal

year in which the project is completed. Such repayments shall be deposited in the IRF, to be available without further appropriation action.”

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed \$170,390,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100-4110A and 4321-4327, and Public Law 103-353, and which shall be available for obligation by the States through December 31, 1996.

¹ \$170,350,000

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$44,426,000, together with not to exceed \$3,615,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

44,426,000

¹ 3,615,000

[*Total, Departmental Management, \$185,473,000.*]

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of \$125,000.

SEC. 102. None of the funds made available in this Act may be used by the Occupational Safety and Health Administration directly or through section 23(g) of the Occupational Safety and Health Act to promulgate or issue any proposed or final standard or guideline regarding ergonomic protection. Nothing in this section shall be construed to limit the Occupational Safety and Health Administration from conducting any peer reviewed risk assessment activity regarding ergonomics, including conducting peer reviews of the scientific basis for establishing any standard or guideline, direct or contracted research, or other activity necessary to fully establish the scientific basis for promulgating any standard or guideline on ergonomic protection.

Ergonomics.

(TRANSFER OF FUNDS)

SEC. 103. Not to exceed 1 percent of any appropriation made available for the current fiscal year for the Department of Labor in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfers: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfers.

SEC. 104. Funds shall be available for carrying out Title IV-B of the Job Training Partnership Act, notwithstanding section 427(c) of that Act, if a Job Corps center fails to meet national performance standards established by the Secretary.

This title may be cited as the “Department of Labor Appropriations Act, 1996”.

[*Net total, title I, Department of Labor, ² \$7,659,424,000.*]

¹ Limitation on trust fund transfer.

² Consisting of appropriations of \$7,981,724,000 and rescissions of –\$322,300,000.

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Department of
Health and
Human Services
Appropriations
Act, 1996.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN
SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, VII, VIII, X, XVI, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, Public Law 101-527, and the Native Hawaiian Health Care Act of 1988, as amended, \$3,077,857,000, of which \$391,700,000 shall be for part A of title XXVI of the Public Health Service Act and \$260,847,000 shall be for part B of title XXVI of the Public Health Service Act, and of which \$411,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under part B of title VII of the Public Health Service Act: *Provided*, That the Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative, and occupational health professionals: *Provided further*, That of the funds made available under this heading, \$858,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: *Provided further*, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: *Provided further*, That no more than \$5,000,000 is available for carrying out the provisions of Public Law 104-73: *Provided further*, That of the funds made available under this heading, \$193,349,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: *Provided further*, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: *Provided further*, That notwithstanding any other provision of law, funds made available under this heading may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102-408: *Provided further*, That the Secretary shall use amounts available for section 2603(b) of the Public Health Service Act as necessary to ensure that fiscal year 1996 grant awards made under section 2603(a) of such Act to eligible areas that received such grants in fiscal year 1995 are not less than 99 percent of the fiscal year 1995 level: *Provided further*, That funds made available under this heading for activities authorized by part A of title XXVI of the Public Health Service Act are available only for those metropolitan areas previously funded under Public Law 103-333 or with a cumulative total of more than 2,000 cases of AIDS, as reported to the Centers for Disease Control and Prevention as of March 31, 1995, and have a population of 500,000 or more: *Provided further*, That of the amounts provided for part B of title XXVI

\$3,077,857,000

Family planning.

Abortion.

AIDS.

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of the Public Health Service Act \$52,000,000 shall be used only for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act and shall be distributed to States as authorized by section 2618(b)(2) of such Act.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, \$8,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made. 88,000,000

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

For the cost of guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the total loan principal any part of which is to be guaranteed at not to exceed \$210,000,000. In addition, for administrative expenses to carry out the guaranteed loan program, \$2,688,000. 13,500,000
(indefinite)
¹ 210,000,000
2,688,000
[Total, \$16,188,000.]

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed \$3,000,000 shall be available from the Trust Fund to the Secretary of Health and Human Services. 56,721,000
(trust funds)
3,000,000
(trust funds)

VACCINE INJURY COMPENSATION

For payment of claims resolved by the United States Court of Federal Claims related to the administration of vaccines before October 1, 1988, \$110,000,000, to remain available until expended. 110,000,000
[Total, Vaccine Injury Compensation, \$169,721,000.]
[Total, Health Resources and Services Administration, \$3,271,766,000.]

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

2,114,693,000

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-333, Public Law 103-112, and Public Law 102-394 for immunization activities, \$53,000,000 are hereby rescinded: *Provided*, That the Director may redirect the total amount made available under authority of Public Law 101-502, section 3, dated November 3, 1990, to activities the Director may so designate:

¹ Limitation on guaranteed loans.

² Funding provided in P.L. 104-91 (p. 739).

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Provided further, That the Congress is to be notified promptly of any such transfer.

¹\$11,939,001,000 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

1,833,715,000 For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, \$1,883,715,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

166,925,000 For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

(indefinite)

AGENCY FOR HEALTH CARE POLICY AND RESEARCH

HEALTH CARE POLICY AND RESEARCH

65,186,000 For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, \$65,186,000; in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data tapes shall be credited to this appropriation and shall remain available until expended: *Provided*, That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed \$60,124,000.

[Total, Public Health Service, ² \$19,441,286,000.]

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

55,094,355,000 For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, \$55,094,355,000, to remain available until expended.

(indefinite) For making, after May 31, 1996, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 1996 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

³26,155,350,000 For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1997, \$26,155,350,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

[Total, Grants to States for Medicaid, \$81,249,705,000.]

¹ Funding for the National Institutes of Health provided in P.L. 104-91 (p. 739).

² Includes funding for Health Resources and Services Administration; Centers for Disease Control and Prevention; National Institutes of Health; Substance Abuse and Mental Health Services Administration; Assistant Secretary for Health; and Agency for Health Care Policy and Research.

³ Advance appropriation, fiscal year 1997.

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PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$63,313,000,000.

\$63,313,000,000

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, and XIX of the Social Security Act, and title XIII of the Public Health Service Act, the Clinical Laboratory Improvement Amendments of 1988, and section 4005(e) of Public Law 100-203, not to exceed \$1,734,810,000, together with all funds collected in accordance with section 353 of the Public Health Service Act, the latter funds to remain available until expended, together with such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended, the \$1,734,810,000, to be transferred to this appropriation as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds: *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act are to be credited to this appropriation.

12,130,810,000

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 1996, no commitments for direct loans or loan guarantees shall be made.

[*Total, Health Care Financing Administration,*
³ \$144,562,705,000.]

ADMINISTRATION FOR CHILDREN AND FAMILIES

FAMILY SUPPORT PAYMENTS TO STATES

For making payments to States or other non-Federal entities, except as otherwise provided, under titles I, IV-A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act, and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$13,614,307,000, to remain available until expended.

13,614,307,000

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV-A and D, X, XI, XIV, and XVI of the Social Security Act, for the last three months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or other non-Federal entities under titles I, IV-A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5,

¹ Limit on trust fund transfer.

² Consisting of appropriations for fiscal year 1996, \$118,407,355,000 and for fiscal year 1997, \$26,155,350,000.

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1960 (24 U.S.C. ch. 9) for the first quarter of fiscal year 1997, \$4,800,000,000, to remain available until expended.

1 \$4,800,000,000

JOB OPPORTUNITIES AND BASIC SKILLS

For carrying out aid to families with dependent children work programs, as authorized by part F of title IV of the Social Security Act, \$1,000,000,000.

1,000,000,000

LOW INCOME HOME ENERGY ASSISTANCE

(INCLUDING RESCISSION)

Of the funds made available beginning on October 1, 1995 under this heading in Public Law 103-333, \$100,000,000 are hereby rescinded.

- 100,000,000
(rescission)

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, \$300,000,000 to be available for obligation in the period October 1, 1996 through September 30, 1997: *Provided*, That all of the funds available under this paragraph are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985.

President.

Funds made available in the fourth paragraph under this heading in Public Law 103-333 that remain unobligated as of September 30, 1996 shall remain available until September 30, 1997.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96-422), \$402,172,000: *Provided*, That funds appropriated pursuant to section 414(a) of the Immigration and Nationality Act under Public Law 103-112 for fiscal year 1994 shall be available for the costs of assistance provided and other activities conducted in such year and in fiscal years 1995 and 1996.

402,172,000

CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), \$934,642,000, which shall be available for obligation under the same statutory terms and conditions applicable in the prior fiscal year.

934,642,000

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, \$2,381,000,000: *Provided*, That notwithstanding section 2003(c) of such Act, the amount specified for allocation under such section for fiscal year 1996 shall be \$2,381,000,000.

2,381,000,000

¹ Advance appropriation, fiscal year 1997.

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CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of Public Law 95-266 (adoption opportunities), the Temporary Child Care for Children with Disabilities and Crisis Nurseries Act of 1986, the Abandoned Infants Assistance Act of 1988, and part B(1) of title IV of the Social Security Act; for making payments under the Community Services Block Grant Act; and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and section 126 and titles IV and V of Public Law 100-485, \$4,767,006,000, of which \$435,463,000 shall be for making payments under the Community Services Block Grant Act: *Provided*, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes.

\$4,767,006,000

In addition, \$21,358,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out sections 40155, 40211, 40241, and 40251 of Public Law 103-322.

21,358,000

[*Total, \$4,788,364,000.*]

FAMILY PRESERVATION AND SUPPORT

For carrying out section 430 of the Social Security Act, \$225,000,000.

225,000,000

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities, under title IV-E of the Social Security Act, \$4,322,238,000.

4,322,238,000

[*Net total, Administration for Children and Families, \$32,367,723,000.*]

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, \$829,393,000, of which \$4,449,000 shall be for section 712 and \$4,732,000 shall be for section 721: *Provided*, That notwithstanding section 308(b)(1) of such Act, the amounts available to each State for administration of the State plan under title III of such Act shall be reduced not more than 5 percent below the amount that was available to such State for such purpose for fiscal year 1995.

829,393,000

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six medium sedans,

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\$139,499,000 and for carrying out titles III, XVII, and XX of the Public Health Service Act, \$139,499,000, together with \$6,628,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: *Provided*, That of the funds made available under this heading for carrying out title XVII of the Public Health Service Act, \$7,500,000 shall be available until expended for extramural construction.

¹ 6,628,000

OFFICE OF INSPECTOR GENERAL

58,492,000 For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$36,162,000, together with any funds, to remain available until expended, that represent the equitable share from the forfeiture of property in investigations in which the Office of Inspector General participated, and which are transferred to the Office of the Inspector General by the Department of Justice, the Department of the Treasury, or the United States Postal Service.

¹ 20,670,000

OFFICE FOR CIVIL RIGHTS

16,153,000 For expenses necessary for the Office for Civil Rights, \$16,153,000, together with not to exceed \$3,314,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

¹ 3,314,000

POLICY RESEARCH

9,000,000 For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, \$9,000,000. [Total, Office of the Secretary, \$223,144,000.]

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

9,000,000 For expenses necessary to prepare to respond to the health and medical consequences of nuclear, chemical, or biologic attack in the United States, \$7,000,000, to remain available until expended and, in addition, for clinical trials, applying imaging technology used for missile guidance and target recognition to new uses improving the early detection of breast cancer, \$2,000,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed \$37,000 for official reception and representation expenses when specifically approved by the Secretary.

Children, youth
and families.
AIDS.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399L(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103-43.

¹ Limitation on trust fund transfer.

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SEC. 204. None of the funds made available by this Act may be used to withhold payment to any State under the Child Abuse Prevention and Treatment Act by reason of a determination that the State is not in compliance with section 1340.2(d)(2)(ii) of title 45 of the Code of Federal Regulations. This provision expires upon the date of enactment of the reauthorization of the Child Abuse Prevention and Treatment Act or upon September 30, 1996, whichever occurs first.

Termination
date.

SEC. 205. None of the funds appropriated in this or any other Act for the National Institutes of Health and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of \$125,000 per year.

SEC. 206. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

Reports.

(TRANSFER OF FUNDS)

SEC. 207. Of the funds appropriated or otherwise made available for the Department of Health and Human Services, General Departmental Management, for fiscal year 1996, the Secretary of Health and Human Services shall transfer to the Office of the Inspector General such sums as may be necessary for any expenses with respect to the provision of security protection for the Secretary of Health and Human Services.

SEC. 208. Notwithstanding section 106 of Public Law 104-91 and section 106 of Public Law 104-99, appropriations for the National Institutes of Health and the Centers for Disease Control and Prevention shall be available for fiscal year 1996 as specified in section 101 of Public Law 104-91 and section 128 of Public Law 104-99.

SEC. 209. None of the funds appropriated in this Act may be obligated or expended for the Federal Council on Aging under the Older Americans Act or the Advisory Board on Child Abuse and Neglect under the Child Abuse Prevention and Treatment Act.

SEC. 210. Of the funds provided for the account heading "Disease Control, Research, and Training" in Public Law 104-91, \$31,642,000, to be derived from the Violent Crime Reduction Trust Fund, is hereby available for carrying out sections 40151, 40261, and 40293 of Public Law 103-322 notwithstanding any provision of Public Law 104-91.

(TRANSFER OF FUNDS)

SEC. 211. Not to exceed 1 percent of any appropriation made available for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfers: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfers.

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(TRANSFER OF FUNDS)

SEC. 212. The Director, National Institutes of Health, jointly with the Director, Office of AIDS Research, may transfer up to 3 percent among Institutes, Centers, and the National Library of Medicine from the total amounts identified in the apportionment for each Institute, Center, or the National Library of Medicine for AIDS research: *Provided*, That such transfers shall be within 30 days of enactment of this Act and be based on the scientific priorities established in the plan developed by the Director, Office of AIDS Research, in accordance with section 2353 of the² Act: *Provided further*, That the Congress is promptly notified of the transfer.

SEC. 213. In fiscal year 1996, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health.

SEC. 214. (a) REIMBURSEMENT OF CERTAIN CLAIMS UNDER THE MEDICAID PROGRAM.—Notwithstanding any other provision of law, and subject to subsection (b), in the case where payment has been made by a State under title XIX of the Social Security Act between December 31, 1993, and December 31, 1995, to a State-operated psychiatric hospital for services provided directly by the hospital or by providers under contract or agreement with the hospital, and the Secretary of Health and Human Services has notified the State that the Secretary intends to defer the determination of claims for reimbursement related to such payment but for which a deferral of such claims has not been taken as of March 1, 1996, (or, if such claims have been deferred as of such date, such claims have not been disallowed by such date), the Secretary shall—

(1) if, as of the date of the enactment of this title, such claims have been formally deferred or disallowed, discontinue any such action, and if a disallowance of such claims has been taken as of such date, rescind any payment reductions effected;

(2) not initiate any deferral or disallowance proceeding related to such claims; and

(3) allow reimbursement of such claims.

(b) LIMITATION ON RESCISSION OR REIMBURSEMENT OF CLAIMS.—The total amount of payment reductions rescinded or reimbursement of claims allowed under subsection (a) shall not exceed \$54,000,000.

This title may be cited as the “Department of Health and Human Services Appropriations Act, 1996”.

[*Net total, title II, Department of Health and Human Services, ¹ \$197,433,251,000.*]

Department of
Education
Appropriations
Act, 1996.

\$530,000,000

20 USC 5891
note.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION REFORM

For carrying out activities authorized by titles III and IV of the Goals 2000: Educate America Act and the School-to-Work Opportunities Act, \$530,000,000, of which \$340,000,000 for the Goals 2000: Educate America Act and \$180,000,000 for the School-to-Work Opportunities Act shall become available on July 1, 1996, and remain available through September 30, 1997: *Provided*, That notwithstanding section 311(e) of Public Law 103-227, the Secretary

¹ Consisting of appropriations for fiscal year 1996 of \$166,577,901,000, rescission of \$1,000,000 and advance appropriations for fiscal year 1997 of \$30,955,350,000.

² Illegible text, probably “the Public Health Service”.

is authorized to grant up to six additional State education agencies authority to waive Federal statutory or regulatory requirements for fiscal year 1996 and succeeding fiscal years: *Provided further*, That none of the funds appropriated under this heading shall be obligated or expended to carry out section 304(a)(2)(A) of the Goals 2000: Educate America Act.

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965, and section 418A of the Higher Education Act, \$7,228,116,000, of which \$5,913,391,000 shall become available on July 1, 1996 and shall remain available through September 30, 1997 and of which \$1,298,386,000 shall become available on October 1, 1996 and shall remain available through September 30, 1997 for academic year 1996-1997: *Provided*, That \$5,985,839,000 shall be available for basic grants under section 1124: *Provided further*, That up to \$3,500,000 of these funds shall be available to the Secretary on October 1, 1995, to obtain updated local-educational-agency-level census poverty data from the Bureau of the Census: *Provided further*, That \$677,241,000 shall be available for concentration grants under section 1124(A) and \$3,370,000 shall be available for evaluations under section 1501.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, \$693,000,000, of which \$581,707,000 shall be for basic support payments under section 8003(b), \$40,000,000 shall be for payments for children with disabilities under section 8003(d), \$50,000,000, to remain available until expended, shall be for payments under section 8003(f), \$5,000,000 shall be for construction under section 8007, and \$16,293,000 shall be for Federal property payments under section 8002.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, IV-A-1 and 2, V-A, VI, section 7203, and titles IX, X and XIII of the Elementary and Secondary Education Act of 1965; the Stewart B. McKinney Homeless Assistance Act; and the Civil Rights Act of 1964; \$1,223,708,000 of which \$1,015,481,000 shall become available on July 1, 1996, and remain available through September 30, 1997: *Provided*, That of the amount appropriated, \$275,000,000 shall be for Eisenhower professional development State grants under title II-B and \$275,000,000 shall be for innovative education program strategies State grants under title VI-A: *Provided further*, That not less than \$3,000,000 shall be for innovative programs under section 5111.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual and immigrant education activities authorized by title VII of the Elementary and Secondary Education Act, without regard to section 7103(b), \$178,000,000 of which \$50,000,000 shall be for immigrant education programs authorized by part C: *Provided*, That State

¹ Advance appropriation, fiscal year 1997.

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educational agencies may use all, or any part of, their part C allocation for competitive grants to local educational agencies: *Provided further*, That the Department of Education should only support instructional programs which ensure that students completely master English in a timely fashion (a period of three to five years) while meeting rigorous achievement standards in the academic content areas.

Territories.

SPECIAL EDUCATION

\$3,245,447,000 For carrying out parts B, C, D, E, F, G, and H and section 610(j)(2)(C) of the Individuals with Disabilities Education Act, \$3,245,447,000, of which \$3,000,000,000 shall become available for obligation on July 1, 1996, and shall remain available through September 30, 1997: *Provided*, That notwithstanding section 621(e), funds made available for section 621 shall be distributed among each of the regional centers and the Federal center in proportion to the amount that each such center received in fiscal year 1995: *Provided further*, That the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall be considered public or private nonprofit entities or organizations for the purpose of parts C, D, E, F, and G of the Individuals with Disabilities Education Act: *Provided further*, That, from the funds available under section 611 of the Act, the Secretary shall award grants, for which Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall be eligible, to carry out the purposes set forth in section 601(c) of the Act, and that the amount of funds available for such grants shall be equal to the amount that the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau would be eligible to receive if they were considered jurisdictions for the purpose of section 611(e) of the Act: *Provided further*, That the Secretary shall award grants in accordance with the recommendations of the entity specified in section 1121(b)(2)(A) of the Elementary and Secondary Education Act, including the provision of administrative costs to such entity not to exceed five percent: *Provided further*, That to be eligible for a competitive award under the Individuals with Disabilities Education Act, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau must meet the conditions applicable to States under part B of the Act.

Grants.

Grants.

REHABILITATION SERVICES AND DISABILITY RESEARCH

2,456,120,000 For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Technology-Related Assistance for Individuals with Disabilities Act, and the Helen Keller National Center Act, as amended, and the 1996 Paralympics Games, \$2,456,120,000 of which \$7,000,000 will be used to support the Paralympics Games: *Provided*, That \$1,000,000 of the funds provided for Special Demonstrations shall be used to continue the two head injury centers that were first funded under this program in fiscal year 1992.

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SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), \$6,680,000. 56,680,000

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$42,180,000: *Provided*, That from the amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207. 42,180,000

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$77,629,000: *Provided*, That from the amount available, the University may at its discretion use funds for the endowment program as authorized under section 207. 77,629,000

[Total, \$126,489,000.]

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Applied Technology Education Act, the Adult Education Act, and the National Literacy Act of 1991, \$1,340,261,000, of which \$4,869,000 shall be for the National Institute for Literacy; and of which \$1,337,342,000 shall become available on July 1, 1996 and shall remain available through September 30, 1997: *Provided*, That of the amounts made available under the Carl D. Perkins Vocational and Applied Technology Education Act, \$5,000,000 shall be for national programs under title IV without regard to section 451 and \$350,000 shall be for evaluations under section 346(b) of the Act and no funds shall be awarded to a State Council under section 112(f), and no State shall be required to operate such a Council. 1,340,261,000

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 4 of part A, part C, and part E of title IV of the Higher Education Act of 1965, as amended, \$6,312,033,000, which shall remain available through September 30, 1997: *Provided*, That notwithstanding section 401(a)(1) of the Act, there shall be not to exceed 3,650,000 Pell Grant recipients in award year 1995-1996. 6,312,033,000

The maximum Pell Grant for which a student shall be eligible during award year 1996-1997 shall be \$2,470: *Provided*, That notwithstanding section 401(g) of the Act, as amended, if the Secretary determines, prior to publication of the payment schedule for award year 1996-1997, that the \$4,967,446,000 included within this appropriation for Pell Grant awards for award year 1996-1997, and any funds available from the fiscal year 1995 appropriation for Pell Grant awards, are insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, 20 USC 1070a.

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as determined in accordance with a schedule of reductions established by the Secretary for this purpose.

FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

\$30,066,000 For Federal administrative expenses to carry out guaranteed student loans authorized by title IV, part B, of the Higher Education Act, as amended, \$30,066,000.

HIGHER EDUCATION

836,964,000 For carrying out, to the extent not otherwise provided, parts A and B of title III, without regard to section 360(a)(1)(B)(ii), titles IV, V, VI, VII, and IX, part A and subpart 1 of part B of title X, and title XI of the Higher Education Act of 1965, as amended, Public Law 102-423, and the Mutual Educational and Cultural Exchange Act of 1961; \$836,964,000, of which \$16,712,000 for interest subsidies under title VII of the Higher Education Act, as amended, shall remain available until expended: *Provided*, That notwithstanding sections 419D, 419E, and 419H of the Higher Education Act, as amended, scholarships made under title IV, part A, subpart 6 shall be prorated to maintain the same number of new scholarships in fiscal year 1996 as in fiscal year 1995.

HOWARD UNIVERSITY

182,348,000 For partial support of Howard University (20 U.S.C. 121 et seq.), \$182,348,000: *Provided*, That from the amount available, the University may at its discretion use funds for the endowment program as authorized under the Howard University Endowment Act (Public Law 98-480).

HIGHER EDUCATION FACILITIES LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available under this heading and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation, as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program for the current fiscal year.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

700,000 For administrative expenses to carry out the existing direct loan program of college housing and academic facilities loans entered into pursuant to title VII, part C, of the Higher Education Act, as amended, \$700,000.

COLLEGE HOUSING LOANS

Contracts.

Pursuant to title VII, part C of the Higher Education Act, as amended, for necessary expenses of the college housing loans program, previously carried out under title IV of the Housing Act of 1950, the Secretary shall make expenditures and enter into contracts without regard to fiscal year limitation using loan repayments and other resources available to this account. Any unobligated balances becoming available from fixed fees paid into this account pursuant to 12 U.S.C. 1749d, relating to payment of costs

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for inspections and site visits, shall be available for the operating expenses of this account.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING,
PROGRAM ACCOUNT

The total amount of bonds insured pursuant to section 724 of title VII, part B of the Higher Education Act shall not exceed \$357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero. ¹ \$357,000,000

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title VII, part B of the Higher Education Act, as amended, \$166,000. 166,000

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

For carrying out activities authorized by the Educational Research, Development, Dissemination, and Improvement Act; the National Education Statistics Act; sections 2102, 3136, 3141 and parts B, C, and D of title III, parts A, B, I, and K, and section 10601 of title X, part C of title XIII of the Elementary and Secondary Education Act of 1965, as amended, and title VI of the Goals 2000: Educate America Act, \$351,268,000: *Provided*, That \$48,000,000 shall be for sections 3136 and 3141 of the Elementary and Secondary Education Act: *Provided further*, That \$3,000,000 shall be for the elementary mathematics and science equipment projects under the fund for the improvement of education: *Provided further*, That funds shall be used to extend star schools partnership projects that received continuation grants in fiscal year 1995: *Provided further*, That none of the funds appropriated in this paragraph may be obligated or expended for the Goals 2000 Community Partnerships Program: *Provided further*, That funds for International Education Exchange shall be used to extend the two grants awarded in fiscal year 1995. 351,268,000

LIBRARIES

For carrying out, to the extent not otherwise provided, titles I, II, III, and IV of the Library Services and Construction Act, and title II-B of the Higher Education Act, \$132,505,000, of which \$16,369,000 shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended; and \$2,500,000 shall be for section 222 and \$3,000,000 shall be for section 223 of the Higher Education Act: *Provided*, That \$1,000,000 shall be awarded to the Survivors of the Shoah Visual History Foundation to document and archive holocaust survivors' testimony: *Provided further*, That \$1,000,000 shall be for the continued funding of an existing demonstration project making information available for public use by connecting Internet to a multistate consortium: *Provided further*, That \$1,000,000 shall be awarded to the National Museum of Women in the Arts. 132,505,000

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of con-

¹ Limitation on guaranteed loans.

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\$327,319,000 ference rooms in the District of Columbia and hire of two passenger motor vehicles, \$327,319,000.

OFFICE FOR CIVIL RIGHTS

55,451,000 For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$55,451,000.

OFFICE OF THE INSPECTOR GENERAL

28,654,000 For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$28,654,000.

HEADQUARTERS RENOVATION

7,000,000 For necessary expenses for the renovation of the Department of Education headquarters building, \$7,000,000, to remain available until September 30, 1998.

[Total, Departmental Management, \$418,424,000.]

GENERAL PROVISIONS

Schools.
Busing.
Desegregation.

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

School prayer.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

SEC. 304. No funds appropriated under this Act shall be made available for opportunity to learn standards or strategies.

SEC. 305. Notwithstanding any other provision of law, funds available under section 458 of the Higher Education Act shall not exceed \$436,000,000 for fiscal year 1996. The Department of Education shall pay administrative cost allowances owed to guaranty agencies for fiscal year 1995 estimated to be \$95,000,000 and administrative cost allowances owed to guaranty agencies for fiscal year 1996 estimated to be \$81,000,000. The Department of Education shall pay administrative cost allowances to guaranty agencies, to be paid quarterly, calculated on the basis of 0.85 percent of the total principal amount of loans upon which insurance was issued on or after October 1, 1995 by such guaranty agencies.

Receipt of such funds and uses of such funds by guaranty agencies shall be in accordance with section 428(f) of the Higher Education Act.

Notwithstanding section 458 of the Higher Education Act, the Secretary may not use funds available under that section or any other section for subsequent fiscal years for administrative expenses of the William D. Ford Direct Loan Program. The Secretary may not require the return of guaranty agency reserve funds during fiscal year 1996, except after consultation with both the Chairmen and Ranking Members of the House Economic and Educational Opportunities Committee and the Senate Labor and Human Resources Committee. Any reserve funds recovered by the Secretary shall be returned to the Treasury of the United States for purposes of reducing the Federal deficit.

20 USC 1087h
note.

No funds available to the Secretary may be used for (1) the hiring of advertising agencies or other third parties to provide advertising services for student loan programs, or (2) payment of administrative fees relating to the William D. Ford Direct Loan Program to institutions of higher education.

SEC. 306. (a) From any unobligated funds that are available to the Secretary of Education to carry out sections 5 or 14 of the Act of September 23, 1950 (Public Law 815, 81st Congress) (as such Act was in effect on September 30, 1994)

(1) half of the funds shall be available to the Secretary of Education to carry out subsection (c) of this section; and

(2) half of the funds shall be available to the Secretary of Education to carry out subparagraphs (B), (C), and (D) of section 8007(a)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(a)(2)), as amended by subsection (b) of this section.

(b) Subparagraph (B) of section 8007(a)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(a)(2)) is amended by striking “and in which the agency” and all that follows through “renovation”.

(c)(1) The Secretary of Education shall award the funds described in subsection (a)(1) to local educational agencies, under such terms and conditions as the Secretary of Education determines appropriate, for the construction of public elementary or secondary schools on Indian reservations or in school districts that—

(A) the Secretary of Education determines are in dire need of construction funding;

(B) contain a public elementary or secondary school that serves a student population which is 90 percent Indian students; and

(C) serve students who are taught in inadequate or unsafe structures, or in a public elementary or secondary school that has been condemned.

(2) A local educational agency that receives construction funding under this subsection for fiscal year 1996 shall not be eligible to receive any funds under section 8007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707) for school construction for fiscal years 1996 and 1997.

(3) As used in this subsection, the term “construction” has the meaning given that term in section 8013(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(3)).

(4) No request for construction funding under this subsection shall be approved unless the request is received by the Secretary

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of Education not later than 30 days after the date of enactment of this Act.

Reports.

(d) The Secretary of Education shall report to the House and Senate Appropriations Committees on the total amounts available pursuant to subsections (a)(1) and (a)(2) within 30 days of enactment of this Act.

SEC. 307. None of the funds appropriated in this Act may be obligated or expended to carry out sections 727, 932, and 1002 of the Higher Education Act of 1965, and section 621(b) of Public Law 101-589.

(TRANSFER OF FUNDS)

SEC. 308. Not to exceed 1 percent of any appropriation made available for the current fiscal year for the Department of Education in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfers: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfers.

This title may be cited as the “Department of Education Appropriations Act, 1996”.

[*Total, title III, Department of Education, ¹ \$25,285,615,000.*]

TITLE IV—RELATED AGENCIES

(2)

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the United States Soldiers’ and Airmen’s Home and the United States Naval Home, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$54,017,000, \$55,971,000, of which \$1,954,000 shall remain available until expended for construction and renovation of the physical plants at the United States Soldiers’ and Airmen’s Home and the United States Naval Home: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Soldiers’ and Airmen’s Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army upon recommendation of the Board of Commissioners and the Surgeon General of the Army.

[*Total, ³ \$55,971,000.*]

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, \$198,393,000.

198,393,000

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 1998, \$250,000,000: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available

4 250,000,000

¹ Consisting of appropriations for fiscal year 1996 of \$23,987,229,000 and advance appropriations for fiscal year 1997 of \$1,298,386,000.

² Department of Defense—Civil.

³ Trust funds.

⁴ Advance appropriation, fiscal year 1998.

or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles; and for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. chapter 71), \$32,896,000 including \$1,500,000, to remain available through September 30, 1997, for activities authorized by the Labor Management Cooperation Act of 1978 (29 U.S.C. 175a): *Provided*, That notwithstanding 31 U.S.C. 3302, fees charged for special training activities up to full-cost recovery shall be credited to and merged with this account, and shall remain available until expended: *Provided further*, That the Director of the Service is authorized to accept on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

\$32,896,000

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), \$6,200,000.

6,200,000

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345, as amended by Public Law 102-95), \$829,000.

829,000

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, \$1,793,000.

1,793,000

NATIONAL EDUCATION GOALS PANEL

For expenses necessary for the National Education Goals Panel, as authorized by title II, part A of the Goals 2000: Educate America Act, \$1,000,000.

1,000,000

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NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

\$170,743,000 For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$170,743,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes: *Provided further*, That none of the funds made available by this Act shall be used in any way to promulgate a final rule (altering 29 CFR part 103) regarding single location bargaining units in representation cases.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

7,837,000 For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, \$7,837,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

8,100,000 For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), \$8,100,000.

PHYSICIAN PAYMENT REVIEW COMMISSION

SALARIES AND EXPENSES

¹ 2,923,000 For expenses necessary to carry out section 1845(a) of the Social Security Act, \$2,923,000, to be transferred to this appropriation from the Federal Supplementary Medical Insurance Trust Fund.

PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

SALARIES AND EXPENSES

¹ 3,267,000 For expenses necessary to carry out section 1886(e) of the Social Security Act, \$3,267,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

¹ Limitation on trust fund transfer.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, \$22,641,000.

In addition, to reimburse these trust funds for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986, \$10,000,000, to remain available until expended. \$32,641,000

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, \$485,396,000, to remain available until expended. 485,396,000

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

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 1997, \$170,000,000, to remain available until expended. ¹170,000,000

[Total, \$655,396,000.]

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$18,545,512,000, to remain available until expended, of which \$1,500,000 shall be for a demonstration program to foster economic independence among people with disabilities through disability sport, in connection with the Tenth Paralympic Games: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury. 18,545,512,000

In addition, \$15,000,000, to remain available until September 30, 1997, for continuing disability reviews as authorized by section 103 of Public Law 104-121. The term “continuing disability reviews” has the meaning given such term by section 201(g)(1)(A) of the Social Security Act. 15,000,000

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For carrying out title XVI of the Social Security Act for the first quarter of fiscal year 1997, \$9,260,000,000, to remain available until expended. ¹9,260,000,000

[Total, \$27,820,512,000.]

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two medium size passenger motor vehicles, and not to exceed \$10,000 for official reception and representation expenses, not more than \$5,267,268,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act or as necessary to carry out sections ²5,267,268,000

¹ Advance appropriation, fiscal year 1997.

² Limitation on trust fund transfer.

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9704 and 9706 of the Internal Revenue Code of 1986 from any one or all of the trust funds referred to therein: *Provided*, That reimbursement to the trust funds under this heading for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 shall be made, with interest, not later than September 30, 1997: *Provided further*, That unobligated balances at the end of fiscal year 1996 not needed for fiscal year 1996 shall remain available until expended for a state-of-the-art computing network, including related equipment and administrative expenses associated solely with this network.

¹ \$387,500,000 In addition to funding already available under this heading, and subject to the same terms and conditions, \$387,500,000, for disability caseload processing.

From funds provided under the previous two paragraphs, not less than \$200,000,000 shall be available for conducting continuing disability reviews.

¹ \$60,000,000 In addition to funding already available under this heading, and subject to the same terms and conditions, \$60,000,000, to remain available until September 30, 1997, for continuing disability reviews as authorized by section 103 of Public Law 104-121. The term "continuing disability reviews" has the meaning given such term by section 201(g)(1)(A) of the Social Security Act.

¹ \$167,000,000 In addition to funding already available under this heading, and subject to the same terms and conditions, \$167,000,000, which shall remain available until expended, to invest in a state-of-the-art computing network, including related equipment and administrative expenses associated solely with this network, for the Social Security Administration and the State Disability Determination Services, may be expended from any or all of the trust funds as authorized by section 201(g)(1) of the Social Security Act.

[*Total, limitation, \$5,881,768,000.*]

OFFICE OF INSPECTOR GENERAL

¹ \$4,816,000 For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$4,816,000, together with not to exceed ¹ \$21,076,000 \$21,076,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

[*Total, Social Security Administration, ² \$28,513,365,000.*]

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

² \$239,000,000 For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$239,000,000, which shall include amounts becoming available in fiscal year 1996 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds \$239,000,000: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

[*Total, \$222,000,000.*]

¹ Limitation on trust fund transfer.

² Consisting of appropriations for fiscal year 1996 of \$19,083,365,000 and advance appropriations for fiscal year 1997 of \$9,260,000,000.

³ Less income tax receipts on dual benefits.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, \$300,000, to remain available through September 30, 1997, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76. \$300,000

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board, \$73,169,000, to be derived from the railroad retirement accounts. ¹ 73,169,000

LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE
ADMINISTRATION FUND

For further expenses necessary for the Railroad Retirement Board, for administration of the Railroad Unemployment Insurance Act, not less than \$16,786,000 shall be apportioned for fiscal year 1996 from moneys credited to the railroad unemployment insurance administration fund. ¹ 16,786,000

SPECIAL MANAGEMENT IMPROVEMENT FUND

To effect management improvements, including the reduction of backlogs, accuracy of taxation accounting, and debt collection, \$659,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: *Provided*, That these funds shall supplement, not supplant, existing resources devoted to such operations and improvements. ¹ 659,000

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than \$5,673,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account. ¹ 5,673,000
[*Total, Railroad Retirement Board, \$222,300,000.*]

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$11,500,000. 11,500,000
[*Total, title IV, Related Agencies, ² \$29,480,927,000.*]

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

¹ Limitation on trust fund transfer.

² Consisting of appropriations for fiscal year 1996 of \$19,800,927,000, advance appropriations for fiscal year 1997 of \$9,430,000,000 and advance appropriations for fiscal year 1998 of \$250,000,000.

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SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress.

SEC. 504. The Secretaries of Labor and Education are each authorized to make available not to exceed \$15,000 from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$2,500 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$2,500 from funds available for "Salaries and expenses, National Mediation Board".

AIDS.

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles for the hypodermic injection of any illegal drug unless the Secretary of Health and Human Services determines that such programs are effective in preventing the spread of HIV and do not encourage the use of illegal drugs.

SEC. 506. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 507. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.

Abortion.

SEC. 508. None of the funds appropriated under this Act shall be expended for any abortion except when it is made known to the Federal entity or official to which funds are appropriated under this Act that such procedure is necessary to save the life of the mother or that the pregnancy is the result of an act of rape or incest.

SEC. 509. Notwithstanding any other provision of law—

31 USC 1301
note.

(1) no amount may be transferred from an appropriation account for the Departments of Labor, Health and Human Services, and Education except as authorized in this or any subsequent appropriation act, or in the Act establishing the program or activity for which funds are contained in this Act;

(2) no department, agency, or other entity, other than the one responsible for administering the program or activity for which an appropriation is made in this Act, may exercise authority for the timing of the obligation and expenditure of such appropriation, or for the purposes for which it is obligated and expended, except to the extent and in the manner otherwise provided in sections 1512 and 1513 of title 31, United States Code; and

(3) no funds provided under this Act shall be available for the salary (or any part thereof) of an employee who is reassigned on a temporary detail basis to another position in the employing agency or department or in any other agency or department, unless the detail is independently approved by the head of the employing department or agency.

SEC. 510. LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used for the expenses of an electronic benefit transfer (EBT) task force.

SEC. 511. None of the funds made available in this Act may be used to enforce the requirements of section 428(b)(1)(U)(iii) of the Higher Education Act of 1965 with respect to any lender when it is made known to the Federal official having authority to obligate or expend such funds that the lender has a loan portfolio under part B of title IV of such Act that is equal to or less than \$5,000,000.

SEC. 512. None of the funds made available in this Act may be used for Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 to students attending an institution of higher education that is ineligible to participate in a loan program under such title as a result of a final default rate determination made by the Secretary under the Federal Family Education Loan or Federal Direct Loan program under parts B and D of such title, respectively, and issued by the Secretary on or after February 14, 1996. The preceding sentence shall not apply to an institution that (1) was not participating in either such loan program on such date (or would not have been participating on such date but for the pendency of an appeal of a default rate determination issued prior to such date) unless the institution subsequently participates in either such loan program; or (2) has a participation rate index (as defined at 34 CFR 668.17) that is less than or equal to 0.0375. No institution may be subject to the terms of this section unless it has had the opportunity to appeal its default rate determination under regulations issued by the Secretary for the FFEL and Federal Direct Loan Programs.

SEC. 513. No more than 1 percent of salaries appropriated for each Agency in this Act may be expended by that Agency on cash performance awards: *Provided*, That of the budgetary resources available to Agencies in this Act for salaries and expenses during fiscal year 1996, \$30,500,000, to be allocated by the Office of Management and Budget, are permanently canceled: *Provided further*, That the foregoing proviso shall not apply to the Food and Drug Administration and the Indian Health Service.

¹(–\$30,500,000)¹ Distributed.

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SEC. 514. (a) HIGH COST TRAINING EXCEPTION.—Section 428H(d)(2) of the Higher Education Act of 1965 (20 U.S.C. 1078-8(d)(2)) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following:

“except in cases where the Secretary determines, that a higher amount is warranted in order to carry out the purpose of this part with respect to students engaged in specialized training requiring exceptionally high costs of education, but the annual insurable limit per student shall not be deemed to be exceeded by a line of credit under which actual payments by the lender to the borrower will not be made in any years in excess of the annual limit.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective for loans made to cover the cost of instruction for periods of enrollment beginning on or after July 1, 1996.

ESTABLISHMENT OF PROHIBITION AGAINST ABORTION-RELATED
DISCRIMINATION IN TRAINING AND LICENSING OF PHYSICIANS.

SEC. 515. Part B of title II of the Public Health Service Act (42 U.S.C. 238 et seq.) is amended by adding at the end the following section:

“ABORTION-RELATED DISCRIMINATION IN GOVERNMENTAL ACTIVITIES
REGARDING TRAINING AND LICENSING OF PHYSICIANS

42 USC 238n.

“SEC. 245. (a) IN GENERAL.—The Federal Government, and any State or local government that receives Federal financial assistance, may not subject any health care entity to discrimination on the basis that—

“(1) the entity refuses to undergo training in the performance of induced abortions, to require or provide such training, to perform such abortions, or to provide referrals for such training or such abortions;

“(2) the entity refuses to make arrangements for any of the activities specified in paragraph (1); or

“(3) the entity attends (or attended) a post-graduate physician training program, or any other program of training in the health professions, that does not (or did not) perform induced abortions or require, provide or refer for training in the performance of induced abortions, or make arrangements for the provision of such training.

“(b) ACCREDITATION OF POSTGRADUATE PHYSICIAN TRAINING PROGRAMS.—

“(1) IN GENERAL.—In determining whether to grant a legal status to a health care entity (including a license or certificate), or to provide such entity with financial assistance, services or other benefits, the Federal Government, or any State or local government that receives Federal financial assistance, shall deem accredited any postgraduate physician training program that would be accredited but for the accrediting agency’s reliance upon an accreditation standards that requires an entity to perform an induced abortion or require, provide, or refer for training in the performance of induced abortions, or make arrangements for such training, regardless of whether such standard provides exceptions or exemptions. The government involved shall formulate such regulations or other mechanisms,

Regulations.

or enter into such agreements with accrediting agencies, as are necessary to comply with this subsection.

“(2) RULES OF CONSTRUCTION.—

“(A) IN GENERAL.—With respect to subclauses (I) and (II) of section 705(a)(2)(B)(i) (relating to a program of insured loans for training in the health professions), the requirements in such subclauses regarding accredited internship or residency programs are subject to paragraph (1) of this subsection.

“(B) EXCEPTIONS.—This section shall not—

“(i) prevent any health care entity from voluntarily electing to be trained, to train, or to arrange for training in the performance of, to perform, or to make referrals for induced abortions; or

“(ii) prevent an accrediting agency or a Federal, State or local government from establishing standards of medical competency applicable only to those individuals who have voluntarily elected to perform abortions.

“(c) DEFINITIONS.—For purposes of this section:

“(1) The term ‘financial assistance’, with respect to a government program, includes governmental payments provided as reimbursement for carrying out health-related activities.

“(2) The term ‘health care entity’ includes an individual physician, a postgraduate physician training program, and a participant in a program of training in the health professions.

“(3) The term ‘postgraduate physician training program’ includes a residency training program.”.

SEC. 516. SURVEY AND CERTIFICATION OF MEDICARE PROVIDERS.

(a) INTERVALS BETWEEN STANDARD SURVEYS FOR HOME HEALTH AGENCIES.—Section 1891(c)(2)(A) of the Social Security Act (42 U.S.C. 1395bbb(c)(2)(A)) is amended—

(1) by striking “15 months” and inserting “36 months”, and

(2) by amending the second sentence to read as follows: “The Secretary shall establish a frequency for surveys of home health agencies within this 36-month interval commensurate with the need to assure the delivery of quality home health services.”.

(b) RECOGNITION OF ACCREDITATION.—Section 1865 of such Act (42 U.S.C. 1395bb) is amended—

(1) by redesignating subsection (b) as subsection (d),

(2) by redesignating the fourth sentence of subsection (a) as subsection (c), and

(3) by striking the third sentence of subsection (a) and inserting after and below the second sentence the following new subsection:

“(b)(1) In addition, if the Secretary finds that accreditation of a provider entity (as defined in paragraph (4)) by the American Osteopathic Association or any other national accreditation body demonstrates that all of the applicable conditions or requirements of this title (other than the requirements of section 1834(j) or the conditions and requirements under section 1881(b)) are met or exceeded—

“(A) in the case of a provider entity not described in paragraph (3)(B), the Secretary shall treat such entity as meeting

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those conditions or requirements with respect to which the Secretary made such finding; or

“(B) in the case of a provider entity described in paragraph (3)(B), the Secretary may treat such entity as meeting those conditions or requirements with respect to which the Secretary made such finding.

“(2) In making such a finding, the Secretary shall consider, among other factors with respect to a national accreditation body, its requirements for accreditation, its survey procedures, its ability to provide adequate resources for conducting required surveys and supplying information for use in enforcement activities, its monitoring procedures for provider entities found out of compliance with the conditions or requirements, and its ability to provide the Secretary with necessary data for validation.

Publications.

“(3)(A) Except as provided in subparagraph (B), not later than 60 days after the date of receipt of a written request for a finding under paragraph (1) (with any documentation necessary to make a determination on the request), the Secretary shall publish a notice identifying the national accreditation body making the request, describing the nature of the request, and providing a period of at least 30 days for the public to comment on the request. The Secretary shall approve or deny a request for such a finding, and shall publish notice of such approval or denial, not later than 210 days after the date of receipt of the request (with such documentation). Such an approval shall be effective with respect to accreditation determinations made on or after such effective date (which may not be later than the date of publication of the approval) as the Secretary specifies in the publication notice.

Effective date.

“(B) The 210-day and 60-day deadlines specified in subparagraph (A) shall not apply in the case of any request for a finding with respect to accreditation of a provider entity to which the conditions and requirements of section 1819 and 1861(j) apply.

“(4) For purposes of this section, the term ‘provider entity’ means a provider of services, supplier, facility, clinic, agency, or laboratory.”.

(c) AUTHORITY FOR VALIDATION SURVEYS.—

(1) IN GENERAL.—The first sentence of section 1864(c) of such Act (42 U.S.C. 1395aa(c)) is amended by striking “hospitals” and all that follows and inserting “provider entities that, pursuant to subsection (a) or (b)(1) of section 1865, are treated as meeting the conditions or requirements of this title.”.

(2) CONFORMING AMENDMENTS.—Section 1865 of such Act, as amended by subsection (b), is further amended—

(A) in subsection (d), as redesignated by subsection

(b)(1)—

(i) by striking “a hospital” and inserting “a provider entity”,

(ii) by striking “the hospital” each place it appears and inserting “the entity”, and

(iii) by striking “the requirements of the numbered paragraphs of section 1861(e)” and inserting “the conditions or requirements the entity has been treated as meeting pursuant to subsection (a) or (b)(1)”; and

(B) by adding at the end the following new subsection:

“(e) For provisions relating to validation surveys of entities that are treated as meeting applicable conditions or requirements of this title pursuant to subsection (a) or (b)(1), see section 1864(c).”.

(d) STUDY AND REPORT ON DEEMING FOR NURSING FACILITIES AND RENAL DIALYSIS FACILITIES.—

(1) STUDY.—The Secretary of Health and Human Services shall provide for—

(A) a study concerning the effectiveness and appropriateness of the current mechanisms for surveying and certifying skilled nursing facilities for compliance with the conditions and requirements of sections 1819 and 1861(j) of the Social Security Act and nursing facilities for compliance with the conditions of section 1919 of such Act, and

(B) a study concerning the effectiveness and appropriateness of the current mechanisms for surveying and certifying renal dialysis facilities for compliance with the conditions and requirements of section 1881(b) of the Social Security Act.

(2) REPORT. Not later than July 1, 1997, the Secretary shall transmit to Congress a report on each of the studies provided for under paragraph (1). The report on the study under paragraph (1)(A) shall include (and the report on the study under paragraph (1)(B) may include) a specific framework, where appropriate, for implementing a process under which facilities covered under the respective study may be deemed to meet applicable medicare conditions and requirements if they are accredited by a national accreditation body.

SEC. 517. The Secretary of Health and Human Services shall grant a waiver of the requirements set forth in section 1903(m)(2)(A)(ii) of the Social Security Act to D.C. Chartered Health Plan, Inc. of the District of Columbia: *Provided*, That such waiver shall be deemed to have been in place for all contract periods from October 1, 1991 through the current contract period or October 1, 1999, whichever shall be later.

SEC. 518. Section 119 of Public Law 104-99 is hereby repealed.

20 USC 1070a
note.

OPTIONAL, ALTERNATIVE MEDICAID PAYMENT METHOD

SEC. 519. (a) ELECTION.—A heavily impacted high-DSH State (as defined in subsection (d)) may elect to receive payments for expenditures under title XIX of the Social Security Act for the period beginning October 1, 1995, and ending June 30, 1996 (in this section referred to as the “9-month period”), for State fiscal year 1996-1997, and (subject to subsection (c)(4)) for State fiscal year 1997-1998 in accordance with the alternative payment method specified in subsection (b) rather than in accordance with section 1903(a) of such Act.

(b) ALTERNATIVE PAYMENT METHOD.—

(1) IN GENERAL.—Under the alternative payment method specified in this subsection—

(A) any percentage otherwise specified in section 1903(a) of the Social Security Act for expenditures in the 9-month period or a State fiscal year for which the election is in effect shall be equal to 100 percent minus the non-Federal participation percentage (specified under paragraph (2)) for the State for that period or State fiscal year, and

(B) the total payment for the 9-month period or a State fiscal year in which the election is in effect may not exceed the maximum Federal financial participation specified in paragraph (5) for the period or year.

In applying subparagraph (B), there shall not be counted as payments for any period or fiscal year any payment that is attributable to an expenditure which is exempt under subsection (c)(1). In applying such subparagraph to the 9-month period, there shall be counted payments (other than those described in the previous sentence) that are attributable to an expenditure for periods occurring in the 9-month period and before the date of the enactment of this Act.

(2) NON-FEDERAL PARTICIPATION PERCENTAGE.—For purposes of paragraph (1), the “non-Federal participation percentage” for a State for the 9-month period or State fiscal year is equal to the ratio of—

(A) the State’s base State expenditures (as defined in paragraph (3)) plus the applicable percentage (as defined in paragraph (4)) of the difference between the amount of such expenditures and the amount of the State expenditures that would be required for the State to qualify for the maximum Federal financial participation specified in paragraph (5) under title XIX of the Social Security Act if this section did not apply for such period or State fiscal year; to

(B) the total expenditures under the State plan of the State under such title for such period or State fiscal year.

Such ratio shall be calculated as if total expenditures under the State plan were no greater than necessary for the State to receive the maximum Federal financial participation specified in paragraph (5).

(3) BASE STATE EXPENDITURES.—For purposes of this subsection, the term “base State expenditures” means—

(A) for the 9-month period, \$266,250,000, or

(B) for State fiscal year 1996–1997, \$355,000,000, or

(C) for State fiscal year 1997–1998, \$355,000,000.

(4) APPLICABLE PERCENTAGE.—For purposes of this subsection, the “applicable percentage”—

(A) for the 9-month period is 20 percent,

(B) for State fiscal year 1996–1997 is 35 percent, and

(C) for State fiscal year 1997–1998 is 55 percent.

(5) MAXIMUM FEDERAL PARTICIPATION.—For purposes of this section, the maximum Federal financial participation specified in this paragraph for a State—

(A) for the 9-month period, is \$1,966,500,000

(B) for State fiscal year 1996–1997 is \$2,622,000,000,

and

(C) for State fiscal year 1997–1998 is \$2,622,000,000.

(c) ADDITIONAL RULES.—

(1) LIMITING APPLICATION TO EXPENDITURES FOR PERIODS IN WHICH ELECTION IN EFFECT.—This section (and the maximum Federal financial participation specified in subsection (b)(5)) shall not apply to any expenditure that is applicable to a reporting period that is not covered under an election under subsection (a), including any expenditure applicable to any reporting period before October 1, 1995.

(2) ELECTION PROCESS.—An election of a State under subsection (a) shall be made, by notice from the Governor of the State to the Secretary of Health and Human Services,

not later than 30 days after the date of the enactment of this Act.

(3) LIMITATION.—For any period (on or after the date of an election under this section) in which an election is in effect for a State under this section—

(A) the Federal Government has no obligation to provide payment with respect to items and services provided under title XIX of the Social Security Act in excess of the maximum Federal financial participation specified in subsection (b)(5) and such title shall not be construed as providing for an entitlement, under Federal law in relation to the Federal Government, in an individual or person (including any provider) at the time of provision or receipt of services; and

(B) the State shall provide an entitlement to any person to receive any service or other benefit to the extent that such person would, but for this paragraph, be entitled to such service or other benefit under such title.

(4) CONDITION FOR STATE FISCAL YEAR 1997-1998.—This section shall not apply to State fiscal year 1997-1998 except to the extent provided for in a subsequent appropriation Act.

(d) DEFINITION.—For purposes of this section, the term “heavily impacted high-DSH State” means the State of Louisiana.

(e) STATE FISCAL YEARS DEFINED.—For purposes of this section—

(1) the term “State fiscal year 1996-1997” means the period beginning July 1, 1996, and ending June 30, 1997, and

(2) the term “State fiscal year 1997-1998” means the period beginning July 1, 1997, and ending June 30, 1998.

SEC. 520. (a) Congress finds that—

(1) the practice of female genital mutilation is carried out by members of certain cultural and religious groups within the United States; and

(2) the practice of female genital mutilation often results in the occurrence of physical and psychological health effects that harm the women involved.

(b) The Secretary of Health and Human Services shall do the following:

(1) Compile data on the number of females living in the United States who have been subjected to female genital mutilation (whether in the United States or in their countries of origin), including a specification of the number of girls under the age of 18 who have been subjected to such mutilation.

(2) Identify communities in the United States that practice female genital mutilation, and design and carry out outreach activities to educate individuals in the communities on the physical and psychological health effects of such practice. Such outreach activities shall be designed and implemented in collaboration with representatives of the ethnic groups practicing such mutilation and with representatives of organizations with expertise in preventing such practice.

(3) Develop recommendations for the education of students of schools of medicine and osteopathic medicine regarding female genital mutilation and complications arising from such mutilation. Such recommendations shall be disseminated to such schools.

Female genital
mutilation.
42 USC 241 note.

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(c) For purposes of this section the term “female genital mutilation” means the removal or infibulation (or both) of the whole or part of the clitoris, the labia minor, or the labia major.

Effective date.

(d) The Secretary of Health and Human Services shall commence carrying out this section not later than 90 days after the date of enactment of this Act.

TITLE VI—ADDITIONAL APPROPRIATIONS

SEC. 601. In addition to amounts otherwise provided in this Act, the following amounts are hereby appropriated as specified for the following appropriation accounts: Health Care Financing Administration, “Program Management”, \$396,000,000; and Office of the Secretary, “Office of Inspector General”, \$22,330,000, together with not to exceed \$20,670,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund

SEC. 602. Appropriations and funds made available pursuant to section 601 of this Act shall be available until enactment into law of a subsequent appropriation for fiscal year 1996 for any project or activity provided for in section 601.

TITLE VII—AMENDMENTS TO THE GOALS 2000: EDUCATE AMERICA ACT

SEC. 701. ELIMINATION OF THE NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL AND OPPORTUNITY-TO-LEARN STANDARDS.

The Goals 2000: Educate America Act (20 U.S.C. 5801 et seq.) is amended—

- (1) by repealing part B of title II (20 U.S.C. 5841 et seq.);
- (2) by redesignating parts C and D of title II (20 U.S.C. 5861 et seq. and 5871 et seq.) as parts B and C, respectively, of title II; and
- (3) in section 241 (20 U.S.C. 5871)—
 - (A) in subsection (a), by striking “(a) NATIONAL EDUCATION GOALS PANEL.—”; and
 - (B) by striking subsections (b) through (d).

SEC. 702. STATE AND LOCAL EDUCATION SYSTEMIC IMPROVEMENT.

(a) PANEL COMPOSITION; OPPORTUNITY-TO-LEARN STANDARDS; AND SUBMISSION OF PLAN TO THE SECRETARY FOR APPROVAL.—

- (1) STATE IMPROVEMENT PLAN.—Section 306 of the Goals 2000: Educate America Act (20 U.S.C. 5886) is amended—
 - (A) by amending subsection (b) to read as follows:

“(b) PLAN DEVELOPMENT.—A State improvement plan under this title shall be developed by a broad-based State panel in cooperation with the State educational agency and the Governor.”;

- (B) by striking subsection (d).

(b) LOCAL PANEL COMPOSITION.—Section 309(a)(3)(A) of such Act (20 U.S.C. 5889(a)(3)(A)) is amended—

- (1) in the matter preceding clause (i), by striking “that—” and inserting a semicolon; and
- (2) by striking clauses (i) and (ii).

SEC. 703. TECHNICAL AND CONFORMING AMENDMENTS.

(a) GOALS 2000: EDUCATE AMERICA ACT.—

(1) The table of contents for the Goals 2000: Educate America Act is amended, in the items relating to title II—

- (A) by striking the items relating to part B;
- (B) by striking “PART C” and inserting “PART B”; and
- (C) by striking “PART D” and inserting “PART C”.

(2) Section 2 of such Act (20 U.S.C. 5801) is amended—

(A) in paragraph (4)—

- (i) in subparagraph (B), by inserting “and” after the semicolon;

- (ii) by striking subparagraph (C); and

- (iii) by redesignating subparagraph (D) as subparagraph (C); and

(B) in paragraph (6)—

- (i) by striking subparagraph (C); and

- (ii) by redesignating subparagraphs (D) through (F) as subparagraphs (C) through (E), respectively.

(3) Section 3(a) of such Act (20 U.S.C. 5802) is amended—

(A) by striking paragraph (7); and

(B) by redesignating paragraphs (8) through (14) as paragraphs (7) through (13), respectively.

(4) Section 201(3) of such Act (20 U.S.C. 5821(3)) is amended by striking “, voluntary national student performance” and all that follows through “such Council” and inserting “and voluntary national student performance standards”.

(5) Section 202(j) of such Act (20 U.S.C. 5822(j)) is amended by striking “, student performance, or opportunity-to-learn” and inserting “or student performance”.

(6) Section 203 of such Act (20 U.S.C. 5823) is amended—

(A) in subsection (a)—

- (i) by striking paragraphs (2) and (3);

- (ii) by redesignating paragraphs (4) through (6) as paragraphs (2) through (4), respectively; and

- (iii) by amending paragraph (2) (as redesignated by clause (ii)) to read as follows:

“(2) review voluntary national content standards and voluntary national student performance standards;” and

(B) in subsection (b)(1)—

- (i) in subparagraph (A), by inserting “and” after the semicolon;

- (ii) in subparagraph (B), by striking “; and” and inserting a period; and

- (iii) by striking subparagraph (C).

(7) Section 204(a)(2) of such Act (20 U.S.C. 5824(a)(2)) is amended—

(A) by striking “voluntary national opportunity-to-learn standards;” and

(B) by striking “described in section 213(f)”.

(8) Section 304(a)(2) of such Act (20 U.S.C. 5884(a)(2)) is amended—

(A) in subparagraph (A), by adding “and” after the semicolon;

(B) in subparagraph (B), by striking “; and” and inserting a period; and

(C) by striking subparagraph (C).

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(9) Section 306(o) of such Act (20 U.S.C. 5886(o)) is amended by striking “State opportunity-to-learn standards or strategies,”.

(10) Section 308 of such Act (20 U.S.C. 5888) is amended—
(A) in subsection (b)(2)—

(i) in the matter preceding clause (i) of subparagraph (A), by striking “State opportunity-to-learn standards,”; and

(ii) in subparagraph (A), by striking “including—” and all that follows through “part B of title II;” and inserting “including through consortia of States;”;

(B) in subsection (c), by striking “306(b)(1)” and inserting “306(b)”.

(11) For the purpose of expanding the use and availability of computers and computer technology, section 309(a)(6)(A)(ii) of such Act (20 U.S.C. 5889(a)(6)(A)(ii)) is amended by inserting after “new public schools” the following “and the acquisition of technology and use of technology-enhanced curricula and instruction”.

(12) Section 312(b) of such Act (20 U.S.C. 5892(b)) is amended—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(13) Section 314(a)(6)(A) of such Act (20 U.S.C. 5894(a)(6)(A)) is amended by striking “certified by the National Education Standards and Improvement Council and”.

(14) Section 315 of such Act (20 U.S.C. 5895) is amended—
(A) in subsection (b)—

(i) in paragraph (1)(C), by striking “, including the requirements for timetables for opportunity-to-learn standards,”;

(ii) by striking paragraph (2);

(iii) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(iv) in paragraph (1)(A), by striking “paragraph (4) of this subsection” and inserting “paragraph (3)”;

(v) in paragraph (2) (as redesignated by clause (iii))—

(I) by striking subparagraph (A);

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(III) in subparagraph (A) (as redesignated by subclause (II)) by striking “, voluntary natural student performance standards, and voluntary natural opportunity-to-learn standards developed under part B of title II of this Act” and inserting “and voluntary national student performance standards”;

(vi) in subparagraph (B) of paragraph (3) (as redesignated by clause (iii)), by striking “paragraph (5),” and inserting “paragraph (4),”; and

(vii) in paragraph (4) (as redesignated by clause (ii)), by striking “paragraph (4)” each place it appears and inserting “paragraph (3)”;

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(B) in the matter preceding subparagraph (A) of subsection (c)(2)—

(i) by striking “subsection (b)(4)” and inserting “subsection (b)(3)”; and

(ii) by striking “and to provide a framework for the implementation of opportunity-to-learn standards or strategies”; and

(C) in subsection (f), by striking “subsection (b)(4)” each place it appears and inserting “subsection (b)(3)”.

(15)(A) Section 316 of such Act (20 U.S.C. 5896) is repealed.

(B) The table of contents for such Act is amended by striking the item relating to section 316.

(16) Section 317 of such Act (20 U.S.C. 5897) is amended—

(A) in subsection (d)(4), by striking “promote the standards and strategies described in section 306(d),”; and

(B) in subsection (e)—

(i) in paragraph (2), by inserting “and” after the semicolon;

(ii) by striking paragraph (3); and

(iii) by redesignating paragraph (4) as paragraph

(3).

(17) Section 503 of such Act (20 U.S.C. 5933) is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking “28” and inserting “27”;

(II) by striking subparagraph (D); and

(III) by redesignating subparagraphs (E) through (G) as subparagraphs (D) through (F), respectively;

(ii) in paragraphs (2), (3), and (5), by striking “subparagraphs (E), (F), and (G)” each place it appears and inserting “subparagraphs (D), (E), and (F)”;

(iii) in paragraph (2), by striking “subparagraph (G)” and inserting “subparagraph (F)”;

(iv) in paragraph (4), by striking “(C), and (D)” and inserting “and (C)”; and

(v) in the matter preceding subparagraph (A) of paragraph (5), by striking “subparagraph (E), (F), or (G)” and inserting “subparagraph (D), (E), or (F)”; and

(B) in subsection (e)—

(i) in paragraph (1)(B), by striking “subparagraph (E)” and inserting “subparagraph (D)”; and

(ii) in paragraph (2), by striking “subparagraphs (E), (F), and (G)” and inserting “subparagraphs (D), (E), and (F)”.

(18) Section 504 of such Act (20 U.S.C. 5934) is amended—

(A) by striking subsection (f); and

(B) by redesignating subsection (g) as subsection (f).

(b) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—

(1) Section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) is amended—

(A) in subsection (b)(8)(B), by striking “(which may include opportunity-to-learn standards or strategies developed under the Goals 2000: Educate America Act)”;

(B) in subsection (f), by striking “opportunity-to-learn standards or strategies,”;

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- (C) by striking subsection (g); and
 (D) by redesignating subsection (h) as subsection (g).
- (2) Section 1116 of such Act (20 U.S.C. 6317) is amended—
- (A) in subsection (c)—
- (i) in paragraph (2)(A)(i), by striking all beginning with “, which may” through “Act”; and
- (ii) in paragraph (5)(B)(i)—
- (I) in subclause (VI), by inserting “and” after the semicolon;
- (II) in subclause (VII), by striking “; and” and inserting a period; and
- (III) by striking subclause (VIII); and
- (B) in subsection (d)—
- (i) in paragraph (4)(B), by striking all beginning with “, and may” through “Act”; and
- (ii) in paragraph (6)(B)(i)—
- (I) by striking subclause (IV); and
- (II) by redesignating subclauses (V) through (VIII) as subclauses (IV) through (VII), respectively.
- (3) Section 1501(a)(2)(B) of such Act (20 U.S.C. 6491(a)(2)(B)) is amended—
- (A) by striking clause (v); and
- (B) by redesignating clauses (vi) through (x) as clauses (v) through (ix), respectively.
- (4) Section 10101(b)(1)(A)(i) of such Act (20 U.S.C. 8001(b)(1)(A)(i)) is amended by striking “and opportunity-to-learn standards or strategies for student learning”.
- (5) Section 14701(b)(1)(B)(v) of such Act (20 U.S.C. 8941(b)(1)(B)(v)) is amended by striking “the National Education Goals Panel,” and all that follows through “assessments” and inserting “and the National Education Goals Panel”.
- (c) GENERAL EDUCATION PROVISIONS ACT.—Section 428 of the General Education Provisions Act (20 U.S.C. 1228b), as amended by section 237 of the Improving America’s Schools Act of 1994 (Public Law 103-382), is amended by striking “the National Education Standards and Improvement Council.”
- (d) EDUCATION AMENDMENTS OF 1978.—Section 1121(b) of the Education Amendments of 1978 (25 U.S.C. 2001(b)), as amended by section 381 of the Improving America’s Schools Act of 1994 (Public Law 103-382), is amended by striking “213(a)” and inserting “203(a)(2)”.

SEC. 704. DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.

Section 304 of the Goals 2000: Educate America Act (20 U.S.C. 5884) is amended by adding at the end the following new subsection:

“(e) DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—Notwithstanding subsection (c), if a State educational agency was not participating in the program under this section as of October 20, 1995, and the State educational agency approves, the Secretary shall use all or a portion of the allotment that the State would have received under this section for a fiscal year to award grants to local educational agencies in the State that have approved applications under paragraph (2) for such fiscal year.

“(2) APPLICATION.—Any local educational agency that desires to receive a grant under this subsection shall submit

an application to the Secretary that is consistent with the provisions of this Act and shall notify the State educational agency of such application in accordance with paragraph (1). The Secretary may establish a deadline for the submission of such applications.

“(3) AWARD BASIS.—The Secretary may use the student enrollment of a local educational agency or other factors as a basis for awarding grants under this subsection.”

SEC. 705. ALTERNATIVE TO SECRETARIAL APPROVAL OF STATE PLANS.

(a) STATE IMPROVEMENT PLANS.—Section 306(n) of the Goals 2000: Educate America Act (20 U.S.C. 5886(n)) is amended by adding at the end the following new paragraph:

“(4) ALTERNATIVE SUBMISSION.—

“(A) IN GENERAL.—Notwithstanding any other provision of this title, any State educational agency that wishes to receive an allotment under this title after the first year such State educational agency receives such an allotment may, in lieu of submitting its State improvement plan for approval by the Secretary under this subsection and section 305(c)(2), or submitting major amendments to the Secretary under subsection (p), provide the Secretary, as part of an application under section 305(c) or as an amendment to a previously approved application—

“(i) an assurance, from the Governor and the chief State school officer of the State, that—

“(I) the State has a plan that meets the requirements of this section and that is widely available throughout the State; and

“(II) any amendments the State makes to the plan will meet the requirements of this section; and

“(ii) the State’s benchmarks of improved student performance and of progress in implementing the plan, and the timelines against which the State’s progress in carrying out the plan can be measured.

“(B) ANNUAL REPORT.—Any State educational agency that chooses to use the alternative method described in paragraph (1) shall annually report to the public summary information on the use of funds under this title by the State and local educational agencies in the State, as well as the State’s progress toward meeting the benchmarks and timelines described in subparagraph (A)(ii).”

(b) STATE APPLICATIONS.—Section 305(c)(2) of such Act (20 U.S.C. 5885(c)(2)) is amended by inserting “except in the case of a State educational agency submitting the information described in section 306(n)(4),” before “include”.

(c) SECRETARY’S REVIEW OF APPLICATIONS.—Section 307(b)(1) of such Act (20 U.S.C. 5887(b)(1)) is amended—

(1) in subparagraph (A), by striking “or” after the semicolon;

(2) in subparagraph (B), by striking “and” after the semicolon and inserting “or”; and

(3) by adding at the end the following new subparagraph:

“(C) the State educational agency has submitted the information described in section 306(n)(4); and”.

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(d) **PROGRESS REPORTS.**—The matter preceding paragraph (1) of section 312(a) of such Act (20 U.S.C. 5892(a)) is amended by striking “Each” and inserting “Except in the case of a State educational agency submitting the information described in section 306(n)(4), each”.

SEC. 706. LIMITATIONS.

Title III of the Goals 2000: Educate America Act (20 U.S.C. 5881 et seq.) is further amended by adding at the end the following new section:

20 USC 5900.

“SEC. 320. LIMITATIONS.

“(a) **PROHIBITED CONDITIONS.**—Nothing in this Act shall be construed to require a State, a local educational agency, or a school, as a condition of receiving assistance under this title—

“(1) to provide outcomes-based education; or

“(2) to provide school-based health clinics or any other health or social service.

“(b) **LIMITATION ON GOVERNMENT OFFICIALS.**—Nothing in this Act shall be construed to require or permit any Federal or State official to inspect a home, judge how parents raise their children, or remove children from their parents, as a result of the participation of a State, local educational agency, or school in any program or activity carried out under this Act.”.

This Act may be cited as the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996”.

Approved April 26, 1996.

LEGISLATIVE HISTORY—H.R. 3019 (S. 1594):

HOUSE REPORTS: No. 104-537 (Comm. of Conference).

SENATE REPORTS: No. 104-236 accompanying S. 1594 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 142 (1996):

Mar. 7, considered and passed House.

Mar. 11-15, 18, 19, considered and passed Senate, amended.

Apr. 25, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Apr. 26, Presidential statement.

H.R. 2127

House Report 104-209, July 27, 1995.

Considered in House: August 2, 1995.

Passed the House (amended): August 4, 1995.

Senate Report 104-145, September 15, 1995.

Floor action: None

Net grand total, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996	¹ \$266,269,182,000
Appropriations, fiscal year 1996	(224,757,764,000)
Rescissions	(– 422,300,000)
Advance appropriations, fiscal year 1997	(41,683,736,000)
Advance appropriations, fiscal year 1998	(250,000,000)
Limitation on trust funds	(11,546,926,000)
Limitation on guaranteed loans	(567,000,000)

NOTE.—In addition to the total in the annual appropriations act, the following amounts are available for the Departments of Labor, Health and Human Services, and Education and for the Social Security Administration for fiscal year 1996:

Permanent appropriations:

Federal funds:	
Department of Education	4,267,802,000
Department of Health and Human Services	4,341,667,000
Department of Labor	19,948,000
Social Security Administration	6,683,000,000
Trust funds:	
Department of Health and Human Services	198,512,322,000
Department of Labor	27,442,300,000
Social Security Administration	356,316,892,000
Appropriations in legislative acts:	
Personal Responsibility and Work Opportunity Reconciliation Act (Public Law 104–193): ²	
Department of Health and Human Services:	
Family support payments to States, Federal funds	46,000,000
Payments to States for foster care and adoption assistance, Federal funds	6,000,000
Advance appropriations for fiscal year 1996 made during previous session of Congress: 103d Cong., 2d session:	
Department of Health and Human Services:	
Grants to States for Medicaid	27,047,717,000
Administration for Children and Families:	
Family support payments to States	4,400,000,000
Low income home energy assistance	1,319,204,000
Social Security Administration:	
Special benefits for disabled coal miners	180,000,000
Supplemental security income program	7,060,000,000
Disaster Assistance Supplemental, 1995 (Public Law 104–19):	
Department of Health and Human Services:	
Low income home energy assistance (rescission)	– 319,204,000
Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 1996:	
Department of Health and Human Services:	
Food and Drug Administration	878,415,000
Department of Health and Human Services:	
Office of Consumer Affairs	1,800,000
Department of the Interior and Related Agencies Appropriations Act, 1996:	
Department of Education:	
Indian Education	52,500,000
Department of Health and Human Services:	
Indian Health Service	1,986,800,000
Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996:	
Supplemental, Rescissions and Offsets, 1996 (Public Law 104–134):	
Department of Education (rescission)	– 53,446,000
Department of Health and Human Services (offset)	– 10,000,000
Net subtotal, additions	640,179,717,000

¹ Consisting of net total appropriations \$259,828,717,000 and adjustments of \$6,440,465,000 including \$6,507,548,000 for trust funds considered budget authority.

² Approved in second session of 104th Congress.

Deduct advance appropriations for fiscal year 1997 and 1998 and amounts transferred to Department of Defense—Civil functions and General Government totals and adjustments:

Advance appropriations for fiscal year 1997:	
Department of Education:	
Education for the disadvantaged	1,298,386,000
Department of Health and Human Services:	
Health Care financing Administration: Grants to States for Medicaid	26,155,350,000
Administration for Children and Families: Family support payments to States	4,800,000,000
Social Security Administration:	
Special benefits for disabled coal miners	170,000,000
Supplemental security income program	9,260,000,000
Advance appropriations for fiscal year 1998:	
Corporation for Public Broadcasting	250,000,000
Department of Defense—Civil:	
Armed Forces Retirement Home	55,869,000
General Government:	
Corporation for National and Community Service	198,393,000
Federal Mediation and Conciliation Service	32,896,000
Federal Mine Safety and Health Review Commission	6,200,000
National Commission on Libraries and Information Science ...	829,000
National Council on Disability	1,793,000
National Education Goals Panel	1,000,000
National Labor Relations Board	170,743,000
National Mediation Board	7,837,000
Occupational Safety and Health Review Commission	8,100,000
Railroad Retirement Board	222,147,000
United States Institute of Peace	11,500,000
1% cap on performance awards	- 632,000
Net subtotal, deductions	- 42,650,411,000
Less adjustments	- 6,440,465,000
Net total	857,358,023,000
Consisting of:	
Department of Education (net)	28,252,662,000
Department of Health and Human Services (net)	404,672,651,000
Department of Labor (net)	35,118,634,000
Social Security Administration	389,314,076,000