

DIVISION 

1
2 TITLE I—DEPARTMENT OF VETERANS AFFAIRS
3 VETERANS BENEFITS ADMINISTRATION
4 COMPENSATION AND PENSIONS
5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by law (38 U.S.C. 107, chapters
9 11, 13, 18, 51, 53, 55, and 61); pension benefits to or
10 on behalf of veterans as authorized by law (38 U.S.C.
11 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
12 ial benefits, emergency and other officers' retirement pay,
13 adjusted-service credits and certificates, payment of pre-
14 miums due on commercial life insurance policies guaran-
15 teed under the provisions of article IV of the Soldiers' and
16 Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et
17 seq.) and for other benefits as authorized by law (38
18 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53,
19 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123;
20 45 Stat. 735; 76 Stat. 1198), \$32,607,688,000, to remain
21 available until expended: *Provided*, That not to exceed
22 \$20,703,000 of the amount appropriated under this head-
23 ing shall be reimbursed to "General operating expenses"
24 and "Medical services" for necessary expenses in imple-
25 menting those provisions authorized in the Omnibus
26 Budget Reconciliation Act of 1990, and in the Veterans'

1 Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55),
2 the funding source for which is specifically provided as the
3 “Compensation and pensions” appropriation: *Provided*
4 *further*, That such sums as may be earned on an actual
5 qualifying patient basis, shall be reimbursed to “Medical
6 facilities revolving fund” to augment the funding of indi-
7 vidual medical facilities for nursing home care provided
8 to pensioners as authorized.

9 READJUSTMENT BENEFITS

10 For the payment of readjustment and rehabilitation
11 benefits to or on behalf of veterans as authorized by law
12 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53,
13 55, and 61), \$2,556,232,000, to remain available until ex-
14 pended: *Provided*, That expenses for rehabilitation pro-
15 gram services and assistance which the Secretary is au-
16 thorized to provide under section 3104(a) of title 38,
17 United States Code, other than under subsection (a)(1),
18 (2), (5), and (11) of that section, shall be charged to this
19 account.

20 VETERANS INSURANCE AND INDEMNITIES

21 For military and naval insurance, national service life
22 insurance, servicemen’s indemnities, service-disabled vet-
23 erans insurance, and veterans mortgage life insurance as
24 authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72
25 Stat. 487, \$44,380,000, to remain available until ex-
26 pended.

1 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM
2 ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For the cost of direct and guaranteed loans, such
5 sums as may be necessary to carry out the program, as
6 authorized by 38 U.S.C. chapter 37, as amended: *Pro-*
7 *vided*, That such costs, including the cost of modifying
8 such loans, shall be as defined in section 502 of the Con-
9 gressional Budget Act of 1974, as amended: *Provided fur-*
10 *ther*, That during fiscal year 2005, within the resources
11 available, not to exceed \$500,000 in gross obligations for
12 direct loans are authorized for specially adapted housing
13 loans.

14 In addition, for administrative expenses to carry out
15 the direct and guaranteed loan programs, \$154,075,000,
16 which may be transferred to and merged with the appro-
17 priation for "General operating expenses".

18 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
19 (INCLUDING TRANSFER OF FUNDS)

20 For the cost of direct loans, \$47,000, as authorized
21 by 38 U.S.C. chapter 31, as amended: *Provided*, That such
22 costs, including the cost of modifying such loans, shall be
23 as defined in section 502 of the Congressional Budget Act
24 of 1974, as amended: *Provided further*, That funds made
25 available under this heading are available to subsidize

1 gross obligations for the principal amount of direct loans
2 not to exceed \$4,108,000.

3 In addition, for administrative expenses necessary to
4 carry out the direct loan program, \$311,000, which may
5 be transferred to and merged with the appropriation for
6 "General operating expenses".

7 GUARANTEED TRANSITIONAL HOUSING LOANS FOR
8 HOMELESS VETERANS PROGRAM ACCOUNT

9 For the administrative expenses to carry out the
10 guaranteed transitional housing loan program authorized
11 by 38 U.S.C. chapter 37, subchapter VI, not to exceed
12 \$750,000 of the amounts appropriated by this Act for
13 "General operating expenses" and "Medical ~~services~~" may
14 be expended.

administration

15 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
16 ACCOUNT
17 (INCLUDING TRANSFER OF FUNDS)

18 For administrative expenses to carry out the direct
19 loan program authorized by 38 U.S.C. chapter 37, sub-
20 chapter V, as amended, \$571,000, which may be trans-
21 ferred to and merged with the appropriation for "General
22 operating expenses": *Provided*, That no new loans in ex-
23 cess of \$50,000,000 may be made in fiscal year 2005.

1 VETERANS HEALTH ADMINISTRATION

2 MEDICAL SERVICES

3 For necessary expenses for furnishing, as authorized
4 by law, inpatient and outpatient care and treatment to
5 beneficiaries of the Department of Veterans Affairs and
6 veterans described in paragraphs (1) through (8) of sec-
7 tion 1705(a) of title 38, United States Code, including
8 care and treatment in facilities not under the jurisdiction
9 of the department and including medical supplies and
10 equipment and salaries and expenses of health-care em-
11 ployees hired under title 38, United States Code, and aid
12 to State homes as authorized by section 1741 of title 38,
13 United States Code; \$19,472,777,200, plus reimburse-
14 ments: *Provided*, That of the funds made available under
15 this heading, not to exceed \$1,100,000,000 shall be avail-
16 able until September 30, 2006: *Provided further*, That,
17 notwithstanding any other provision of law, the Secretary
18 of Veterans Affairs shall establish a priority for treatment
19 for veterans who are service-connected disabled, lower in-
20 come, or have special needs: *Provided further*, That, not-
21 withstanding any other provision of law, the Secretary of
22 Veterans Affairs shall give priority funding for the provi-
23 sion of basic medical benefits to veterans in enrollment
24 priority groups 1 through 6: *Provided further*, That of the
25 funds made available under this heading, the Secretary

](Including Transfers of Funds)

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1 may transfer up to \$400,000,000, to remain available
2 until expended, to “Construction, major projects” for pur-
3 poses of implementing CARES subject to a determination
4 by the Secretary that such funds will improve access and
5 quality of veteran’s health care needs: *Provided further*,
6 That, during the fiscal year ending September 30, 2005,
7 the Secretary may transfer not more than \$125,000,000
8 of the unobligated balances in this account and amounts
9 made available under this heading to “General operating
10 expenses” for costs associated with processing claims
11 where the basis of the entitlement is claimed disability in-
12 curred as a result of a veteran’s service, subject to a deter-
13 mination by the Secretary of Veterans Affairs that such
14 additional funds are necessary: *Provided further*, That,
15 notwithstanding any other provision of law, the Secretary
16 of Veterans Affairs may authorize the dispensing of pre-
17 scription drugs from Veterans Health Administration fa-
18 cilities to enrolled veterans with privately written prescrip-
19 tions based on requirements established by the Secretary:
20 *Provided further*, That the implementation of the program
21 described in the previous proviso shall incur no additional
22 cost to the Department of Veterans Affairs: *Provided fur-*
23 *ther*, That for the DOD VA Health Care Sharing Incentive
24 Fund, as authorized by section 721 of Public Law 107–

1 314, a minimum of \$15,000,000, to remain available until
2 expended, for any purpose authorized by 38 U.S.C. 8111.

3 MEDICAL ADMINISTRATION

4 For necessary expenses in the administration of the
5 medical, hospital, nursing home, domiciliary, construction,
6 supply, and research activities, as authorized by law; ad-
7 ministrative expenses in support of capital policy activi-
8 ties; information technology hardware and software; uni-
9 forms or allowances therefor, as authorized by sections
10 5901–5902 of title 5, United States Code; and administra-
11 tive and legal expenses of the department for collecting
12 and recovering amounts owed the department as author-
13 ized under chapter 17 of title 38, United States Code, and
14 the Federal Medical Care Recovery Act (42 U.S.C. 2651
15 et seq.); \$4,705,000,000, of which \$250,000,000 shall be
16 available until September 30, 2006, plus reimbursements.

17 MEDICAL FACILITIES

18 For necessary expenses for the maintenance and op-
19 eration of hospitals, nursing homes, and domiciliary facili-
20 ties and other necessary facilities for the Veterans Health
21 Administration; for administrative expenses in support of
22 planning, design, project management, real property ac-
23 quisition and disposition, construction and renovation of
24 any facility under the jurisdiction or for the use of the
25 department; for oversight, engineering and architectural
26 activities not charged to project costs; for repairing, alter-

1 ing, improving or providing facilities in the several hos-
2 pitals and homes under the jurisdiction of the department,
3 not otherwise provided for, either by contract or by the
4 hire of temporary employees and purchase of materials;
5 for leases of facilities; and for laundry and food services,
6 \$3,745,000,000, of which \$250,000,000 shall be available
7 until September 30, 2006.

8 MEDICAL AND PROSTHETIC RESEARCH

9 For necessary expenses in carrying out programs of
10 medical and prosthetic research and development as au-
11 thorized by chapter 73 of title 38, United States Code,
12 to remain available until September 30, 2006,
13 405,593,000 ~~\$405,592,800~~, plus reimbursements.

14 DEPARTMENTAL ADMINISTRATION

15 GENERAL OPERATING EXPENSES

16 For necessary operating expenses of the Department
17 of Veterans Affairs, not otherwise provided for, including
18 administrative expenses in support of department-wide
19 capital planning, management and policy activities, uni-
20 forms or allowances therefor; not to exceed \$25,000 for
21 official reception and representation expenses; hire of pas-
22 senger motor vehicles; and reimbursement of the General
23 Services Administration for security guard services, and
24 the Department of Defense for the cost of overseas em-
25 ployee mail, \$1,324,753,000: *Provided*, That expenses for
26 services and assistance authorized under 38 U.S.C.

1 3104(a)(1), (2), (5), and (11) that the Secretary deter-
2 mines are necessary to enable entitled veterans: (1) to the
3 maximum extent feasible, to become employable and to ob-
4 tain and maintain suitable employment; or (2) to achieve
5 maximum independence in daily living, shall be charged
6 to this account: *Provided further*, That the Veterans Bene-
7 fits Administration shall be funded at not less than
8 ~~\$1,102,193,000~~: *Provided further*, That of the funds made
9 available under this heading, not to exceed \$66,000,000
10 shall be available for obligation until September 30, 2006:
11 *Provided further*, That from the funds made available
12 under this heading, the Veterans Benefits Administration
13 may purchase up to two passenger motor vehicles for use
14 in operations of that Administration in Manila, Phil-
15 ippines.

16 NATIONAL CEMETERY ADMINISTRATION

17 For necessary expenses of the National Cemetery Ad-
18 ministration for operations and maintenance, not other-
19 wise provided for, including uniforms or allowances there-
20 for; cemeterial expenses as authorized by law; purchase
21 of one passenger motor vehicle for use in cemeterial oper-
22 ations; and hire of passenger motor vehicles,
23 \$148,925,000: *Provided*, That of the funds made available
24 under this heading, not to exceed \$7,400,000 shall be
25 available until September 30, 2006.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended, \$69,711,000, to remain
5 available until September 30, 2006.

6 CONSTRUCTION, MAJOR PROJECTS

7 For constructing, altering, extending and improving
8 any of the facilities including parking projects under the
9 jurisdiction or for the use of the Department of Veterans
10 Affairs, or for any of the purposes set forth in sections
11 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110,
12 and 8122 of title 38, United States Code, including plan-
13 ning, architectural and engineering services, maintenance
14 or guarantee period services costs associated with equip-
15 ment guarantees provided under the project, services of
16 claims analysts, offsite utility and storm drainage system
17 construction costs, and site acquisition, where the esti-
18 mated cost of a project is more than the amount set forth
19 in 38 U.S.C. 8104(a)(3)(A) or where funds for a project
20 were made available in a previous major project appropria-
21 tion, \$458,800,000, to remain available until expended, of
22 which \$370,709,000 shall be for Capital Asset Realign-
23 ment for Enhanced Services (CARES) activities; and of
24 which \$8,091,000 shall be to make reimbursements as
25 provided in 41 U.S.C. 612 for claims paid for contract
26 disputes: *Provided*, That except for advance planning ac-

1 tivities, including needs assessments which may or may
2 not lead to capital investments, and other capital asset
3 management related activities, such as portfolio develop-
4 ment and management activities, and investment strategy
5 studies funded through the advance planning fund and the
6 planning and design activities funded through the design
7 fund and CARES funds, including needs assessments
8 which may or may not lead to capital investments, none
9 of the funds appropriated under this heading shall be used
10 for any project which has not been approved by the Con-
11 gress in the budgetary process: *Provided further*, That
12 funds provided in this appropriation for fiscal year 2005,
13 for each approved project (except those for CARES activi-
14 ties referenced above) shall be obligated: (1) by the award-
15 ing of a construction documents contract by September
16 30, 2005; and (2) by the awarding of a construction con-
17 tract by September 30, 2006: *Provided further*, That the
18 Secretary of Veterans Affairs shall promptly report in
19 writing to the Committees on Appropriations any ap-
20 proved major construction project in which obligations are
21 not incurred within the time limitations established above.

22 CONSTRUCTION, MINOR PROJECTS

23 For constructing, altering, extending, and improving
24 any of the facilities including parking projects under the
25 jurisdiction or for the use of the Department of Veterans
26 Affairs, including planning and assessments of needs

1 which may lead to capital investments, architectural and
2 engineering services, maintenance or guarantee period
3 services costs associated with equipment guarantees pro-
4 vided under the project, services of claims analysts, offsite
5 utility and storm drainage system construction costs, and
6 site acquisition, or for any of the purposes set forth in
7 sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109,
8 8110, 8122, and 8162 of title 38, United States Code,
9 where the estimated cost of a project is equal to or less
10 than the amount set forth in 38 U.S.C. 8104(a)(3)(A),
11 \$230,779,000, to remain available until expended, along
12 with unobligated balances of previous "Construction,
13 minor projects" appropriations which are hereby made
14 available for any project where the estimated cost is equal
15 to or less than the amount set forth in 38 U.S.C.
16 8104(a)(3)(A), of which \$182,100,000 shall be for Capital
17 Asset Realignment for Enhanced Services (CARES) ac-
18 tivities: *Provided*, That from amounts appropriated under
19 this heading, additional amounts may be used for CARES
20 activities upon notification of and approval by the Com-
21 mittees on Appropriations: *Provided further*, That funds
22 in this account shall be available for: (1) repairs to any
23 of the nonmedical facilities under the jurisdiction or for
24 the use of the department which are necessary because
25 of loss or damage caused by any natural disaster or catas-

1 trophe; and (2) temporary measures necessary to prevent
2 or to minimize further loss by such causes.

3 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
4 FACILITIES

5 For grants to assist States to acquire or construct
6 State nursing home and domiciliary facilities and to re-
7 model, modify or alter existing hospital, nursing home and
8 domiciliary facilities in State homes, for furnishing care
9 to veterans as authorized by 38 U.S.C. 8131-8137,
10 \$105,163,000, to remain available until expended.

11 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS
12 CEMETERIES

13 For grants to aid States in establishing, expanding,
14 or improving State veterans cemeteries as authorized by
15 38 U.S.C. 2408, \$32,000,000, to remain available until
16 expended.

17 ADMINISTRATIVE PROVISIONS

18 (INCLUDING RESCISSION OF FUNDS)

TRANSFERS

19 SEC. 101. Any appropriation for fiscal year 2005 for
20 "Compensation and pensions", "Readjustment benefits",
21 and "Veterans insurance and indemnities" may be trans-
22 ferred to any other of the mentioned appropriations.

23 SEC. 102. Appropriations available to the Depart-
24 ment of Veterans Affairs for fiscal year 2005 for salaries
25 and expenses shall be available for services authorized by
26 5 U.S.C. 3109 hire of passenger motor vehicles; lease of

1 a facility or land or both; and uniforms or allowances
2 therefore, as authorized by 5 U.S.C. 5901–5902.

3 SEC. 103. No appropriations in this Act for the De-
4 partment of Veterans Affairs (except the appropriations
5 for “Construction, major projects”, “Construction, minor
6 projects”, and the “Parking revolving fund”) shall be
7 available for the purchase of any site for or toward the
8 construction of any new hospital or home.

9 SEC. 104. No appropriations in this Act for the De-
10 partment of Veterans Affairs shall be available for hos-
11 pitalization or examination of any persons (except bene-
12 ficiaries entitled under the laws bestowing such benefits
13 to veterans, and persons receiving such treatment under
14 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless re-
15 imbursement of cost is made to the “Medical services” ac-
16 count at such rates as may be fixed by the Secretary of
17 Veterans Affairs.

18 SEC. 105. Appropriations available to the Depart-
19 ment of Veterans Affairs for fiscal year 2005 for “Com-
20 pensation and pensions”, “Readjustment benefits”, and
21 “Veterans insurance and indemnities” shall be available
22 for payment of prior year accrued obligations required to
23 be recorded by law against the corresponding prior year
24 accounts within the last quarter of fiscal year 2004.

1 SEC. 106. Appropriations accounts available to the
2 Department of Veterans Affairs for fiscal year 2005 shall
3 be available to pay prior year obligations of corresponding
4 prior year appropriations accounts resulting from title X
5 of the Competitive Equality Banking Act, Public Law
6 100–86, except that if such obligations are from trust
7 fund accounts they shall be payable from “Compensation
8 and pensions”.

9 SEC. 107. Notwithstanding any other provision of
10 law, during fiscal year 2005, the Secretary of Veterans
11 Affairs shall, from the National Service Life Insurance
12 Fund (38 U.S.C. 1920), the Veterans’ Special Life Insur-
13 ance Fund (38 U.S.C. 1923), and the United States Gov-
14 ernment Life Insurance Fund (38 U.S.C. 1955), reim-
15 burse the “General operating expenses” account for the
16 cost of administration of the insurance programs financed
17 through those accounts: *Provided*, That reimbursement
18 shall be made only from the surplus earnings accumulated
19 in an insurance program in fiscal year 2005 that are avail-
20 able for dividends in that program after claims have been
21 paid and actuarially determined reserves have been set
22 aside: *Provided further*, That if the cost of administration
23 of an insurance program exceeds the amount of surplus
24 earnings accumulated in that program, reimbursement
25 shall be made only to the extent of such surplus earnings:

1 *Provided further*, That the Secretary shall determine the
2 cost of administration for fiscal year 2005 which is prop-
3 erly allocable to the provision of each insurance program
4 and to the provision of any total disability income insur-
5 ance included in such insurance program.

6 SEC. 108. Notwithstanding any other provision of
7 law, the Department of Veterans Affairs shall continue the
8 Franchise Fund pilot program authorized to be estab-
9 lished by section 403 of Public Law 103-356 until Octo-
10 ber 1, 2005: *Provided*, That the Franchise Fund, estab-
11 lished by title I of Public Law 104-204 to finance the
12 operations of the Franchise Fund pilot program, shall con-
13 tinue until October 1, 2005.

14 SEC. 109. Amounts deducted from enhanced-use
15 lease proceeds to reimburse an account for expenses in-
16 curred by that account during a prior fiscal year for pro-
17 viding enhanced-use lease services, may be obligated dur-
18 ing the fiscal year in which the proceeds are received.

19 SEC. 110. Funds available in any Department of Vet-
20 erans Affairs appropriation for fiscal year 2005 or funds
21 for salaries and other administrative expenses shall also
22 be available to reimburse the Office of Resolution Manage-
23 ment and the Office of Employment Discrimination Com-
24 plaint Adjudication for all services provided at rates which
25 will recover actual costs but not exceed \$29,318,000 for

1 the Office of Resolution Management and \$3,059,000 for
2 the Office of Employment and Discrimination Complaint
3 Adjudication: *Provided*, That payments may be made in
4 advance for services to be furnished based on estimated
5 costs: *Provided further*, That amounts received shall be
6 credited to “General operating expenses” for use by the
7 office that provided the service.

8 SEC. 111. No appropriations in this Act for the De-
9 partment of Veterans Affairs shall be available to enter
10 into any new lease of real property if the estimated annual
11 rental is more than \$300,000 unless the Secretary submits
12 a report which the Committees on Appropriations of the
13 Congress approve within 30 days following the date on
14 which the report is received.

15 SEC. 112. No funds of the Department of Veterans
16 Affairs shall be available for hospital care, nursing home
17 care, or medical services provided to any person under
18 chapter 17 of title 38, United States Code, for a non-serv-
19 ice-connected disability described in section 1729(a)(2) of
20 such title, unless that person has disclosed to the Sec-
21 retary of Veterans Affairs, in such form as the Secretary
22 may require, current, accurate third-party reimbursement
23 information for purposes of section 1729 of such title: *Pro-*
24 *vided*, That the Secretary may recover, in the same man-
25 ner as any other debt due the United States, the reason-

1 able charges for such care or services from any person who
2 does not make such disclosure as required: *Provided fur-*
3 *ther*, That any amounts so recovered for care or services
4 provided in a prior fiscal year may be obligated by the
5 Secretary during the fiscal year in which amounts are re-
6 ceived.

7 SEC. 113. Of the amounts provided in this Act,
8 \$25,000,000 shall be for information technology initiatives
9 to support the enterprise architecture of the Department
10 of Veterans Affairs.

11 SEC. 114. None of the funds made available to the
12 Department in this Act, or any other Act, may be used
13 to implement sections 2 and 5 of Public Law 107-287.

14 SEC. 115. (a) Hereafter receipts that would otherwise
15 be credited to the accounts listed in subsection (c) shall
16 be deposited into the Medical Care Collections Fund, and
17 shall be transferred to and merged with the "Medical serv-
18 ices" account, and subsequent years, to remain available
19 until expended, to carry out the purposes of the "Medical
20 services" account.

21 (b) The unobligated balances in the accounts listed
22 in subsection (c), shall be transferred to and merged with
23 the "Medical services" account in fiscal year 2005 and
24 subsequent years, and remain available until expended, to
25 carry out the purposes of the "Medical services" account:

in fiscal year 2005

1 *Provided*, That the obligated balances in these accounts
2 may be transferred to the “Medical services” account at
3 the discretion of the Secretary of Veterans Affairs and
4 shall remain available until expended.

5 (c) Veterans Extended Care Revolving Fund; Medical
6 Facilities Revolving Fund; Special Therapeutic and Reha-
7 bilitation Fund; Nursing Home Revolving Fund; Veterans
8 Health Services Improvement Fund; and Parking Revolv-
9 ing Fund.

10 SEC. 116. (a) The Secretary of Veterans Affairs shall
11 conduct by contract a program of recovery audits for the
12 fee basis and other medical services contracts with respect
13 to payments for hospital care. Notwithstanding section
14 3302(b) of title 31, United States Code, amounts col-
15 lected, by setoff or otherwise, as the result of such audits
16 shall be available, without fiscal year limitation, for the
17 purposes for which funds are appropriated under “Medical
18 services” and the purposes of paying a contractor a per-
19 cent of the amount collected as a result of an audit carried
20 out by the contractor.

21 (b) All amounts so collected under subsection (a) with
22 respect to a designated health care region (as that term
23 is defined in section 1729A(d)(2) of title 38, United States
24 Code) shall be allocated, net of payments to the con-
25 tractor, to that region.

1 SEC. 117. Notwithstanding any other provision of
2 law, at the discretion of the Secretary of Veterans Affairs,
3 proceeds or revenues derived from enhanced-use leasing
4 activities (including disposal) that are deposited into the
5 Medical Care Collections Fund may be transferred and
6 merged with “Construction, major projects” and “Con-
7 struction, minor projects” accounts and be used for con-
8 struction (including site acquisition and disposition), alter-
9 ations and improvements of any medical facility under the
10 jurisdiction or for the use of the Department of Veterans
11 Affairs. Such sums as realized are in addition to the
12 amount provided for in “Construction, major projects”
13 and “Construction, minor projects”.

14 SEC. 118. Amounts made available under “Medical
15 services” are available—

16 (1) for furnishing recreational facilities, sup-
17 plies, and equipment; and

18 (2) for funeral expenses, burial expenses, and
19 other expenses incidental to funerals and burials for
20 beneficiaries receiving care in the department.

21 SEC. 119. That such sums as may be deposited to
22 the Medical Care Collections Fund pursuant to 38 U.S.C.
23 1729A may be transferred to “Medical services”, to re-
24 main available until expended for the purposes of this ac-
25 count.

1 SEC. 120. Amounts made available for fiscal year
2 2005 under the “Medical services”, “Medical administra-
3 tion”, and “Medical facilities” accounts may be trans-
4 ferred between the accounts to the extent necessary to im-
5 plement the restructuring of the Veterans Health Admin-
6 istration accounts after notice of the amount and purpose
7 of the transfer is provided to the Committees on Appro-
8 priations of the Senate and House of Representatives and
9 a period of 30 days has elapsed: *Provided*, That the limita-
10 tion on transfers is 20 percent in fiscal year 2005.

11 SEC. 121. Any appropriation for fiscal year 2005 for
12 the Veterans Benefits Administration made available
13 under the heading “General operating expenses” may be
14 transferred to the “Veterans Housing Benefit Program
15 Fund Program Account” for the purpose of providing
16 funds for the nationwide property management contract
17 if the administrative costs of such contract exceed
18 \$8,800,000 in the budget year.

19 SEC. 122. The Department of Veterans Affairs is au-
20 thorized to expend such sums as are available in the unob-
21 ligated balances of the funds originally appropriated to
22 “Medical Care” for emergency expenses resulting from the
23 January 1994 earthquake in Southern California in Public
24 Law 103–211, Emergency Supplemental Appropriations

1 Act of 1994, for the same purposes of the “Medical Serv-
2 ices” account, to remain available until expended.

3 SEC. 123. Notwithstanding any other provision of
4 law, the Secretary of Veterans Affairs (Secretary) shall
5 allow veterans eligible under existing VA Medical Care re-
6 quirements and who reside in Alaska to obtain medical
7 care services from medical facilities supported by the In-
8 dian Health Services or tribal organizations. The Sec-
9 retary shall (1) limit the application of this provision to
10 rural Alaskan veterans in areas where an existing VA fa-
11 cility or VA-contracted service is unavailable, (2) require
12 participating veterans and facilities to comply with all ap-
13 propriate rules and regulations, as established by the Sec-
14 retary, (3) require this provision to be consistent with
15 CARES, and (4) result in no additional cost to the De-
16 partment of Veterans Affairs or Indian Health Services.

17 SEC. 124. Of the funds made available under the
18 heading “Construction, minor projects” in Chapter 11 of
19 Division B of the Military Construction Appropriations
20 and Emergency Hurricane Supplemental Appropriations
21 Act, 2005, Public Law 108–324, the Secretary of Vet-
22 erans Affairs may transfer up to \$19,800,000 to the
23 “Medical Facilities” account for non-recurring mainte-
24 nance expenses related to hurricane and tropical storm
25 damage.

1 TITLE II—DEPARTMENT OF HOUSING AND
2 URBAN DEVELOPMENT
3 PUBLIC AND INDIAN HOUSING
4 TENANT-BASED RENTAL ASSISTANCE
5 (INCLUDING TRANSFER OF FUNDS)

6 For activities and assistance for the provision of ten-
7 ant-based rental assistance authorized under the United
8 States Housing Act of 1937, as amended (42 U.S.C. 1437
9 et seq.) ('the Act' herein), not otherwise provided for,
10 ~~\$14,887,000,000~~, to remain available until expended, of
11 ~~which \$10,687,000,000~~ shall be available on October 1,
12 2004 and \$4,200,000,000 shall be available on October
13 1, 2005: *Provided*, That the amounts made available under
14 this heading are provided as follows:

15 (1) \$13,462,989,000 for renewals of expiring
16 section 8 tenant-based annual contributions con-
17 tracts (including renewals of enhanced vouchers
18 under any provision of law authorizing such assist-
19 ance under section 8(t) of the Act): *Provided*, That
20 notwithstanding any other provision of law, from
21 amounts provided under this paragraph, the Sec-
22 retary for the calendar year 2005 funding cycle shall
23 renew such contracts for each public housing agency
24 based on verified Voucher Management System
25 (VMS) leasing and cost data averaged for the
26 months of May, June, and July of 2004, and by ap-

1 plying the 2005 Annual Adjustment Factor as estab-
2 lished by the Secretary, and by making any nec-
3 essary adjustments for the costs associated with the
4 first-time renewal of tenant protection or HOPE VI
5 vouchers: *Provided further*, That if such data is not
6 available, verifiable, or complete, the Secretary shall
7 use verified VMS leasing and cost data averaged for
8 the months of February, March, and April of 2004,
9 and by applying the 2005 Annual Adjustment Fac-
10 tor as established by the Secretary, and by making
11 any necessary adjustments for the costs associated
12 with the first-time renewal of tenant protection or
13 HOPE VI vouchers: *Provided further*, That if such
14 data is not available, verifiable, or complete, the Sec-
15 retary shall use leasing and cost data from the most
16 recent end-of-year financial statements for public
17 housing agency fiscal years ending no later than
18 March 31, 2004, and by applying the 2005 Annual
19 Adjustment Factor as established by the Secretary,
20 and by making any necessary adjustments for the
21 costs associated with the first-time renewal of tenant
22 protection or HOPE VI vouchers: *Provided further*,
23 That the Secretary shall, to the extent necessary to
24 stay within the amount provided under this para-
25 graph, pro rate each public housing agency's alloca-

1 tion otherwise established pursuant to this para-
2 graph: *Provided further*, That the entire amount pro-
3 vided under this paragraph shall be obligated to the
4 public housing agencies based on the allocation and
5 pro rata method described above: *Provided further*,
6 That public housing agencies participating in the
7 Moving to Work demonstration shall be funded pur-
8 suant to their Moving to Work agreements and shall
9 be subject to the same pro rata adjustments under
10 the previous proviso: Provide further, That none of
11 the funds provided in this paragraph may be used
12 to support a total number of unit months under
13 lease which exceeds a public housing agency's au-
14 thorized level of units under contract;

15 (2) \$163,000,000 for section 8 rental assistance
16 for relocation and replacement of housing units that
17 are demolished or disposed of pursuant to the Omni-
18 bus Consolidated Rescissions and Appropriations Act
19 of 1996 (Public Law 104-134), conversion of section
20 23 projects to assistance under section 8, the family
21 unification program under section 8(x) of the Act,
22 relocation of witnesses in connection with efforts to
23 combat crime in public and assisted housing pursu-
24 ant to a request from a law enforcement or prosecu-
25 tion agency, enhanced vouchers under any provision

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1 of law authorizing such assistance under section 8(t)
2 of the Act, and tenant protection assistance, includ-
3 ing replacement and relocation assistance;

4 (3) \$46,000,000 for family self-sufficiency coor-
5 dinators under section 23 of the Act;

6 (4) ~~\$2,944,000~~ shall be transferred to the
7 Working Capital Fund; and

8 (5) \$1,210,107,000 for administrative and
9 other expenses of public housing agencies in admin-
10 istering the section 8 tenant-based rental assistance
11 program, of which up to \$25,000,000 shall be avail-
12 able to the Secretary to allocate to public housing
13 agencies that need additional funds to administer
14 their section 8 programs: *Provided, That*
15 \$1,185,107,000 of the amount provided in this para-
16 graph shall be allocated for the calendar year 2005
17 funding cycle on a pro rata basis to public housing
18 agencies based on the amount public housing agen-
19 cies were eligible to receive in calendar year 2004:
20 *Provided further, That* all amounts provided under
21 this paragraph shall be only for activities related to
22 the provision of tenant-based rental assistance au-
23 thorized under section 8, including related develop-
24 ment activities.

2,904,000

1 PROJECT-BASED RENTAL ASSISTANCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For activities and assistance for the provision of
4 project-based subsidy contracts under the United States
5 Housing Act of 1937, as amended (42 U.S.C. 1437 et
6 seq.) ('the Act' herein), not otherwise provided for,

7 ~~\$5,339,000,000~~ to remain available until expended: *Pro-*
8 *vided*, That the amounts made available under this head-

9 ing are provided as follows:

10 (1) ~~\$5,235,140,000~~ for expiring or terminating
11 section 8 project-based subsidy contracts (including
12 section 8 moderate rehabilitation contracts), for
13 amendments to section 8 project-based subsidy con-
14 tracts (including section 8 moderate rehabilitation
15 contracts), for contracts entered into pursuant to
16 section 441 of the McKinney-Vento Homeless Assist-
17 ance Act, for renewal of section 8 contracts for units
18 in projects that are subject to approved plans of ac-
19 tion under the Emergency Low Income Housing
20 Preservation Act of 1987 or the Low-Income Hous-
21 ing Preservation and Resident Homeownership Act
22 of 1990, and for administrative and other expenses
23 associated with project-based activities and assist-
24 ance funded under this paragraph;

1 (2) \$101,900,000 for performance-based con-
2 tract administrators for section 8 project-based as-
3 sistance; and

4 (3) ~~\$1,960,000~~ shall be transferred to the
5 Working Capital Fund.

6 PUBLIC HOUSING CAPITAL FUND
7 (INCLUDING TRANSFERS OF FUNDS)

8 For the Public Housing Capital Fund Program to
9 carry out capital and management activities for public
10 housing agencies, as authorized under section 9 of the
11 United States Housing Act of 1937, as amended (42
12 U.S.C. 1437g) (the "Act") \$2,600,000,000, to remain
13 available until September 30, 2008: *Provided*, That not-
14 withstanding any other provision of law or regulation, dur-
15 ing fiscal year 2005, the Secretary may not delegate to
16 any Department official other than the Deputy Secretary
17 and the Assistant Secretary for Public and Indian Hous-
18 ing any authority under paragraph (2) of section 9(j) re-
19 garding the extension of the time periods under such sec-
20 tion: *Provided further*, That for purposes of such section
21 9(j), the term "obligate" means, with respect to amounts,
22 that the amounts are subject to a binding agreement that
23 will result in outlays, immediately or in the future: *Pro-*
24 *vided further*, That of the total amount provided under
25 this heading, up to \$38,700,000 shall be for carrying out
26 activities under section 9(h) of such Act, of which

1 \$12,500,000 shall be for the provision of remediation serv-
2 ices to public housing agencies identified as “troubled”
3 under the Section 8 Management Assessment Program
4 and for surveys used to calculate local Fair Market Rents
5 and assess housing conditions in connection with rental
6 assistance under section 8 of the Act: *Provided further,*
7 That \$10,150,000 shall be transferred to the Working
8 Capital Fund: *Provided further,* That no funds may be
9 used under this heading for the purposes specified in sec-
10 tion 9(k) of the United States Housing Act of 1937, as
11 amended: *Provided further,* That of the total amount pro-
12 vided under this heading, up to \$30,000,000 shall be avail-
13 able for the Secretary of Housing and Urban Development
14 to make grants, notwithstanding section 205 of this Act,
15 to public housing agencies for emergency capital needs re-
16 sulting from unforeseen emergencies and natural disasters
17 occurring in fiscal year 2005: *Provided further,* That of
18 the total amount provided under this heading,
19 \$53,500,000 shall be for supportive services, service coor-
20 dinators and congregate services as authorized by section
21 34 of the Act and the Native American Housing Assist-
22 ance and Self-Determination Act of 1996: *Provided fur-*
23 *ther,* That up to \$3,000,000 to support the costs of admin-
24 istrative and judicial receiverships in effect prior to date
25 of enactment of this Act: *Provided further,* That of the

13

1 total amount provided under this heading, \$15,000,000
2 shall be for Neighborhood Networks grants for activities
3 authorized in section 9(d)(1)(E) of the United States
4 Housing Act of 1937, as amended, of which up to
5 \$1,000,000 may be used for technical assistance in con-
6 nection with such grants as authorized in section 9(h)(8)
7 of such Act: *Provided further*, That notwithstanding any
8 other provision of law, amounts made available in the pre-
9 vious proviso shall be awarded to public housing agencies
10 on a competitive basis: *Provided further*, That notwith-
11 standing section 9(d)(1)(E) of the United States Housing
12 Act of 1937, ~~and~~ Neighborhood Networks computer center
13 established with funding made available under this head-
14 ing in this Act, shall be available for use by residents of
15 public housing and residents of other housing assisted
16 with funding made available under this title in this Act
17 or any other Act.

18 PUBLIC HOUSING OPERATING FUND

19 For 2005 payments to public housing agencies for the
20 operation and management of public housing, as author-
21 ized by section 9(e) of the United States Housing Act of
22 1937, as amended (42 U.S.C. 1437g(e)), \$2,458,000,000,
23 of which \$10,000,000 in bonus funds shall be provided
24 to public housing agencies that assist program partici-
25 pants in moving away from dependency on housing assist-
26 ance programs: *Provided*, That of the total amount pro-

1 vided under this heading, \$8,000,000 shall be for pro-
2 grams, as determined appropriate by the Attorney Gen-
3 eral, which assist in the investigation, prosecution, and
4 prevention of violent crimes and drug offenses in public
5 and federally-assisted low-income housing, including In-
6 dian housing, which shall be administered by the Depart-
7 ment of Justice through a cooperative agreement with the
8 Department of Housing and Urban Development: *Pro-*
9 *vided further*, That any such 2005 payment shall be pro-
10 vided in an amount sufficient to cover only the period be-
11 ginning with the start of a public housing agency's fiscal
12 year and ending on December 31, 2005: *Provided further*,
13 That for fiscal year 2006 and all fiscal years thereafter,
14 the Secretary shall provide assistance under this heading
15 to public housing agencies on a calendar year basis: *Pro-*
16 *vided further*, That, in fiscal year 2005 and all fiscal years
17 hereafter, no amounts under this heading in any appro-
18 priations Act may be used for payments to public housing
19 agencies for the costs of operation and management of
20 public housing for any year prior to the current year of
21 such Act: *Provided further*, That no funds may be used
22 under this heading for the purposes specified in section
23 9(k) of the United States Housing Act of 1937, as amend-
24 ed.

1 REVITALIZATION OF SEVERELY DISTRESSED PUBLIC
2 HOUSING (HOPE VI)

3 For grants to public housing agencies for demolition,
4 site revitalization, replacement housing, and tenant-based
5 assistance grants to projects as authorized by section 24
6 of the United States Housing Act of 1937, as amended,
7 \$144,000,000, to remain available until September 30,
8 2006, of which the Secretary may use up to \$4,000,000
9 for technical assistance and contract expertise, to be pro-
10 vided directly or indirectly by grants, contracts or coopera-
11 tive agreements, including training and cost of necessary
12 travel for participants in such training, by or to officials
13 and employees of the department and of public housing
14 agencies and to residents: *Provided*, That none of such
15 funds shall be used directly or indirectly by granting com-
16 petitive advantage in awards to settle litigation or pay
17 judgments, unless expressly permitted herein.

18 NATIVE AMERICAN HOUSING BLOCK GRANTS
19 (INCLUDING TRANSFERS OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), \$627,000,000, to remain available until expended, of which \$2,200,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National

1 American Indian Housing Council in support of the imple-
2 mentation of NAHASDA; of which \$4,500,000 shall be
3 to support the inspection of Indian housing units, contract
4 expertise, training, and technical assistance in the train-
5 ing, oversight, and management of Indian housing and
6 tenant-based assistance, including up to \$300,000 for re-
7 lated travel; and of which \$2,600,000 shall be transferred
8 to the Working Capital Fund: *Provided*, That of the
9 amount provided under this heading, \$2,000,000 shall be
10 made available for the cost of guaranteed notes and other
11 obligations, as authorized by title VI of NAHASDA: *Pro-*
12 *vided further*, That such costs, including the costs of modi-
13 fying such notes and other obligations, shall be as defined
14 in section 502 of the Congressional Budget Act of 1974,
15 as amended: *Provided further*, That these funds are avail-
16 able to subsidize the total principal amount of any notes
17 and other obligations, any part of which is to be guaran-
18 teed, not to exceed \$17,926,000: *Provided further*, That
19 for administrative expenses to carry out the guaranteed
20 loan program, up to \$150,000 from amounts in the first
21 proviso, which shall be transferred to and merged with the
22 appropriation for “Salaries and expenses”, to be used only
23 for the administrative costs of these guarantees.

1 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
2 ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For the cost of guaranteed loans, as authorized by
5 section 184 of the Housing and Community Development
6 Act of 1992 (12 U.S.C. 1715z–13a), \$5,000,000, to re-
7 main available until expended: *Provided*, That such costs,
8 including the costs of modifying such loans, shall be as
9 defined in section 502 of the Congressional Budget Act
10 of 1974, as amended: *Provided further*, That these funds
11 are available to subsidize total loan principal, any part of
12 which is to be guaranteed, not to exceed \$145,345,000.

13 In addition, for administrative expenses to carry out
14 the guaranteed loan program, up to \$250,000 from
15 amounts in the first paragraph, which shall be transferred
16 to and merged with the appropriation for “Salaries and
17 expenses”, to be used only for the administrative costs of
18 these guarantees.

19 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND
20 PROGRAM ACCOUNT
21 (INCLUDING TRANSFER OF FUNDS)

22 For the cost of guaranteed loans, as authorized by
23 section 184A of the Housing and Community Develop-
24 ment Act of 1992 (12 U.S.C. 1715z–13b), \$1,000,000, to
25 remain available until expended: *Provided*, That such
26 costs, including the costs of modifying such loans, shall

1 be as defined in section 502 of the Congressional Budget
2 Act of 1974, as amended: *Provided further*, That these
3 funds are available to subsidize total loan principal, any
4 part of which is to be guaranteed, not to exceed
5 \$37,403,000.

6 In addition, for administrative expenses to carry out
7 the guaranteed loan program, up to \$35,000 from
8 amounts in the first paragraph, which shall be transferred
9 to and merged with the appropriation for “Salaries and
10 expenses”, to be used only for the administrative costs of
11 these guarantees.

12 COMMUNITY PLANNING AND DEVELOPMENT

13 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

14 For carrying out the Housing Opportunities for Per-
15 sons with AIDS program, as authorized by the AIDS
16 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
17 \$284,000,000, to remain available until September 30,
18 2006: *Provided*, That the Secretary shall renew all expir-
19 ing contracts for permanent supportive housing that were
20 funded under section 854(c)(3) of such Act that meet all
21 program requirements before awarding funds for new con-
22 tracts and activities authorized under this section: *Pro-*
23 *vided further*, That the Secretary may use up to
24 \$2,500,000 of the funds under this heading for training,
25 oversight, and technical assistance activities.

1 RURAL HOUSING AND ECONOMIC DEVELOPMENT

2 For the Office of Rural Housing and Economic De-
3 velopment in the Department of Housing and Urban De-
4 velopment, \$24,000,000 to remain available until ex-
5 pended, which amount shall be competitively awarded by
6 September 1, 2005, to Indian tribes, State housing finance
7 agencies, State community and/or economic development
8 agencies, local rural nonprofits and community develop-
9 ment corporations to support innovative housing and eco-
10 nomic development activities in rural areas.

11 EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

12 For grants in connection with a second round of em-
13 powerment zones and enterprise communities,
14 \$10,000,000, to remain available until September 30,
15 2005, for "Urban Empowerment Zones", as authorized in
16 section 1391(g) of the Internal Revenue Code of 1986 (26
17 U.S.C. 1391(g)), including ~~\$950,000~~ for each empower-
18 ment zone for use in conjunction with economic develop-
19 ment activities consistent with the strategic plan of each
20 empowerment zone.

666,666

21 ~~COMMUNITY DEVELOPMENT FUND~~

22 COMMUNITY DEVELOPMENT FUND

23 (INCLUDING TRANSFERS OF FUNDS)

24 For assistance to units of State and local govern-
25 ment, and to other entities, for economic and community
26 development activities, and for other purposes,

1 \$4,709,000,000, to remain available until September 30,
2 2007 unless otherwise specified: *Provided*, That of the
3 amount provided, \$4,150,035,000 is for carrying out the
4 community development block grant program under title
5 I of the Housing and Community Development Act of
6 1974, as amended (the “Act” herein) (42 U.S.C. 5301 et
7 seq.): *Provided further*, That unless explicitly provided for
8 under this heading (except for planning grants provided
9 in the third paragraph and amounts made available in the
10 second paragraph), not to exceed 20 percent of any grant
11 made with funds appropriated under this heading (other
12 than a grant made available in this paragraph to the
13 Housing Assistance Council or the National American In-
14 dian Housing Council, or a grant using funds under sec-
15 tion 107(b)(3) of the Act) shall be expended for planning
16 and management development and administration: *Pro-*
17 *vided further*, That \$69,000,000 shall be for grants to In-
18 dian tribes notwithstanding section 106(a)(1) of such Act,
19 of which, notwithstanding any other provision of law (in-
20 cluding Section 205 of this Act), up to \$4,000,000 may
21 be used for emergencies that constitute imminent threats
22 to health and safety; \$3,300,000 shall be for a grant to
23 the Housing Assistance Council; \$2,400,000 shall be for
24 a grant to the National American Indian Housing Council;
25 \$4,800,000 shall be available as a grant to the National

1 Housing Development Corporation, for operating expenses
2 not to exceed \$2,000,000 and for a program of affordable
3 housing acquisition and rehabilitation; \$4,800,000 shall be
4 available as a grant to the Raza Development Fund of
5 La Raza for the HOPE Fund, of which \$500,000 is for
6 technical assistance and fund management, and
7 \$4,300,000 is for investments in the HOPE Fund and fi-
8 nancing to affiliated organizations; \$43,700,000 shall be
9 for grants pursuant to section 107 of the Act, of which
10 \$9,000,000 shall be for the Native Hawaiian block grant
11 authorized under title VIII of the Native American Hous-
12 ing Assistance and Self-Determination Act of 1996, to re-
13 main available until expended, of which \$500,000 shall be
14 for training and technical assistance; \$3,465,000 shall be
15 transferred to the Working Capital Fund; \$25,000,000
16 shall be for grants pursuant to the Self Help Homeowner-
17 ship Opportunity Program; \$34,500,000 shall be for ca-
18 pacity building, of which \$30,000,000 shall be for Capac-
19 ity Building for Community Development and Affordable
20 Housing for LIISC and the Enterprise Foundation for ac-
21 tivities as authorized by section 4 of the HUD Demonstra-
22 tion Act of 1993 (42 U.S.C. 9816 note), as in effect imme-
23 diately before June 12, 1997, with not less than
24 \$5,000,000 of the funding to be used in rural areas, in-
25 cluding tribal areas, and of which \$4,500,000 shall be for

1 capacity building activities administered by Habitat for
2 Humanity International; \$2,000,000 shall be for the Spe-
3 cial Olympics National Games Organizing Committee for
4 planning, equipment, and operational expenses associated
5 with the 2006 games in Ames, Iowa; \$62,000,000 shall
6 be available for YouthBuild program activities authorized
7 by subtitle D of title IV of the Cranston-Gonzalez National
8 Affordable Housing Act, as amended, and such activities
9 shall be an eligible activity with respect to any funds made
10 available under this heading: *Provided*, That local
11 YouthBuild programs that demonstrate an ability to lever-
12 age private and nonprofit funding shall be given a priority
13 for YouthBuild funding: *Provided further*, That no more
14 than 10 percent of any grant award under the YouthBuild
15 program may be used for administrative costs: *Provided*
16 *further*, That of the amount made available for YouthBuild
17 not less than \$9,000,000 is for grants to establish
18 YouthBuild programs in underserved and rural areas and
19 \$2,000,000 is to be made available for a grant to
20 YouthBuild USA for capacity building for community de-
21 velopment and affordable housing activities as specified in
22 section 4 of the HUD Demonstration Act of 1993, as
23 amended.

24 Of the amount made available under this heading,
25 \$42,000,000 shall be available for neighborhood initiatives

1 that are utilized to improve the conditions of distressed
2 and blighted areas and neighborhoods, to stimulate invest-
3 ment, economic diversification, and community revitaliza-
4 tion in areas with population outmigration or a stagnating
5 or declining economic base, or to determine whether hous-
6 ing benefits can be integrated more effectively with welfare
7 reform initiatives: *Provided*, That amounts made available
8 under this paragraph shall be provided in accordance with
9 the terms and conditions specified in the statement of
10 managers accompanying this Act.

11 Of the amount made available under this heading,
12 \$262,000,000 shall be available for grants for the Eco-
13 nomic Development Initiative (EDI) to finance a variety
14 of targeted economic investments in accordance with the
15 terms and conditions specified in the statement of man-
16 agers accompanying this Act: *Provided*, That none of the
17 funds provided under this paragraph may be used for pro-
18 gram operations.

19 The referenced statement of the managers under this
20 heading in Public Law 108-7 is deemed to be amended
21 with respect to item number 2 with respect to amounts
22 made available for the City of Boaz, Alabama by striking
23 “facilities renovation and expansion” and inserting “con-
24 struction of a new library”.

1 The referenced statement of the managers under this
2 heading in Public Law 108–7 is deemed to be amended
3 with respect to item number 740 by striking “facilities
4 renovation and construction” and inserting “an economic
5 development planning study”.

6 The referenced statement of the managers under this
7 heading in Public Law 108–7 is deemed to be amended
8 with respect to item number 254 by striking “Greater
9 Community Council in Louisville, Kentucky for construc-
10 tion of a facility for low-income, disabled persons” and in-
11 serting “Portland Promise, Inc. in Louisville, Kentucky
12 for a multi-purpose facility”.

13 The referenced statement of the managers under this
14 heading in Public Law 108–7 is deemed to be amended
15 with respect to item number 10 with respect to amounts
16 made available to the St. Stephen Family Life Center in
17 Louisville, Kentucky by striking “renovation” and insert-
18 ing “construction”.

19 The referenced statement of the managers under this
20 heading in Public Law 108–7 is deemed to be amended
21 with respect to item number 584 with respect to amounts
22 made available for Queens Borough Public Library in
23 Queens, New York by striking “for facilities rehabilitation
24 and expansion of the Parsons Boulevard complex” and in-
25 serting “for facilities construction and renovations”.

1 The referenced statement of the managers under this
2 heading in Public Law 108-199 is deemed to be amended
3 with respect to item number 198 by striking “\$160,000
4 for the Pine Mountain Beautification and Economic De-
5 velopment project in Harris County, Georgia for
6 streetscape improvements” and inserting “\$60,000 for the
7 Beautification and Economic Development project in Har-
8 ris County, Georgia for ~~streetscape improvements~~; and
9 ~~\$99,056~~ for the Beautification and Economic Develop-
10 ment project in the Town of Pine Mountain, Georgia for
11 streetscape improvements”.

12 The referenced statement of the managers under this
13 heading in Public Law 108-199 is deemed to be amended
14 with respect to item number 96 with respect to amounts
15 made available for the City of Corona, California by strik-
16 ing “construction” and inserting “rehabilitation and con-
17 version”.

18 The referenced statement of the managers under this
19 heading in Public Law 108-199 is deemed to be amended
20 with respect to item number 257 with respect to amounts
21 made available for Fort Dodge, Iowa by inserting “plan-
22 ning, design and” before the word “facilities”.

23 The referenced statement of the managers under this
24 heading in Public Law 108-199 is deemed to be amended
25 with respect to item number 776 with respect to amounts

1 made available for Rice University by inserting “planning,
2 design and” before the word “construction”.

3 The referenced statement of the managers under this
4 heading in Public Law 108–199 is deemed to be amended
5 with respect to item number 535 by striking “facilities
6 renovation, expansion and buildout for the D’Youville Col-
7 lege Library Improvement project” and inserting “Admin-
8 istration building renovation”.

9 The referenced statement of the managers under this
10 heading in Public Law 108–7 is deemed to be amended
11 with respect to item number 215 by striking “construction
12 of a fieldhouse located at 39th and Cottage Grove” and
13 inserting “costs associated with construction of a LULA
14 list at Ogden Park”.

15 The referenced statement of the managers under this
16 heading in Public Law 108–7 is deemed to be amended
17 with respect to item number 831 by striking “Bread and
18 Rose in Olympia, Washington for renovations to a home-
19 less shelter” and inserting “Catholic Community Services
20 in Olympia, Washington for construction of a homeless
21 shelter”.

22 The referenced statement of the managers under this
23 heading in Public Law 108–199 is deemed to be amended
24 with respect to item number 303 by striking “Maine” and
25 inserting “Marine”.

Environmental

Environmental

1 ~~The referenced statement of the managers under this~~
2 ~~heading in Public Law 108-199 is deemed to be amended~~
3 ~~with respect to item number 177 by inserting "design~~
4 ~~and" before the word "construction"~~

5 The referenced statement of the managers under this
6 heading in Public Law 108-199 is deemed to be amended
7 with respect to item number 163 by striking "a special
8 needs evacuation, senior, multipurpose center" and insert-
9 ing "for Lakefront improvements to Lake Toho".

10 The referenced statement of the managers under this
11 heading in Public Law 108-199 is deemed to be amended
12 with respect to item number 499 by striking "relocation
13 of and renovations to the Wolcott Carriage House" and
14 inserting "facilities improvements to Erie Canal parks".

15 The referenced statement of the managers under this
16 heading in title II of Public Law 107-73; H. Rept. 107-
17 272 is deemed to be amended by striking "Southern New
18 Mexico Fair and Rodeo in Dona Ana County for infra-
19 structure improvements and to build a multipurpose event
20 center;" and insert in lieu thereof "Dona Ana County,
21 New Mexico, for the Southern New Mexico State Fair to
22 make infrastructure improvements and to build a multi-
23 purpose event center;".

24 The referenced statement of the managers under this
25 heading in title II of Division G of the Consolidated Ap-

1 appropriations Resolution, 2004 (Public Law 108–199; H.
2 Rept. 108–401) is deemed to be amended with respect to
3 item 218 by striking “construction” and insert in lieu
4 thereof “planning and design”.

5 The statement of managers accompanying Public
6 Law 106–74, as amended by chapter 8 of title II of the
7 Emergency Supplemental Act, 2000 (Public Law 106–
8 246), is further amended by inserting “, to remain avail-
9 able to be expended until September 30, 2007,” after
10 “\$25,000,000”.

11 The referenced statement of managers under the
12 heading in title II of Division G of the Consolidated Ap-
13 propriations Resolution, 2004 (Public Law 108–199; H.
14 Rpt. 108–401) is deemed to be amended with respect to
15 numbers 418 and 423 by striking out both specified grants
16 and inserting in lieu thereof “418. \$900,000 to Northland
17 Neighborhoods, Inc. in Clay County, Missouri for the ex-
18 pansion of the current Home Repair Program to provide
19 home repairs to low- to moderate-income neighborhoods;”.

20 The referenced statement of managers under this
21 heading in title II of Division G of the Consolidated Ap-
22 propriations Resolution, 2004 (Public Law 108–199; H.
23 Rept. 108–401) is deemed to be amended with respect to
24 item 791 by inserting “for planning and design” after
25 “Texas”.

1 The referenced statement of managers under this
2 heading in title II of Division G of the Consolidated Ap-
3 propriations Resolution, 2004 (Public Law 108–199; H.
4 Rept. 108–401) is deemed to be amended with respect to
5 item 218 by striking “construction” and inserting in lieu
6 thereof “planning and design”.

7 The referenced statement of the managers under this
8 heading in Public Law 108–199 is deemed to be amended
9 with respect to item number 169 by striking “for renova-
10 tion of an aviation high technology facility” and inserting
11 in lieu thereof “for a feasibility study of a facilities im-
12 provement to the Airco Complex and surrounding prop-
13 erties”.

14 The referenced statement of the managers under this
15 heading in Public Law 108–7 is deemed to be amended
16 with respect to item number 740 by striking “for facilities
17 renovation and construction” and inserting “for develop-
18 ment and continuation of the National Medal of Honor
19 Museum of Military History”.

20 The referenced statement of the managers under this
21 heading in Public Law 108–199 is deemed to be amended
22 with respect to item number 163 by striking “for a special
23 needs evacuation, senior, multipurpose center” and insert-
24 ing “for construction at the Lakefront Improvement
25 Project”.

Insert
46A-E

46A

The referenced statement of the managers under this heading in Public Law 108-7 is deemed to be amended with respect to item number 54 by striking "for renovation of facilities" and inserting "for the Screen Education Center".

The referenced statement of the managers under this heading in Public Law 108-199 is deemed to be amended with respect to item number 104 by striking "to Sonoma State University in California for construction of the Green Music Center" and inserting "to Center Point, Inc. to acquire and renovate a facility for the adolescent residential treatment center".

The referenced statement of the managers under this heading in Public Law 108-199 is deemed to be amended with respect to item number 4 by striking "for renovation of the old Uniontown Middle School" and inserting "for enhancements to facilities for industrial development".

The referenced statement of the managers under this heading in Public Law 108-199 is deemed to be amended with respect to item number 583 by striking "\$200,000 to the North Carolina Museum of Natural Sciences for construction of the Nature Research Center" and inserting "\$200,000 to the Friends of the North Carolina Museum of Natural Sciences for construction of the Nature Research Center".

The referenced statement of the managers under this heading in Public Law 108-199 is deemed to be amended with respect to item number 469 by striking "to Rutgers University in New Jersey land acquisition for LEAP University High School" and inserting "to the LEAP Academy University Charter High School in Camden City, New Jersey for facilities construction, renovation, and buildout".

The referenced statement of the managers under this heading in Public Law 108-199 is deemed to be amended with respect to item number 575 by striking "construction" and inserting "acquisition, renovation".

The referenced statement of the managers under this heading in Public Law 108-199 is deemed to be amended with respect to item number 683 by striking "for construction related to Bailey Park and downtown streetscape, beautification, building renovation and restoration" and inserting "for master plan development, building acquisition, demolition, renovation and restoration".

Section 167 of division H of Public Law 108-199 is amended by allocating the funding made available under the heading "Community Development Fund for project number 177 (House Report 108-235) to "the Chicago Children's Choir Academy in Illinois for facility design and construction".

The referenced statement of the managers under this heading in title II of Division G of the Consolidated Appropriations Resolution, 2004 (Public Law 108-199; H. Rept. 108-401) is deemed to be amended with respect to item 24 by striking "Tuscaloosa County Commission for Community Development in Tuscaloosa County, Alabama;" and insert in lieu thereof "City of Tuscaloosa for community development in Tuscaloosa, Alabama;".

46A

46B

The referenced statement of the managers under this heading in title II of Division G of the Consolidated Appropriations Resolution, 2004 (Public Law 108-199; H. Rept. 108-401) is deemed to be amended with respect to item 796 by striking "Community Center" and insert in lieu thereof "Convention Center".

46B

1 COMMUNITY DEVELOPMENT LOAN GUARANTEES

2 PROGRAM ACCOUNT

3 (INCLUDING TRANSFER OF FUNDS)

4 For the cost of guaranteed loans, \$6,000,000, to re-
5 main available until September 30, 2006, as authorized
6 by section 108 of the Housing and Community Develop-
7 ment Act of 1974, as amended: *Provided*, That such costs,
8 including the cost of modifying such loans, shall be as de-
9 fined in section 502 of the Congressional Budget Act of
10 1974, as amended: *Provided further*, That these funds are
11 available to subsidize total loan principal, any part of
12 which is to be guaranteed, not to exceed \$275,000,000,
13 notwithstanding any aggregate limitation on outstanding
14 obligations guaranteed in section 108(k) of the Housing
15 and Community Development Act of 1974, as amended.

16 In addition, for administrative expenses to carry out
17 the guaranteed loan program, \$1,000,000, which shall be
18 transferred to and merged with the appropriation for
19 “Salaries and expenses”.

20 BROWNFIELDS REDEVELOPMENT

21 For competitive economic development grants, as au-
22 thorized by section 108(q) of the Housing and Community
23 Development Act of 1974, as amended, for Brownfields
24 redevelopment projects, \$24,000,000, to remain available
25 until September 30, 2006.

1 HOME INVESTMENT PARTNERSHIPS PROGRAM

2 (INCLUDING TRANSFER OF FUNDS)

3 For the HOME investment partnerships program, as
4 authorized under title II of the Cranston-Gonzalez Na-
5 tional Affordable Housing Act, as amended,
6 1,865,000,000 ~~\$1,865,000,000~~, to remain available until September 30,
7 2007: *Provided*, That of the total amount provided in this
8 paragraph, up to \$42,000,000 shall be available for hous-
9 ing counseling under section 106 of the Housing and
10 Urban Development Act of 1968, and \$2,000,000 shall be
11 transferred to the Working Capital Fund.

12 In addition to amounts otherwise made available
13 under this heading, \$50,000,000, to remain available until
14 September 30, 2007, for assistance to homebuyers as au-
15 thorized under title I of the American Dream Downpay-
16 ment Act.

17 HOMELESS ASSISTANCE GRANTS

18 (INCLUDING TRANSFER OF FUNDS)

19 For the emergency shelter grants program as author-
20 ized under subtitle B of title IV of the McKinney-Vento
21 Homeless Assistance Act, as amended; the supportive
22 housing program as authorized under subtitle C of title
23 IV of such Act; the section 8 moderate rehabilitation sin-
24 gle room occupancy program as authorized under the
25 United States Housing Act of 1937, as amended, to assist
26 homeless individuals pursuant to section 441 of the

1 McKinney-Vento Homeless Assistance Act; and the shelter
2 plus care program as authorized under subtitle F of title
3 IV of such Act, ~~\$1,253,000,000~~, of which ~~\$1,216,000,000~~
4 shall remain available until September 30, 2007, and of
5 which \$20,000,000 shall remain available until expended:
6 *Provided*, That not less than 30 percent of funds made
7 available, excluding amounts provided for renewals under
8 the shelter plus care program, shall be used for permanent
9 housing: *Provided further*, That all funds awarded for
10 services shall be matched by 25 percent in funding by each
11 grantee: *Provided further*, That the Secretary shall renew
12 on an annual basis expiring contracts or amendments to
13 contracts funded under the shelter plus care program if
14 the program is determined to be needed under the applica-
15 ble continuum of care and meets appropriate program re-
16 quirements and financial standards, as determined by the
17 Secretary: *Provided further*, That all awards of assistance
18 under this heading shall be required to coordinate and in-
19 tegrate homeless programs with other mainstream health,
20 social services, and employment programs for which home-
21 less populations may be eligible, including Medicaid, State
22 Children's Health Insurance Program, Temporary Assist-
23 ance for Needy Families, Food Stamps, and services fund-
24 ing through the Mental Health and Substance Abuse
25 Block Grant, Workforce Investment Act, and the Welfare-

1,250,515,000

1,230,515,000

1 to-Work grant program: *Provided further*, That up to
2 \$11,500,000 of the funds appropriated under this heading
3 shall be available for the national homeless data analysis
4 project and technical assistance: *Provided further*, That
5 \$2,500,000 of the funds appropriated under this heading
6 shall be transferred to the Working Capital Fund: *Pro-*
7 *vided further*, That all balances for Shelter Plus Care re-
8 newals previously funded from the Shelter Plus Care Re-
9 newal account shall be transferred to this account, to be
10 available for Shelter Plus Care renewals in fiscal year
11 2005.

12 HOUSING PROGRAMS

13 HOUSING FOR THE ELDERLY

14 (INCLUDING TRANSFER OF FUNDS)

15 For capital advances, including amendments to cap-
16 ital advance contracts, for housing for the elderly, as au-
17 thorized by section 202 of the Housing Act of 1959, as
18 amended, and for project rental assistance for the elderly
19 under section 202(c)(2) of such Act, including amend-
20 ments to contracts for such assistance and renewal of ex-
21 piring contracts for such assistance for up to a 1-year
22 term, and for supportive services associated with the hous-
23 ing, \$747,000,000, to remain available until September
24 30, 2008, of which amount \$50,000,000 shall be for serv-
25 ice coordinators and the continuation of existing con-
26 gregate service grants for residents of assisted housing

1 projects, and of which amount up to \$25,000,000 shall
2 be for grants under section 202b of the Housing Act of
3 1959 (12 U.S.C. 1701q-2) for conversion of eligible
4 projects under such section to assisted living or related
5 use and for emergency capital repairs as determined by
6 the Secretary: *Provided*, That of the amount made avail-
7 able under this heading, \$18,000,000 shall be available to
8 the Secretary of Housing and Urban Development only for
9 making competitive grants to private nonprofit organiza-
10 tions and consumer cooperatives for covering costs of ar-
11 chitectural and engineering work, site control, and other
12 planning relating to the development of supportive housing
13 for the elderly that is eligible for assistance under section
14 202 of the Housing Act of 1959 (12 U.S.C. 1701q): *Pro-*
15 *vided further*, That \$450,000 shall be transferred to the
16 Working Capital Fund: *Provided further*, That the Sec-
17 retary may waive the provisions of section 202 governing
18 the terms and conditions of project rental assistance, ex-
19 cept that the initial contract term for such assistance shall
20 not exceed 5 years in duration.

21 Title II of the Departments of Veterans Affairs and
22 Housing and Urban Development, and Independent Agen-
23 cies Appropriations Act, 2004, is amended under this
24 heading by striking the fourth proviso.

1 HOUSING FOR PERSONS WITH DISABILITIES

2 (INCLUDING TRANSFER OF FUNDS)

3 For capital advance contracts, including amendments
4 to capital advance contracts, for supportive housing for
5 persons with disabilities, as authorized by section 811 of
6 the Cranston-Gonzalez National Affordable Housing Act,
7 for project rental assistance for supportive housing for
8 persons with disabilities under section 811(d)(2) of such
9 Act, including amendments to contracts for such assist-
10 ance and renewal of expiring contracts for such assistance
11 for up to a 1-year term, and for supportive services associ-
12 ated with the housing for persons with disabilities as au-
13 thorized by section 811(b)(1) of such Act, and for tenant-
14 based rental assistance contracts entered into pursuant to
15 section 811 of such Act, \$240,000,000: *Provided*, That
16 \$450,000 shall be transferred to the Working Capital
17 Fund: *Provided further*, That, of the amount provided
18 under this heading \$28,890,000 shall be for amendments
19 to existing tenant-based assistance contracts entered into
20 prior to fiscal year 2004 (only one amendment authorized
21 for any such contract): *Provided further*, That of the
22 amount provided under this heading, the Secretary may
23 make available up to \$10,000,000 for incremental tenant-
24 based rental assistance, as authorized by section 811 of
25 such Act, (which assistance is five years in duration): *Pro-*
26 *vided further*, That all tenant-based assistance made avail-

1 able under this heading shall continue to remain available
2 only to persons with disabilities: *Provided further*, That the
3 Secretary may waive the provisions of section 811 gov-
4 erning the terms and conditions of project rental assist-
5 ance and tenant-based assistance, except that the initial
6 contract term for such assistance shall not exceed five
7 years in duration.

8 Title II of the Departments of Veterans Affairs and
9 Housing and Urban Development, and Independent Agen-
10 cies Appropriations Act, 2004, is amended under this
11 heading by striking the fourth proviso and inserting "
12 *Provided further*, That all section 811 balances out-
13 standing, as of September 30, 2003, shall be transferred
14 to the appropriation under this heading."

15 FLEXIBLE SUBSIDY FUND

16 (TRANSFER OF FUNDS)

17 From the Rental Housing Assistance Fund, all un-
18 committed balances of excess rental charges as of Sep-
19 tember 30, 2004, and any collections made during fiscal
20 year 2005 and all subsequent fiscal years, shall be trans-
21 ferred to the Flexible Subsidy Fund, as authorized by sec-
22 tion 236(g) of the National Housing Act, as amended.

23 MANUFACTURED HOUSING FEES TRUST FUND

24 For necessary expenses as authorized by the National
25 Manufactured Housing Construction and Safety Stand-
26 ards Act of 1974, as amended (42 U.S.C. 5401 et seq.),

1 up to \$13,000,000 to remain available until expended, to
2 be derived from the Manufactured Housing Fees Trust
3 Fund: *Provided*, That not to exceed the total amount ap-
4 propriated under this heading shall be available from the
5 general fund of the Treasury to the extent necessary to
6 incur obligations and make expenditures pending the re-
7 ceipt of collections to the Fund pursuant to section 620
8 of such Act: *Provided further*, That the amount made
9 available under this heading from the general fund shall
10 be reduced as such collections are received during fiscal
11 year 2005 so as to result in a final fiscal year 2005 appro-
12 priation from the general fund estimated at not more than
13 \$0 and fees pursuant to such section 620 shall be modified
14 as necessary to ensure such a final fiscal year 2005 appro-
15 priation.

16 FEDERAL HOUSING ADMINISTRATION
17 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT
18 (INCLUDING TRANSFERS OF FUNDS)

19 During fiscal year 2005, commitments to guarantee
20 loans to carry out the purposes of section 203(b) of the
21 National Housing Act, as amended, shall not exceed a loan
22 principal of \$185,000,000,000.

23 During fiscal year 2005, obligations to make direct
24 loans to carry out the purposes of section 204(g) of the
25 National Housing Act, as amended, shall not exceed
26 \$50,000,000: *Provided*, That the foregoing amount shall

1 be for loans to nonprofit and governmental entities in con-
2 nection with sales of single family real properties owned
3 by the Secretary and formerly insured under the Mutual
4 Mortgage Insurance Fund.

5 For administrative expenses necessary to carry out
6 the guaranteed and direct loan program, \$356,906,000,
7 of which not to exceed \$352,906,000 shall be transferred
8 to the appropriation for "Salaries and expenses"; and not
9 to exceed \$4,000,000 shall be transferred to the appro-
10 priation for "Office of Inspector General". In addition, for
11 administrative contract expenses, \$78,000,000, of which
12 ~~no less than~~ \$15,000,000 shall be transferred to the Work-
13 ing Capital Fund: *Provided*, That to the extent guaranteed
14 loan commitments exceed \$65,500,000,000 on or before
15 April 1, 2005, an additional \$1,400 for administrative
16 contract expenses shall be available for each \$1,000,000
17 in additional guaranteed loan commitments (including a
18 pro rata amount for any amount below \$1,000,000), but
19 in no case shall funds made available by this proviso ex-
20 ceed \$30,000,000.

21 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For the cost of guaranteed loans, as authorized by
24 sections 238 and 519 of the National Housing Act (12
25 U.S.C. 1715z-3 and 1735c), including the cost of loan
26 guarantee modifications, as that term is defined in section

1 502 of the Congressional Budget Act of 1974, as amend-
2 ed, \$10,000,000, to remain available until expended: *Pro-*
3 *vided*, That these funds are available to subsidize total
4 loan principal, any part of which is to be guaranteed, of
5 up to \$35,000,000,000.

6 Gross obligations for the principal amount of direct
7 loans, as authorized by sections 204(g), 207(l), 238, and
8 519(a) of the National Housing Act, shall not exceed
9 \$50,000,000, of which not to exceed \$30,000,000 shall be
10 for bridge financing in connection with the sale of multi-
11 family real properties owned by the Secretary and for-
12 merly insured under such Act; and of which not to exceed
13 \$20,000,000 shall be for loans to nonprofit and govern-
14 mental entities in connection with the sale of single-family
15 real properties owned by the Secretary and formerly in-
16 sured under such Act.

17 In addition, for administrative expenses necessary to
18 carry out the guaranteed and direct loan programs,
19 \$227,767,000, of which \$207,767,000 shall be transferred
20 to the appropriation for "Salaries and expenses"; and of
21 which \$20,000,000 shall be transferred to the appropria-
22 tion for "Office of Inspector General".

23 In addition, for administrative contract expenses nec-
24 essary to carry out the guaranteed and direct loan pro-
25 grams, \$86,000,000, of which \$9,600,000 shall be trans-

1 ferred to the Working Capital Fund: *Provided*, That to
2 the extent guaranteed loan commitments exceed
3 \$8,426,000,000 on or before April 1, 2005, an additional
4 \$1,980 for administrative contract expenses shall be avail-
5 able for each \$1,000,000 in additional guaranteed loan
6 commitments over \$8,426,000,000 (including a pro rata
7 amount for any increment below \$1,000,000), but in no
8 case shall funds made available by this proviso exceed
9 \$14,400,000.

10 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
11 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
12 GUARANTEE PROGRAM ACCOUNT
13 (INCLUDING TRANSFER OF FUNDS)

14 New commitments to issue guarantees to carry out
15 the purposes of section 306 of the National Housing Act,
16 as amended (12 U.S.C. 1721(g)), shall not exceed
17 \$200,000,000,000, to remain available until September
18 30, 2006.

19 For administrative expenses necessary to carry out
20 the guaranteed mortgage-backed securities program,
21 \$10,695,000, to be derived from the GNMA guarantees
22 of mortgage-backed securities guaranteed loan receipt ac-
23 count, of which not to exceed \$10,695,000, shall be trans-
24 ferred to the appropriation for "Salaries and expenses".

1 POLICY DEVELOPMENT AND RESEARCH

2 RESEARCH AND TECHNOLOGY

3 For contracts, grants, and necessary expenses of pro-
4 grams of research and studies relating to housing and
5 urban problems, not otherwise provided for, as authorized
6 by title V of the Housing and Urban Development Act
7 of 1970, as amended (12 U.S.C. 1701z-1 et seq.), includ-
8 ing carrying out the functions of the Secretary under sec-
9 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,
10 \$45,500,000, to remain available until September 30,
11 2006: *Provided*, That of the total amount provided under
12 this heading, \$7,000,000 shall be for the Partnership for
13 Advancing Technology in Housing (PATH) Initiative:
14 *Provided further*, that of the amounts made available for
15 PATH under this heading, ~~\$3,000,000~~ shall not be subject
16 to the requirements of section 205 of this title.

17 FAIR HOUSING AND EQUAL OPPORTUNITY

18 FAIR HOUSING ACTIVITIES

19 For contracts, grants, and other assistance, not oth-
20 erwise provided for, as authorized by title VIII of the Civil
21 Rights Act of 1968, as amended by the Fair Housing
22 Amendments Act of 1988, and section 561 of the Housing
23 and Community Development Act of 1987, as amended,
24 \$46,500,000, to remain available until September 30,
25 2006, of which \$20,000,000 shall be to carry out activities

3,500,000

1 pursuant to such section 561: *Provided*, That no funds
2 made available under this heading shall be used to lobby
3 the executive or legislative branches of the Federal Gov-
4 ernment in connection with a specific contract, grant or
5 loan.

6 OFFICE OF LEAD HAZARD CONTROL

7 LEAD HAZARD REDUCTION

8 For the Lead Hazard Reduction Program, as author-
9 ized by section 1011 of the Residential Lead-Based Paint
10 Hazard Reduction Act of 1992, \$168,000,000, to remain
11 available until September 30, 2006, of which \$9,900,000
12 shall be for the Healthy Homes Initiative, pursuant to sec-
13 tions 501 and 502 of the Housing and Urban Develop-
14 ment Act of 1970 that shall include research, studies, test-
15 ing, and demonstration efforts, including education and
16 outreach concerning lead-based paint poisoning and other
17 housing-related diseases and hazards: *Provided*, That for
18 purposes of environmental review, pursuant to the Na-
19 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
20 et seq.) and other provisions of law that further the pur-
21 poses of such Act, a grant under the Healthy Homes Ini-
22 tiative, Operation Lead Elimination Action Plan (LEAP),
23 or the Lead Technical Studies program under this heading
24 or under prior appropriations Acts for such purposes
25 under this heading, shall be considered to be funds for

1 a special project for purposes of § 305(c) of the Multi-
2 family Housing Property Disposition Reform Act of 1994:
3 *Provided further*, That of the total amount made available
4 under this heading, \$47,000,000 shall be made available
5 on a competitive basis for areas with the highest lead paint
6 abatement needs, as identified by the Secretary as having:
7 (1) the highest number of occupied pre-1940 units of rent-
8 al housing; and (2) a disproportionately high number of
9 documented cases of lead-poisoned children: *Provided fur-*
10 *ther*, That each grantee receiving funds under the previous
11 proviso shall target those privately owned units and multi-
12 family buildings that are occupied by low-income families
13 as defined under section 3(b)(2) of the United States
14 Housing Act of 1937: *Provided further*, That not less than
15 90 percent of the funds made available under this para-
16 graph shall be used exclusively for abatement, inspections,
17 risk assessments, temporary relocations and interim con-
18 trol of lead-based hazards as defined by 42 U.S.C. 4851:
19 *Provided further*, That each recipient of funds provided
20 under the first proviso shall make a matching contribution
21 in an amount not less than 25 percent: *Provided further*,
22 That each applicant shall submit a detailed plan and strat-
23 egy that demonstrates adequate capacity that is acceptable
24 to the Secretary to carry out the proposed use of funds
25 pursuant to a Notice of Funding Availability.

1 MANAGEMENT AND ADMINISTRATION

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary administrative and non-administrative
5 expenses of the Department of Housing and Urban Devel-
6 opment, not otherwise provided for, including purchase of
7 uniforms, or allowances therefor, as authorized by 5
8 U.S.C. 5901–5902; hire of passenger motor vehicles; serv-
9 ices as authorized by 5 U.S.C. 3109; and not to exceed
10 \$25,000 for official reception and representation expenses,
11 \$1,120,000,000, of which ~~\$564,097,000~~ shall be provided
12 from the various funds of the Federal Housing Adminis-
13 tration, \$10,695,000 shall be provided from funds of the
14 Government National Mortgage Association, \$1,000,000
15 shall be provided from the “Community development loan
16 guarantees program” account, \$150,000 shall be provided
17 by transfer from the “Native American housing block
18 grants” account, \$250,000 shall be provided by transfer
19 from the “Indian housing loan guarantee fund program”
20 account and \$35,000 shall be transferred from the “Na-
21 tive Hawaiian housing loan guarantee fund” account: *Pro-*
22 *vided*, That funds made available under this heading shall
23 only be allocated in the manner specified in the report ac-
24 companying this Act unless the Committees on Appropria-
25 tions of both the House of Representatives and the Senate
26 are notified of any changes in an operating plan or re-

560,673,000

1 programming: *Provided further*, That no official or em-
2 ployee of the Department shall be designated as an allot-
3 ment holder unless the Office of the Chief Financial Offi-
4 cer (OCFO) has determined that such allotment holder
5 has implemented an adequate system of funds control and
6 has received training in funds control procedures and di-
7 rectives: *Provided further*, That the Chief Financial Officer
8 shall establish positive control of and maintain adequate
9 systems of accounting for appropriations and other avail-
10 able funds as required by 31 U.S.C. 1514: *Provided fur-*
11 *ther*, That for purposes of funds control and determining
12 whether a violation exists under the Anti-Deficiency Act
13 (31 U.S.C. 1341 et seq.), the point of obligation shall be
14 the executed agreement or contract, except with respect
15 to insurance and guarantee programs, certain types of sal-
16 aries and expenses funding, and incremental funding that
17 is authorized under an executed agreement or contract,
18 and shall be designated in the approved funds control
19 plan: *Provided further*, That the Chief Financial Officer
20 shall: (1) appoint qualified personnel to conduct investiga-
21 tions of potential or actual violations; (2) establish min-
22 imum training requirements and other qualifications for
23 personnel that may be appointed to conduct investigations;
24 (3) establish guidelines and timeframes for the conduct
25 and completion of investigations; (4) prescribe the content,

1 format and other requirements for the submission of final
2 reports on violations; and (5) prescribe such additional
3 policies and procedures as may be required for conducting
4 investigations of, and administering, processing, and re-
5 porting on, potential and actual violations of the Anti-De-
6 ficiency Act and all other statutes and regulations gov-
7 erning the obligation and expenditure of funds made avail-
8 able in this or any other Act: *Provided further*, That up
9 to \$20,000,000 ~~can~~ be transferred to the Working Capital
10 Fund: *Provided further*, That the Secretary shall fill 7 out
11 of 10 vacancies at the GS-14 and GS-15 levels until the
12 total number of GS-14 and GS-15 positions in the De-
13 partment has been reduced from the number of GS-14
14 and GS-15 positions on the date of enactment of Public
15 Law 106-377 by 2½ percent.

16 WORKING CAPITAL FUND

17 For additional capital for the Working Capital Fund
18 (42 U.S.C. 3535) for the development of, modifications
19 to, and infrastructure for Department-wide information
20 technology systems, for the continuing operation of both
21 Department-wide and program-specific information sys-
22 tems, and for program-related development activities,
23 \$270,000,000, to remain available until September 30,
24 2006: *Provided*, That any amounts transferred to this
25 Fund under this Act shall remain available until expended:
26 *Provided further*, That any amounts transferred to this

1 Fund from amounts appropriated by previously enacted
2 appropriations Acts or from within this Act may be used
3 only for the purposes specified under this Fund, in addi-
4 tion to the purposes for which such amounts were appro-
5 priated.

6 OFFICE OF INSPECTOR GENERAL
7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of the Office of Inspector
9 General in carrying out the Inspector General Act of 1978,
10 as amended, \$104,000,000, of which \$24,000,000 shall be
11 provided from the various funds of the Federal Housing
12 Administration: *Provided*, That the Inspector General
13 shall have independent authority over all personnel issues
14 within this office: *Provided further*, That \$300,000 shall
15 be transferred to the Working Capital Fund.

16 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT
17 SALARIES AND EXPENSES
18 (INCLUDING TRANSFER OF FUNDS)

19 For carrying out the Federal Housing Enterprises
20 Financial Safety and Soundness Act of 1992, including
21 not to exceed \$500 for official reception and representa-
22 tion expenses, \$59,209,000, to remain available until ex-
23 pended, to be derived from the Federal Housing Enter-
24 prises Oversight Fund: *Provided*, That of the amount
25 made available under this heading, \$5,000,000 is for liti-
26 gation and to continue ongoing special investigations of

1 the federal housing enterprises: *Provided further*, That the
2 Director shall submit a spending plan for the amounts
3 provided under this heading no later than January 15,
4 2005: *Provided further*, That not less than 80 percent of
5 total amount made available under this heading shall be
6 used only for examination, supervision, and capital over-
7 sight of the enterprises (as such term is defined in section
8 1303 of the Federal Housing Enterprises Financial Safety
9 and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure
10 that the enterprises are operating in a financially safe and
11 sound manner and complying with the capital require-
12 ments under Subtitle B of such Act: *Provided further*,
13 That not to exceed the amount provided herein shall be
14 available from the general fund of the Treasury to the ex-
15 tent necessary to incur obligations and make expenditures
16 pending the receipt of collections to the Fund: *Provided*
17 *further*, That the general fund amount shall be reduced
18 as collections are received during the fiscal year so as to
19 result in a final appropriation from the general fund esti-
20 mated at not more than \$0.

21 HOUSING CERTIFICATE FUND

22 (RESCISSION)

23 Of the unobligated balances, including recaptures and
24 carryover, remaining from funds appropriated to the De-
25 partment of Housing and Urban Development under this
26 heading or the heading "Annual contributions for assisted

Case
Public and Indian Housing

1 housing” or any other heading for fiscal year 2004 and
2 prior years, \$1,557,000,000 is rescinded, to be effected by
3 the Secretary no later than September 30, 2005: *Provided*,
4 That any such balances governed by reallocation provi-
5 sions under the statute authorizing the program for which
6 the funds were originally appropriated shall be available
7 for the rescission: *Provided further*, That any obligated
8 balances of contract authority from fiscal year 1974 and
9 prior that have been terminated shall be cancelled: *Pro-*
10 *vided further*, That no amounts recaptured from amounts
11 appropriated in prior years under this heading or the
12 heading “Annual contributions for assisted housing” and
13 no carryover of such appropriated amounts for project-
14 based assistance shall be available for the calendar year
15 2005 funding cycle for activities provided for under the
16 heading “Tenant-based rental assistance”: *Provided fur-*
17 *ther*, That amounts recaptured under this heading or the
18 heading “Annual contributions for assisted housing” from
19 amounts appropriated for project-based section 8 activities
20 may be used for amendments to section 8 project-based
21 subsidy contracts or for performance-based contract ad-
22 ministrators, notwithstanding the purposes for which such
23 amounts were appropriated.

1 DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING
2 (RESCISSION)

3 Of the unobligated balances remaining from funds
4 appropriated in fiscal year 2001 and prior years under the
5 heading "Drug elimination grants for low-income hous-
6 ing", \$5,000,000 are rescinded.

7 NATIVE AMERICAN HOUSING BLOCK GRANTS
8 (RESCISSION)

9 Of the unobligated balances remaining from funds
10 appropriated in fiscal year 2004 and prior years under the
11 heading "Native American housing block grants" for ac-
12 tivities related to title VI of NAHASDA, \$21,000,000 are
13 rescinded.

14 INDIAN HOUSING LOAN GUARANTEE PROGRAM ACCOUNT
15 (RESCISSION)

16 Of the unobligated balances remaining from funds
17 appropriated in fiscal year 2004 and prior years under the
18 heading "Indian housing loan guarantee fund program ac-
19 count" for activities related to the cost of guaranteed
20 loans, \$33,000,000 are rescinded.

21 HOUSING PROGRAMS

22 RENTAL HOUSING ASSISTANCE

23 (RESCISSION)

24 Of the amounts made available under the heading
25 "Rent Supplement" in Public Law 98-63 for amendments
26 to contracts under section 101 of the Housing and Urban

1 Development Act of 1965 (12 U.S.C. 1701s) and section
2 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–
3 1) in State-aided, non-insured rental housing projects, up
4 to \$675,000,000 is cancelled.

5 FEDERAL HOUSING ADMINISTRATION

6 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

7 (RESCISSION)

8 Of the unobligated balances remaining from credit
9 subsidy appropriated in fiscal year 2004 and prior years
10 under the heading “General and special risk program ac-
11 count”, \$30,000,000 are rescinded.

12 ADMINISTRATIVE PROVISIONS

13 SEC. 201. Fifty percent of the amounts of budget au-
14 thority, or in lieu thereof 50 percent of the cash amounts
15 associated with such budget authority, that are recaptured
16 from projects described in section 1012(a) of the Stewart
17 B. McKinney Homeless Assistance Amendments Act of
18 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the
19 case of cash, shall be remitted to the Treasury, and such
20 amounts of budget authority or cash recaptured and not
21 rescinded or remitted to the Treasury shall be used by
22 State housing finance agencies or local governments or
23 local housing agencies with projects approved by the Sec-
24 retary of Housing and Urban Development for which set-
25 tlement occurred after January 1, 1992, in accordance
26 with such section. Notwithstanding the previous sentence,

1 the Secretary may award up to 15 percent of the budget
2 authority or cash recaptured and not rescinded or remitted
3 to the Treasury to provide project owners with incentives
4 to refinance their project at a lower interest rate.

5 SEC. 202. None of the amounts made available under
6 this Act may be used during fiscal year 2005 to investigate
7 or prosecute under the Fair Housing Act any otherwise
8 lawful activity engaged in by one or more persons, includ-
9 ing the filing or maintaining of a non-frivolous legal ac-
10 tion, that is engaged in solely for the purpose of achieving
11 or preventing action by a Government official or entity,
12 or a court of competent jurisdiction.

13 SEC. 203. (a) Notwithstanding section 854(c)(1)(A)
14 of the AIDS Housing Opportunity Act (42 U.S.C.
15 12903(c)(1)(A)), from any amounts made available under
16 this title for fiscal year 2005 that are allocated under such
17 section, the Secretary of Housing and Urban Development
18 shall allocate and make a grant, in the amount determined
19 under subsection (b), for any State that—

20 (1) received an allocation in a prior fiscal year
21 under clause (ii) of such section; and

22 (2) is not otherwise eligible for an allocation for
23 fiscal year 2005 under such clause (ii) because the
24 areas in the State outside of the metropolitan statis-
25 tical areas that qualify under clause (i) in fiscal year

1 2005 do not have the number of cases of acquired
2 immunodeficiency syndrome (AIDS) required under
3 such clause.

4 (b) The amount of the allocation and grant for any
5 State described in subsection (a) shall be an amount based
6 on the cumulative number of AIDS cases in the areas of
7 that State that are outside of metropolitan statistical
8 areas that qualify under clause (i) of such section
9 854(c)(1)(A) in fiscal year 2005, in proportion to AIDS
10 cases among cities and States that qualify under clauses
11 (i) and (ii) of such section and States deemed eligible
12 under subsection (a).

13 (c) Notwithstanding any other provision of law, the
14 amount allocated for fiscal year 2005 under section 854(c)
15 of the AIDS Housing Opportunity Act (42 U.S.C.
16 12903(c)), to the City of New York, New York, on behalf
17 of the New York-Wayne-White Plains, New York-New
18 Jersey Metropolitan Division (hereafter “metropolitan di-
19 vision”) of the New York-Newark-Edison, NY-NJ-PA
20 Metropolitan Statistical Area, shall be adjusted by the
21 Secretary of Housing and Urban Development by: (a) allo-
22 cating to the City of Jersey City, New Jersey, the propor-
23 tion of the metropolitan area’s or division’s amount that
24 is based on the number of cases of AIDS reported in the
25 portion of the metropolitan area or division that is located

1 in Hudson County, New Jersey, and adjusting for the pro-
2 portion of the metropolitan division's high incidence bonus
3 if this area in New Jersey also has a higher than average
4 per capita incidence of AIDS; and (b) allocating to the
5 City of Paterson, New Jersey, the proportion of the metro-
6 politan area's or division's amount that is based on the
7 number of cases of AIDS reported in the portion of the
8 metropolitan area or division that is located in Bergen
9 County and Passaic County, New Jersey, and adjusting
10 for the proportion of the metropolitan division's high inci-
11 dence bonus if this area in New Jersey also has a higher
12 than average per capita incidence of AIDS. The recipient
13 cities shall use amounts allocated under this subsection
14 to carry out eligible activities under section 855 of the
15 AIDS Housing Opportunity Act (42 U.S.C. 12904) in
16 their respective portions of the metropolitan division that
17 is located in New Jersey.

18 SEC. 204. (a) During fiscal year 2005, in the provi-
19 sion of rental assistance under section 8(o) of the United
20 States Housing Act of 1937 (42 U.S.C. 1437f(o)) in con-
21 nection with a program to demonstrate the economy and
22 effectiveness of providing such assistance for use in as-
23 sisted living facilities that is carried out in the counties
24 of the State of Michigan specified in subsection (b) of this
25 section, notwithstanding paragraphs (3) and (18)(B)(iii)

1 of such section 8(o), a family residing in an assisted living
2 facility in any such county, on behalf of which a public
3 housing agency provides assistance pursuant to section
4 8(o)(18) of such Act, may be required, at the time the
5 family initially receives such assistance, to pay rent in an
6 amount exceeding 40 percent of the monthly adjusted in-
7 come of the family by such a percentage or amount as
8 the Secretary of Housing and Urban Development deter-
9 mines to be appropriate.

10 (b) The counties specified in this subsection are Oak-
11 land County, Macomb County, Wayne County, and
12 Washtenaw County, in the State of Michigan.

13 SEC. 205. Except as explicitly provided in law, any
14 grant, cooperative agreement or other assistance made
15 pursuant to title II of this Act shall be made on a competi-
16 tive basis and in accordance with section 102 of the De-
17 partment of Housing and Urban Development Reform Act
18 of 1989.

19 SEC. 206. Funds of the Department of Housing and
20 Urban Development subject to the Government Corpora-
21 tion Control Act or section 402 of the Housing Act of
22 1950 shall be available, without regard to the limitations
23 on administrative expenses, for legal services on a contract
24 or fee basis, and for utilizing and making payment for
25 services and facilities of the Federal National Mortgage

1 Association, Government National Mortgage Association,
2 Federal Home Loan Mortgage Corporation, Federal Fi-
3 nancing Bank, Federal Reserve banks or any member
4 thereof, Federal Home Loan banks, and any insured bank
5 within the meaning of the Federal Deposit Insurance Cor-
6 poration Act, as amended (12 U.S.C. 1811–1831).

7 SEC. 207. Unless otherwise provided for in this Act
8 or through a reprogramming of funds, no part of any ap-
9 propriation for the Department of Housing and Urban
10 Development shall be available for any program, project
11 or activity in excess of amounts set forth in the budget
12 estimates submitted to Congress.

13 SEC. 208. Corporations and agencies of the Depart-
14 ment of Housing and Urban Development which are sub-
15 ject to the Government Corporation Control Act, as
16 amended, are hereby authorized to make such expendi-
17 tures, within the limits of funds and borrowing authority
18 available to each such corporation or agency and in ac-
19 cordance with law, and to make such contracts and com-
20 mitments without regard to fiscal year limitations as pro-
21 vided by section 104 of such Act as may be necessary in
22 carrying out the programs set forth in the budget for 2005
23 for such corporation or agency except as hereinafter pro-
24 vided: *Provided*, That collections of these corporations and
25 agencies may be used for new loan or mortgage purchase

1 commitments only to the extent expressly provided for in
2 this Act (unless such loans are in support of other forms
3 of assistance provided for in this or prior appropriations
4 Acts), except that this proviso shall not apply to the mort-
5 gage insurance or guaranty operations of these corpora-
6 tions, or where loans or mortgage purchases are necessary
7 to protect the financial interest of the United States Gov-
8 ernment.

9 SEC. 209. None of the funds provided in this title
10 for technical assistance, training, or management improve-
11 ments may be obligated or expended unless HUD provides
12 to the Committees on Appropriations a description of each
13 proposed activity and a detailed budget estimate of the
14 costs associated with each program, project or activity as
15 part of the Budget Justifications. For fiscal year 2005,
16 HUD shall transmit this information to the Committees
17 by March 15, 2005 for 30 days of review.

18 SEC. 210. The Secretary of Housing and Urban De-
19 velopment shall provide quarterly reports to the House
20 and Senate Committees on Appropriations regarding all
21 uncommitted, unobligated, recaptured and excess funds in
22 each program and activity within the jurisdiction of the
23 Department and shall submit additional, updated budget
24 information to these Committees upon request.

1 SEC. 211. Notwithstanding any other provision of
2 law, in fiscal year 2005, in managing and disposing of any
3 multifamily property that is owned or held by the Sec-
4 retary and is occupied primarily by elderly or disabled
5 families, the Secretary of Housing and Urban Develop-
6 ment shall maintain any rental assistance payments under
7 section 8 of the United States Housing Act of 1937 that
8 are attached to any dwelling units in the property. To the
9 extent the Secretary determines that such a multifamily
10 property owned or held by the Secretary is not feasible
11 for continued rental assistance payments under such sec-
12 tion 8, the Secretary may, in consultation with the tenants
13 of that property, contract for project-based rental assist-
14 ance payments with an owner or owners of other existing
15 housing properties or provide other rental assistance.

16 SEC. 212. (a) Notwithstanding any other provision
17 of law, the amount allocated for fiscal year 2005 under
18 section 854(c) of the AIDS Housing Opportunity Act (42
19 U.S.C. 12903(c)), to the City of Wilmington, Delaware,
20 on behalf of the Wilmington, Delaware-Maryland-New
21 Jersey Metropolitan Division (hereafter “metropolitan di-
22 vision”), shall be adjusted by the Secretary of Housing
23 and Urban Development by allocating to the State of New
24 Jersey the proportion of the metropolitan division’s
25 amount that is based on the number of cases of AIDS

1 reported in the portion of the metropolitan division that
2 is located in New Jersey. The State of New Jersey shall
3 use amounts allocated to the State under this subsection
4 to carry out eligible activities under section 855 of the
5 AIDS Housing Opportunity Act (42 U.S.C. 12904) in the
6 portion of the metropolitan division that is located in New
7 Jersey.

8 (b) Notwithstanding any other provision of law, the
9 Secretary of Housing and Urban Development shall allo-
10 cate to Wake County, North Carolina, the amounts that
11 otherwise would be allocated for fiscal year 2005 under
12 section 854(c) of the AIDS Housing Opportunity Act (42
13 U.S.C. 12903(c)) to the City of Raleigh, North Carolina,
14 on behalf of the Raleigh-Cary, North Carolina Metropoli-
15 tan Statistical Area. Any amounts allocated to Wake
16 County shall be used to carry out eligible activities under
17 section 855 of such Act (42 U.S.C. 12904) within such
18 metropolitan statistical area.

19 (c) Notwithstanding section 854(c) of the AIDS
20 Housing Opportunity Act (42 U.S.C. 12903(c)), the Sec-
21 retary of Housing and Urban Development may adjust the
22 allocation of the amounts that otherwise would be allo-
23 cated for fiscal year 2005 under section 854(c) of such
24 Act, upon the written request of an applicant, in conjunc-
25 tion with the State(s), for a formula allocation on behalf

1 of a metropolitan statistical area, to designate the State
2 or States in which the metropolitan statistical area is lo-
3 cated as the eligible grantee(s) of the allocation. In the
4 case that a metropolitan statistical area involves more
5 than one State, such amounts allocated to each State shall
6 be in proportion to the number of cases of AIDS reported
7 in the portion of the metropolitan statistical area located
8 in that State. Any amounts allocated to a State under this
9 section shall be used to carry out eligible activities within
10 the portion of the metropolitan statistical area located in
11 that State.

12 SEC. 213. Notwithstanding any other provision of
13 law, for this fiscal year and every fiscal year thereafter,
14 funds appropriated for housing for the elderly, as author-
15 ized by section 202 of the Housing Act of 1959, as amend-
16 ed, and for supportive housing for persons with disabil-
17 ities, as authorized by section 811 of the Cranston-Gon-
18 zalez National Affordable Housing Act, shall be available
19 for the cost of maintaining and disposing of such prop-
20 erties that are acquired or otherwise become the responsi-
21 bility of the Department.

22 SEC. 214. The Secretary of Housing and Urban De-
23 velopment shall submit an annual report no later than Au-
24 gust 30, 2005 and annually thereafter to the House and
25 Senate Committees on Appropriations regarding the num-

1 ber of Federally assisted units under lease and the per
2 unit cost of these units to the Department of Housing and
3 Urban Development.

4 SEC. 215. The Department of Housing and Urban
5 Development shall submit the Department's fiscal year
6 2006 congressional budget justifications to the Commit-
7 tees on Appropriations of the House of Representatives
8 and the Senate using the identical structure provided
9 under this Act and only in accordance with the direction
10 specified in the report accompanying this Act.

11 SEC. 216. That incremental voucher previously made
12 available under the heading "Housing Certificate Fund"
13 for non-elderly disabled families shall, to the extent prac-
14 ticable, continue to be provided to non-elderly disabled
15 families upon turnover.

16 SEC. 217. The installment contract between the Vil-
17 lage of Hanna City, Illinois and the General Services Ad-
18 ministration is in the nature of a purchase money mort-
19 gage which will be paid off at initial closing. The Depart-
20 ment of Housing and Urban Development shall accept the
21 Village of Hanna City, Illinois' holding of equitable title
22 to this property as sufficient for the purposes of the sec-
23 tion 202 housing program.

24 SEC. 218. A public housing agency or such other enti-
25 ty that administers Federal housing assistance in the

1 states of Alaska, Iowa, and Mississippi shall not be re-
2 quired to include a resident of public housing or a recipi-
3 ent of assistance provided under section 8 of the United
4 States Housing Act of 1937 on the board of directors or
5 a similar governing board of such agency or entity as re-
6 quired under section (2)(b) of such Act. Each public hous-
7 ing agency or other entity that administers Federal hous-
8 ing assistance under section 8 in the states of Alaska,
9 Iowa and Mississippi shall establish an advisory board of
10 not less than 6 residents of public housing or recipients
11 of section 8 assistance to provide advice and comment to
12 the public housing agency or other administering entity
13 on issues related to public housing and section 8. Such
14 advisory board shall meet not less than quarterly.

15 **SEC. 219. (a) Section 536(b)(1) of the Na-**
16 **tional Housing Act (12 U.S.C. 1735f-14(b)(1)) is**
17 **amended by adding the following new sub-**
18 **paragraph at the end:**

19 **“(J) Failure to perform a required**
20 **physical inspection of the mortgaged**
21 **property.”.**

22 **(b) Section 537(c)(1)(B)(ii) of such Act (12**
23 **U.S.C. 1735f-15(c)(1)(B)(ii)) is amended by in-**
24 **serting after “rents,” the following: “other rev-**
25 **enues, or contract rights,”.**

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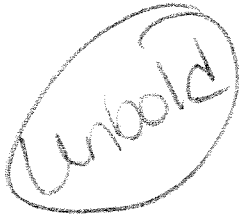
1 **(c) Section 537(c)(1)(B)(x) of such Act (12**
2 **U.S.C. 1735f-15(c)(1)(B)(x)) is amended to read**
3 **as follows:**

4 **“(x) Failure to furnish the**
5 **Secretary, by the expiration of**
6 **the 90-day period beginning on**
7 **the first day after the completion**
8 **of each fiscal year (unless the Sec-**
9 **retary has approved an extension**
10 **of the 90-day period in writing),**
11 **with a complete annual financial**
12 **report, in accordance with re-**
13 **quirements prescribed by the Sec-**
14 **retary, including requirements**
15 **that the report be—**

16 **“(I) based upon an exam-**
17 **ination of the books and**
18 **records of the mortgagor;**

19 **“(II) prepared and cer-**
20 **tified to by an independent**
21 **public accountant or a cer-**
22 **tified public accountant (un-**
23 **less the Secretary has waived**
24 **this requirement in writing);**
25 **and**

Unbold



1 **“(III) certified to by the**
2 **mortgagor or an authorized**
3 **representative of the mort-**
4 **gagor.**

5 **“The Secretary shall approve an extension**
6 **where the mortgagor demonstrates that fail-**
7 **ure to comply with this clause is due to events**
8 **beyond the control of the mortgagor.”.**

9 SEC. 220. Section 421 of the Housing and Commu-
10 nity Development Act of 1987 (12 U.S.C. 1715z-4a) is
11 amended—

12 (1) in subsection (a)(1)(A), by inserting after
13 “project” the following: “, nursing home, inter-
14 mediate care facility, board and care home, assisted
15 living facility, or hospital”;

16 (2) in subsection (a)(1)(B), by inserting after
17 “is” the following: “or, at the time of the violations,
18 was”;

19 (3) in the second sentence of subsection(a)(1),
20 by striking “project” and inserting “property”;

21 (4) in subsection (a)(2) by striking “which”
22 and all that follows through “any owner” and insert-
23 ing the following: “that owns or operates a property,
24 as identified in the regulatory agreement, including
25 but not limited to—

1 “(A) any stockholder holding 25 percent or
2 more interest of a corporation that owns that
3 property;

4 “(B) any beneficial owner of the property
5 under any business or trust;

6 “(C) any officer, director, or partner of an
7 entity owning or controlling the property;

8 “(D) any nursing home lessee or operator;

9 “(E) any hospital lessee or operator;

10 “(F) any other person or entity that con-
11 trols the property regardless of that person or
12 entity’s official relationship to the property; and

13 “(G) any heir, assignee, successor in inter-
14 est, or agent of any person or entity described
15 in the preceding subparagraphs”;

16 (5) in subsection (c), by striking “project” the
17 first two places it appears and inserting “property”;
18 and

19 (6) in subsection (d), by striking “project” and
20 inserting “a property’s”.

21 SEC. 221. Section 204(h) of the National Housing
22 Act (12 U.S.C. 1710(h)) is amended—

23 (1) in paragraph (2)—

24 (A) by striking “following assets of the
25 Secretary” and inserting “following categories

1 of assets of the Secretary, unless the Secretary
2 determines at any time that the asset property
3 is economically or otherwise infeasible to reha-
4 bilitate or that the best use of the asset prop-
5 erty is as open space (including park land)”;

6 (B) in subparagraph (B)(ii), by inserting
7 after “Act” the following: “except for mort-
8 gages insured under or made pursuant to sec-
9 tions 235, 247, or 255”; and

10 (C) by striking subparagraph (C);

11 (2) in the second sentence of paragraph (3), by
12 inserting after “government” the following: “,
13 States, and Indian tribes”;

14 (3) in paragraph (4)—

15 (A) in subparagraph (A)(i), by inserting
16 after “government” the following: “, State, or
17 Indian tribe”;

18 (B) by revising subparagraph (B)(ii) to
19 read as follows:

20 “(ii) purchases all assets of the Sec-
21 retary in the category or categories of eligi-
22 ble assets set forth in the sale agreement
23 required under paragraph (7) that, at any
24 time during the period which shall be set
25 forth in the sale agreement—

1 “(I) are or become eligible for
2 purchase under this subsection; and

3 “(II) are located in the asset con-
4 trol area of the purchaser; and”; and

5 (C) in subparagraph (C), by striking “pur-
6 chase of eligible assets under” and inserting
7 “purchase of the category or categories of eligi-
8 ble assets set forth in the sale agreement
9 under”;

10 (4) in paragraph (6)—

11 (A) by revising subparagraph (C) to read
12 as follows:

13 “(C) DISCOUNTS.—The Secretary, in the
14 sole discretion of the Secretary, shall establish
15 the discount under this paragraph for an eligi-
16 ble asset. In determining the discount, the Sec-
17 retary may consider the condition of the asset
18 property, the extent of resources available to
19 the preferred purchaser, the comprehensive re-
20 vitalization plan undertaken by such purchaser,
21 the financial safety and soundness of the Mu-
22 tual Mortgage Insurance Fund, and any other
23 circumstances the Secretary considers appro-
24 priate”; and

25 (B) by striking subparagraph (D);

1 (5) in paragraph (7)(A), by striking “eligible
2 assets to be purchased and the interests sold” and
3 inserting “category or categories of eligible assets to
4 be purchased and, based on the purchaser’s capacity
5 to manage and dispose of assets, the maximum num-
6 ber of assets owned by the Secretary at the time the
7 sale agreement is executed that shall be sold to the
8 purchaser”; and

9 (6) in paragraph (8)—

10 (A) in subparagraph (F), by inserting after
11 “State” the following: “, and any agency or in-
12 strumentality thereof that is established pursu-
13 ant to legislation and designated by the chief
14 executive officer to act on behalf of the jurisdic-
15 tion with regard to the provisions of this sub-
16 section”; and

17 (B) by adding the following new subpara-
18 graphs at the end:

19 “(G) STATE.—The term ‘State’ means any
20 State of the United States, the District of Co-
21 lumbia, the Commonwealth of Puerto Rico,
22 Guam, American Samoa, the Virgin Islands, the
23 Northern Mariana Islands, or any agency or in-
24 strumentality thereof that is established pursu-
25 ant to legislation and designated by the chief

1 executive officer to act on behalf of the State
2 with regard to provisions of this subsection.

3 “(H) INDIAN TRIBE.—The term “Indian
4 tribe” has the same meaning as in section
5 248(i)(I) of this Act.”.

6 SEC. 222. Section 203(c) of the National Housing
7 Act (12 U.S.C. 1709(c)), as amended, is further amended
8 in paragraph (1) by striking “subsections (n) and (k)” and
9 inserting “subsection (n)” and striking “or (k)”.

10 SEC. 223. Section 203(c)(2)(A) of the National
11 Housing Act (12 U.S.C. 1709(c)(2)(A)) is amended in the
12 last sentence after “subparagraph” by inserting the fol-
13 lowing: “, provided that the mortgagor refinances the un-
14 paid principal obligation under title II of this Act”. This
15 provision shall apply to loans that become insured on or
16 after date of enactment of this Act.

17 SEC. 224. The portion of any athletic scholarship as-
18 ~~sistance that is designated as available for use as housing~~
19 ~~assistance~~ shall be considered adjusted income for pur-
20 poses of section 3(b)(5) of the United States Housing Act
21 of 1937 ~~(“1937 Act”)~~. The Secretary of Housing and
22 Urban Development shall by notice establish criteria under
23 which persons who receive athletic scholarship assistance
24 may be denied housing assistance under the United State
25 Housing Act of 1937.

Costs

5

1 SEC. 225. The funds made available for Native Alas-
2 kans under the heading "Native American Housing Block
3 Grants" in title II of this Act shall be allocated to the
4 same Native Alaskan ~~Indian~~ Housing block grant recipi-
5 ents that received funds in fiscal year 2004.

6 TITLE III—INDEPENDENT AGENCIES

7 AMERICAN BATTLE MONUMENTS COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses, not otherwise provided for,
10 of the American Battle Monuments Commission, including
11 the acquisition of land or interest in land in foreign coun-
12 tries; purchases and repair of uniforms for caretakers of
13 national cemeteries and monuments outside of the United
14 States and its territories and possessions; rent of office
15 and garage space in foreign countries; purchase (one for
16 replacement only) and hire of passenger motor vehicles;
17 not to exceed \$7,500 for official reception and representa-
18 tion expenses; and insurance of official motor vehicles in
19 foreign countries, when required by law of such countries,
20 \$41,100,000, to remain available until expended.

21 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

22 For necessary expenses, not otherwise provided for,
23 of the American Battle Monuments Commission,
24 \$12,000,000, to remain available until expended, for pur-
25 poses authorized by 36 U.S.C. 2109.

1 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
2 SALARIES AND EXPENSES

3 For necessary expenses in carrying out activities pur-
4 suant to section 112(r)(6) of the Clean Air Act, as amend-
5 ed, including hire of passenger vehicles, uniforms or allow-
6 ances therefore, as authorized by 5 U.S.C. 5901-5902,
7 and for services authorized by 5 U.S.C. 3109 but at rates
8 for individuals not to exceed the per diem equivalent to
9 the maximum rate payable for senior level positions under
10 5 U.S.C. 5376, ~~\$9,300,000~~: *Provided*, That the Chemical
11 Safety and Hazard Investigation Board (Board) shall have
12 not more than three career Senior Executive Service posi-
13 tions: *Provided further*, That notwithstanding any other
14 provision of law, the individual appointed to the position
15 of Inspector General of the Environmental Protection
16 Agency (EPA) shall, by virtue of such appointment, also
17 hold the position of Inspector General of the Board: *Pro-*
18 *vided further*, That notwithstanding any other provision of
19 law, the Inspector General of the Board shall utilize per-
20 sonnel of the Office of Inspector General of EPA in per-
21 forming the duties of the Inspector General of the Board,
22 and shall not appoint any individuals to positions within
23 the Board.

9,100,000

1 EMERGENCY FUND

2 For necessary expenses of the Chemical Safety and
3 Hazard Investigation Board for accident investigations
4 not otherwise provided for, ~~\$200,000~~, to remain available
5 until expended.

6 DEPARTMENT OF THE TREASURY

7 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

8 FUND PROGRAM ACCOUNT

9 To carry out the Community Development Banking
10 and Financial Institutions Act of 1994, including services
11 authorized by 5 U.S.C. 3109, but at rates for individuals
12 not to exceed the per diem rate equivalent to the rate for
13 ES-3, ~~\$55,000,000~~, to remain available until September
14 30, 2006, of which \$4,000,000 shall be for financial assist-
15 ance, technical assistance, training and outreach programs
16 designed to benefit Native American, Native Hawaiian,
17 and Alaskan Native communities and provided primarily
18 through qualified community development lender organi-
19 zations with experience and expertise in community devel-
20 opment banking and lending in Indian country, Native
21 American organizations, tribes and tribal organizations
22 and other suitable providers, and up to \$14,900,000 may
23 be used for administrative expenses, including administra-
24 tion of the New Markets Tax Credit, up to \$6,000,000
25 may be used for the cost of direct loans, and up to

400,000

Community Development
Financial Institutions

55,522,000

1 \$250,000 may be used for administrative expenses to
2 carry out the direct loan program: *Provided*, That the cost
3 of direct loans, including the cost of modifying such loans,
4 shall be as defined in section 502 of the Congressional
5 Budget Act of 1974, as amended: *Provided further*, That
6 these funds are available to subsidize gross obligations for
7 the principal amount of direct loans not to exceed
8 \$11,000,000.

9 CONSUMER PRODUCT SAFETY COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Consumer Product
12 Safety Commission, including hire of passenger motor ve-
13 hicles, services as authorized by 5 U.S.C. 3109, but at
14 rates for individuals not to exceed the per diem rate equiv-
15 alent to the maximum rate payable under 5 U.S.C. 5376,
16 purchase of nominal awards to recognize non-Federal offi-
17 cials' contributions to Commission activities, and not to
18 exceed \$500 for official reception and representation ex-
19 penses, \$62,650,000.

20 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

21 NATIONAL AND COMMUNITY SERVICE PROGRAMS

22 OPERATING EXPENSES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses for the Corporation for Na-
25 tional and Community Service (the "Corporation") in car-
26 rying out programs, activities, and initiatives under the

1 National and Community Service Act of 1990 (the “Act”)
2 (42 U.S.C. 12501 et seq.), \$545,884,000, to remain avail-
3 able until September 30, 2006: *Provided*, That not more
4 than \$290,000,000 of the amount provided under this
5 heading shall be available for grants under the National
6 Service Trust Program authorized under subtitle C of title
7 I of the Act (42 U.S.C. 12571 et seq.) (relating to activi-
8 ties of the AmeriCorps program), including grants to orga-
9 nizations operating projects under the AmeriCorps Edu-
10 cation Awards Program (without regard to the require-
11 ments of sections 121(d) and (e), section 131(e), section
12 132, and sections 140(a), (d), and (e) of the Act): *Pro-*
13 *vided further*, That not less than \$144,000,000 of the
14 amount provided under this heading, to remain available
15 without fiscal year limitation, shall be transferred to the
16 National Service Trust for educational awards authorized
17 under subtitle D of title I of the Act (42 U.S.C. 12601),
18 of which up to \$3,900,000 shall be available to support
19 national service scholarships for high school students per-
20 forming community service, and of which \$13,000,000
21 shall be held in reserve as defined in Public Law 108–
22 45: *Provided further*, That in addition to amounts other-
23 wise provided to the National Service Trust under the sec-
24 ond proviso, the Corporation may transfer funds from the
25 amount provided under the first proviso, to the National

1 Service Trust authorized under subtitle D of title I of the
2 Act (42 U.S.C. 12601) upon determination that such
3 transfer is necessary to support the activities of national
4 service participants and after notice is transmitted to Con-
5 gress: *Provided further*, That of the amount provided
6 under this heading for grants under the National Service
7 Trust program authorized under subtitle C of title I of
8 the Act, not more than \$55,000,000 may be used to ad-
9 minister, reimburse, or support any national service pro-
10 gram authorized under section 121(d)(2) of such Act (42
11 U.S.C. 12581(d)(2)): *Provided further*, That not more
12 than \$13,334,000 shall be available for quality and inno-
13 vation activities authorized under subtitle H of title I of
14 the Act (42 U.S.C. 12853 et seq.), of which \$4,000,000
15 shall be available for challenge grants to non-profit organi-
16 zations: *Provided further*, That notwithstanding subtitle H
17 of title I of the Act (42 U.S.C. 12853), none of the funds
18 provided under the previous proviso shall be used to sup-
19 port salaries and related expenses (including travel) attrib-
20 utable to Corporation employees: *Provided further*, That
21 to the maximum extent feasible, funds appropriated under
22 subtitle C of title I of the Act shall be provided in a man-
23 ner that is consistent with the recommendations of peer
24 review panels in order to ensure that priority is given to
25 programs that demonstrate quality, innovation,

1 replicability, and sustainability: *Provided further*, That
2 \$25,500,000 of the funds made available under this head-
3 ing shall be available for the Civilian Community Corps
4 authorized under subtitle E of title I of the Act (42 U.S.C.
5 12611 et seq.): *Provided further*, That \$43,000,000 shall
6 be available for school-based and community-based serv-
7 ice-learning programs authorized under subtitle B of title
8 I of the Act (42 U.S.C. 12521 et seq.): *Provided further*,
9 That \$3,550,000 shall be available for audits and other
10 evaluations authorized under section 179 of the Act (42
11 U.S.C. 12639): *Provided further*, That \$10,000,000 of the
12 funds made available under this heading shall be made
13 available for the Points of Light Foundation for activities
14 authorized under title III of the Act (42 U.S.C. 12661
15 et seq.), of which not more than \$2,500,000 may be used
16 to support an endowment fund, the corpus of which shall
17 remain intact and the interest income from which shall
18 be used to support activities described in title III of the
19 Act, provided that the Foundation may invest the corpus
20 and income in federally insured bank savings accounts or
21 comparable interest bearing accounts, certificates of de-
22 posit, money market funds, mutual funds, obligations of
23 the United States, and other market instruments and se-
24 curities but not in real estate investments: *Provided fur-*
25 *ther*, That no funds shall be available for national service

1 programs run by Federal agencies authorized under sec-
2 tion 121(b) of such Act (42 U.S.C. 12571(b)): *Provided*
3 *further*, That \$4,500,000 of the funds made available
4 under this heading shall be made available to America's
5 Promise—The Alliance for Youth, Inc.: *Provided further*,
6 That to the maximum extent practicable, the Corporation
7 shall increase significantly the level of matching funds and
8 in-kind contributions provided by the private sector, and
9 shall reduce the total Federal costs per participant in all
10 programs.

11 SALARIES AND EXPENSES

12 For necessary expenses of administration as provided
13 under section 501(a)(4) of the National and Community
14 Service Act of 1990 (42 U.S.C. 12501 et seq.) including
15 payment of salaries, authorized travel, hire of passenger
16 motor vehicles, the rental of conference rooms in the Dis-
17 trict of Columbia, the employment of experts and consult-
18 ants authorized under 5 U.S.C. 3109, and not to exceed
19 \$2,500 for official reception and representation expenses,
20 \$26,000,000.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General in carrying out the Inspector General Act of 1978,
24 as amended, \$6,000,000, to remain available until Sep-
25 tember 30, 2006.

1 ADMINISTRATIVE PROVISIONS

2 Notwithstanding any other provision of law, the term
3 “qualified student loan” with respect to national service
4 education awards shall mean any loan determined by an
5 institution of higher education to be necessary to cover
6 a student’s cost of attendance at such institution and
7 made, insured, or guaranteed directly to a student by a
8 State agency, in addition to other meanings under section
9 148(b)(7) of the National and Community Service Act.

10 Notwithstanding any other provision of law, funds
11 made available under section 129(d)(5)(B) of the National
12 and Community Service Act to assist entities in placing
13 applicants who are individuals with disabilities may be
14 provided to any entity that receives a grant under section
15 121 of the Act.

16 The Inspector General of the Corporation for Na-
17 tional and Community Service shall conduct random au-
18 dits of the grantees that administer activities under the
19 AmeriCorps programs and shall levy sanctions in accord-
20 ance with standard Inspector General audit resolution pro-
21 cedures which include, but are not limited to, debarment
22 of any grantee (or successor in interest or any entity with
23 substantially the same person or persons in control) that
24 has been determined to have committed any substantial
25 violations of the requirements of the AmeriCorps pro-

1 grams, including any grantee that has been determined
2 to have violated the prohibition of using Federal funds to
3 lobby the Congress: *Provided*, That the Inspector General
4 shall obtain reimbursements in the amount of any misused
5 funds from any grantee that has been determined to have
6 committed any substantial violations of the requirements
7 of the AmeriCorps programs.

8 For fiscal year 2005, the Corporation shall make any
9 significant changes to program requirements or policy only
10 through public notice and comment rulemaking. For fiscal
11 year 2005, during any grant selection process, no officer
12 or employee of the Corporation shall knowingly disclose
13 any covered grant selection information regarding such se-
14 lection, directly or indirectly, to any person other than an
15 officer or employee of the Corporation that is authorized
16 by the Corporation to receive such information.

17 U.S. COURT OF APPEALS FOR VETERANS CLAIMS
18 SALARIES AND EXPENSES

19 For necessary expenses for the operation of the
20 United States Court of Appeals for Veterans Claims as
21 authorized by 38 U.S.C. 7251–7298, ~~\$17,623,000~~, of
22 which \$1,100,000 shall be available for the purpose of pro-
23 viding financial assistance as described, and in accordance
24 with the process and reporting procedures set forth, under
25 this heading in Public Law 102–229.

17,250,000

1 DEPARTMENT OF DEFENSE—CIVIL
2 CEMETERIAL EXPENSES, ARMY
3 SALARIES AND EXPENSES

4 For necessary expenses, as authorized by law, for
5 maintenance, operation, and improvement of Arlington
6 National Cemetery and Soldiers' and Airmen's Home Na-
7 tional Cemetery, including the purchase of one passenger
8 motor vehicle for replacement only, and not to exceed
9 \$1,000 for official reception and representation expenses,
10 \$29,600,000, to remain available until expended.

11 DEPARTMENT OF HEALTH AND HUMAN SERVICES
12 NATIONAL INSTITUTES OF HEALTH
13 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
14 SCIENCES

15 For necessary expenses for the National Institute of
16 Environmental Health Sciences in carrying out activities
17 set forth in section 311(a) of the Comprehensive Environ-
18 mental Response, Compensation, and Liability Act of
19 1980, as amended, and section 126(g) of the Superfund
20 Amendments and Reauthorization Act of 1986,
21 \$80,486,000.

1 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
2 REGISTRY
3 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC
4 HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, \$76,654,000: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess

1 of 40 toxicological profiles pursuant to section 104(i) of
2 CERCLA during fiscal year 2005, and existing profiles
3 may be updated as necessary.

4 ENVIRONMENTAL PROTECTION AGENCY

5 SCIENCE AND TECHNOLOGY

6 For science and technology, including research and
7 development activities, which shall include research and
8 development activities under the Comprehensive Environ-
9 mental Response, Compensation, and Liability Act of
10 1980, as amended; necessary expenses for personnel and
11 related costs and travel expenses, including uniforms, or
12 allowances therefor, as authorized by 5 U.S.C. 5901-
13 5902; services as authorized by 5 U.S.C. 3109, but at
14 rates for individuals not to exceed the per diem rate equiv-
15 alent to the maximum rate payable for senior level posi-
16 tions under 5 U.S.C. 5376; procurement of laboratory
17 equipment and supplies; other operating expenses in sup-
18 port of research and development; construction, alteration,
19 repair, rehabilitation, and renovation of facilities, not to
20 exceed \$85,000 per project, \$750,061,000, which shall re-
21 main available until September 30, 2006: *Provided*, That
22 ~~the referenced statement of managers under this heading~~
23 ~~in Public Law 108-199, in reference to item number 57,~~
24 ~~is deemed to be amended by striking "Montec Research~~
25 ~~in Butte, Montana" and inserting in lieu thereof "Mon-~~

[Including Transfer of Funds]

1 ~~tana Physical Sciences Foundation".~~ *Provided further,*
2 ~~That~~ of the amounts made available under this heading
3 \$1,000,000 shall be transferred to the Office of Environ-
4 mental Quality Management fund.

5 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

6 For environmental programs and management, in-
7 cluding necessary expenses, not otherwise provided for, for
8 personnel and related costs and travel expenses, including
9 uniforms, or allowances therefor, as authorized by 5
10 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
11 3109, but at rates for individuals not to exceed the per
12 diem rate equivalent to the maximum rate payable for sen-
13 ior level positions under 5 U.S.C. 5376; hire of passenger
14 motor vehicles; hire, maintenance, and operation of air-
15 craft; purchase of reprints; library memberships in soci-
16 eties or associations which issue publications to members
17 only or at a price to members lower than to subscribers
18 who are not members; construction, alteration, repair, re-
19 habilitation, and renovation of facilities, not to exceed
20 \$85,000 per project; and not to exceed \$9,000 for official
21 reception and representation expenses, \$2,313,409,000,
22 which shall remain available until September 30, 2006, in-
23 cluding administrative costs of the brownfields program
24 under the Small Business Liability Relief and Brownfields
25 Revitalization Act of 2002.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended, and for construction,
5 alteration, repair, rehabilitation, and renovation of facili-
6 ties, not to exceed \$85,000 per project, \$38,000,000, to
7 remain available until September 30, 2006.

8 BUILDINGS AND FACILITIES

9 For construction, repair, improvement, extension, al-
10 teration, and purchase of fixed equipment or facilities of,
11 or for use by, the Environmental Protection Agency,
12 \$39,000,000, to remain available until expended.

13 HAZARDOUS SUBSTANCE SUPERFUND

14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses to carry out the Comprehen-
16 sive Environmental Response, Compensation, and Liabil-
17 ity Act of 1980 (CERCLA), as amended, including sec-
18 tions 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.
19 9611), and for construction, alteration, repair, rehabilita-
20 tion, and renovation of facilities, not to exceed \$85,000
21 per project; \$1,257,537,000, to remain available until ex-
22 pended, consisting of such sums as are available in the
23 Trust Fund upon the date of enactment of this Act as
24 authorized by section 517(a) of the Superfund Amend-
25 ments and Reauthorization Act of 1986 (SARA) and up
26 to \$1,257,537,000 as a payment from general revenues

1 to the Hazardous Substance Superfund for purposes as
2 authorized by section 517(b) of SARA, as amended: *Pro-*
3 *vided*, That funds appropriated under this heading may
4 be allocated to other Federal agencies in accordance with
5 section 111(a) of CERCLA: *Provided further*, That of the
6 funds appropriated under this heading, \$13,000,000 shall
7 be transferred to the “Office of Inspector General” appro-
8 priation to remain available until September 30, 2006,
9 and \$36,097,000 shall be transferred to the “Science and
10 technology” appropriation to remain available until Sep-
11 tember 30, 2006.

12 LEAKING UNDERGROUND STORAGE TANK PROGRAM

13 For necessary expenses to carry out leaking under-
14 ground storage tank cleanup activities authorized by sec-
15 tion 205 of the Superfund Amendments and Reauthoriza-
16 tion Act of 1986, and for construction, alteration, repair,
17 rehabilitation, and renovation of facilities, not to exceed
18 \$85,000 per project, \$70,000,000, to remain available
19 until expended.

20 OIL SPILL RESPONSE

21 For expenses necessary to carry out the Environ-
22 mental Protection Agency’s responsibilities under the Oil
23 Pollution Act of 1990, \$16,000,000, to be derived from
24 the Oil Spill Liability trust fund, to remain available until
25 expended.

1 STATE AND TRIBAL ASSISTANCE GRANTS

2 For environmental programs and infrastructure as-
3 sistence, including capitalization grants for State revolv-
4 ing funds and performance partnership grants,
5 \$3,604,182,000, to remain available until expended, of
6 which \$1,100,000,000 shall be for making capitalization
7 grants for the Clean Water State Revolving Funds under
8 title VI of the Federal Water Pollution Control Act, as
9 amended (the “Act”), of which up to \$50,000,000 shall
10 be available for loans, including interest free loans as au-
11 thorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-
12 municipal, interstate, or State agencies or nonprofit enti-
13 ties for projects that provide treatment for or that mini-
14 mize sewage or stormwater discharges using one or more
15 approaches which include, but are not limited to, decen-
16 tralized or distributed stormwater controls, decentralized
17 wastewater treatment, low-impact development practices,
18 conservation easements, stream buffers, or wetlands res-
19 toration; \$850,000,000 shall be for capitalization grants
20 for the Drinking Water State Revolving Funds under sec-
21 tion 1452 of the Safe Drinking Water Act, as amended,
22 except that, notwithstanding section 1452(n) of the Safe
23 Drinking Water Act, as amended, none of the funds made
24 available under this heading in this Act, or in previous
25 appropriations Acts, shall be reserved by the Adminis-

1 trator for health effects studies on drinking water con-
2 taminants; \$50,000,000 shall be for architectural, engi-
3 neering, planning, design, construction and related activi-
4 ties in connection with the construction of high priority
5 water and wastewater facilities in the area of the United
6 States-Mexico Border, after consultation with the appro-
7 priate border commission; \$45,000,000 shall be for grants
8 to the State of Alaska to address drinking water and waste
9 infrastructure needs of rural and Alaska Native Villages:
10 *Provided*, That, of these funds (1) the State of Alaska
11 shall provide a match of 25 percent, (2) no more than
12 5 percent of the funds may be used for administrative and
13 overhead expenses, and (3) not later than October 1, 2004^{e[2005]}
14 the State of Alaska shall make awards consistent with the
15 statewide priority list established in 2004 for all water,
16 sewer, waste disposal, and similar projects carried out by
17 the State of Alaska that are funded under section 221 of
18 the Federal Water Pollution Control Act (33 U.S.C. 1301)
19 or the Consolidated Farm and Rural Development Act (7
20 U.S.C. 1921 et seq.) which shall allocate not less than 25
21 percent of the funds provided for projects in regional hub
22 communities; \$4,000,000 shall be for remediation of above
23 ground leaking fuel tanks pursuant to Public Law 106-
24 554; ~~\$325,000,000~~ shall be for making grants for the con-
25 struction of drinking water, wastewater and storm water

6309,925,000

1 infrastructure and for water quality protection in accord-
2 ance with the terms and conditions specified for such
3 grants in the joint explanatory statement of the managers
4 accompanying this Act, and, for purposes of these grants,
5 each grantee shall contribute not less than 45 percent of
6 the cost of the project unless the grantee is approved for
7 a waiver by the Agency; \$90,000,000 shall be to carry out
8 section 104(k) of the Comprehensive Environmental Re-
9 sponse, Compensation, and Liability Act of 1980
10 (CERCLA), as amended, including grants, interagency
11 agreements, and associated program support costs;
12 \$7,500,000 for a cost-shared grant program to school dis-
13 tricts for necessary upgrades of their diesel bus fleets; and
14 \$1,145,757,000 shall be for grants, including associated
15 program support costs, to States, federally recognized
16 tribes, interstate agencies, tribal consortia, and air pollu-
17 tion control agencies for multi-media or single media pol-
18 lution prevention, control and abatement and related ac-
19 tivities, including activities pursuant to the provisions set
20 forth under this heading in Public Law 104–134, and for
21 making grants under section 103 of the Clean Air Act for
22 particulate matter monitoring and data collection activi-
23 ties of which and subject to terms and conditions specified
24 by the Administrator, of which \$50,000,000 shall be for
25 carrying out section 128 of CERCLA, as amended, and

1 \$19,500,000 shall be for Environmental Information Ex-
2 change Network grants, including associated program
3 support costs, and \$18,000,000 shall be for making com-
4 petitive targeted watershed grants: *Provided further*, That
5 for fiscal year 2005, State authority under section 302(a)
6 of Public Law 104–182 shall remain in effect: *Provided*
7 *further*, That notwithstanding section 603(d)(7) of the
8 Act, the limitation on the amounts in a State water pollu-
9 tion control revolving fund that may be used by a State
10 to administer the fund shall not apply to amounts included
11 as principal in loans made by such fund in fiscal year 2005
12 and prior years where such amounts represent costs of ad-
13 ministering the fund to the extent that such amounts are
14 or were deemed reasonable by the Administrator, ac-
15 counted for separately from other assets in the fund, and
16 used for eligible purposes of the fund, including adminis-
17 tration: *Provided further*, That for fiscal year 2005, and
18 notwithstanding section 518(f) of the Act, the Adminis-
19 trator is authorized to use the amounts appropriated for
20 any fiscal year under section 319 of that Act to make
21 grants to Indian tribes pursuant to sections 319(h) and
22 518(e) of that Act: *Provided further*, That for fiscal year
23 2005, notwithstanding the limitation on amounts in sec-
24 tion 518(c) of the Act, up to a total of 1½ percent of
25 the funds appropriated for State Revolving Funds under

1 title VI of that Act may be reserved by the Administrator
2 for grants under section 518(c) of such Act: *Provided fur-*
3 *ther*, That no funds provided by this legislation to address
4 the water, wastewater and other critical infrastructure
5 needs of the colonias in the United States along the
6 United States-Mexico border shall be made available to a
7 county or municipal government unless that government
8 has established an enforceable local ordinance, or other
9 zoning rule, which prevents in that jurisdiction the devel-
10 opment or construction of any additional colonia areas, or
11 the development within an existing colonia the construc-
12 tion of any new home, business, or other structure which
13 lacks water, wastewater, or other necessary infrastructure:
14 *Provided further*, That the referenced statement of the
15 managers under this heading in Public Law 108-~~07~~, in
16 reference to item number 471, is deemed to be amended
17 by striking everything after “for” and inserting, “for
18 water infrastructure improvements”: *Provided further*,
19 That the referenced statement of the managers under this
20 heading in Public Law 108-199, in reference to item num-
21 ber 22, is deemed to be amended by striking everything
22 after “22.” and inserting, “\$200,000 to Jackson County,
23 Alabama, for water system improvements and \$200,000
24 to the City of Muscle Shoals, Alabama, for water and
25 sewer infrastructure improvements”: *Provided further*,

1 That the referenced statement of the managers under this
2 heading in Public Law 108–199, in reference to item num-
3 ber 158, is deemed to be amended by inserting “water
4 and” after “for”: *Provided further*, That the referenced
5 statement of the managers under this heading in Public
6 Law 107–73 is deemed to be amended by striking “South-
7 east” in reference to item 9 and inserting “Southwest”:
8 *Provided further*, That the referenced statement of the
9 managers under this heading in Public Law 107–73, in
10 reference to item number 103, is deemed to be amended
11 by striking everything after the word “for”, and adding,
12 “the City of Chicago, Illinois for water infrastructure im-
13 provements at the Thomas Jefferson and Lakeview Pump-
14 ing Stations”: *Provided further*, That the referenced state-
15 ment of the managers under this heading in Public Law
16 108–199, in reference to item number 484, is deemed to
17 be amended by striking “City of Norfolk” and inserting
18 “Portsmouth Virginia”: *Provided further*, That the ref-
19 erenced statement of the managers under this heading in
20 Public Law 108–199, in reference to item number 283,
21 is deemed to be amended by striking “City of Kalispell,
22 Montana” and inserting “Flathead County Water and
23 Sewer District No. 1—Evergreen”: *Provided further*, That
24 the referenced statement of managers under this heading
25 in Public Law 108–7, in reference to item number 139,

1 is deemed to be amended by striking “State of Hawaii
2 Health Department” and inserting “County of Hawaii”:
3 *Provided further*, That the referenced statement of man-
4 agers under this heading in Public Law 108–199, in ref-
5 erence to item number 148, is deemed to be amended by
6 striking everything after the word “for” and inserting “the
7 replacement of cesspools in Hawaii, \$250,000 to the City
8 and County of Honolulu for Varona Village, \$500,000 to
9 the County of Hawaii and the remainder to the Housing
10 and Community Development Corporation of Hawaii;”:
11 *Provided further*, That the referenced statement of the
12 managers under this heading in Public Law 108–199, in
13 reference to item number 388, is deemed to be amended
14 by striking everything after the word “for” and inserting
15 “the Southeast Water Treatment Plant in Lawton, Okla-
16 homa for water and wastewater infrastructure improve-
17 ments;” ~~*Provided further*, That the referenced statement~~
18 ~~of the managers under this heading in Public Law 108–~~
19 ~~07, in reference to item number 471, is deemed to be~~
20 ~~amended by striking everything after “for” and inserting,~~
21 ~~“for water infrastructure improvements”: *Provided fur-*~~
22 ~~ther~~, That the referenced statement of the managers under
23 this heading in Public Law 108–199, in reference to item
24 number 22, is deemed to be amended by striking every-
25 thing after “22.” and inserting, “\$200,000 to Jackson

1 ~~County, Alabama, for water system improvements and~~
2 ~~\$200,000 to the City of Muscle Shoals, Alabama, for~~
3 ~~water and sewer infrastructure improvements”: *Provided*~~
4 ~~*further*, That the referenced statement of the managers~~
5 ~~under this heading in Public Law 108-199, in reference~~
6 ~~to item number 158, is deemed to be amended by inserting~~
7 ~~“water and” after “for”: *Provided further*, That the ref-~~
8 ~~erenced statement of the managers under this heading in~~
9 ~~Public Law 106-377, in reference to item number 46, is~~
10 ~~deemed to be amended by striking, “to construct pump~~
11 ~~stations, force mains, storage lagoons and spray irrigation~~
12 ~~facility”, and inserting, “for wastewater treatment im-~~
13 ~~provements”: *Provided further*, That the referenced state-~~
14 ~~ment of the managers under this heading in Public Law~~
15 ~~108-199, in reference to item number 409, is deemed to~~
16 ~~be amended by striking “City of” and “Pennsylvania”:~~
17 ~~*Provided further*, That the referenced statement of the~~
18 ~~managers under this heading in Public Law 108-199, in~~
19 ~~reference to item number 265, is deemed to be amended~~
20 ~~by striking, “Franklin County”, and inserting, “Okhissa~~
21 ~~Lake Sewer District”: *Provided further*, That the ref-~~
22 ~~erenced statement of the managers under this heading in~~
23 ~~Public Law 108-199, in reference to item number 322,~~
24 ~~is deemed to be amended by inserting “and water” after~~
25 ~~“wastewater”: *Provided further*, That the referenced state-~~

1 ment of the managers under this heading in Public Law
2 108-199, in reference to item number 173, is deemed to
3 be amended by inserting "planning, design and" prior to
4 "construction": *Provided further*, notwithstanding any
5 other provision of law, the Environmental Protection
6 Agency and the New York State Department of Environ-
7 mental Conservation are authorized to award a
8 \$2,000,000 grant to the Town of Wheatfield, Niagara
9 County, New York for the construction of sanitary col-
10 lector sewers from funds reallocated to the State of New
11 York under title II of the Clean Water Act.

Insert
IIIA

12 ADMINISTRATIVE PROVISIONS

13 For fiscal year 2005, notwithstanding 31 U.S.C.
14 6303(1) and 6305(1), the Administrator of the Environ-
15 mental Protection Agency, in carrying out the Agency's
16 function to implement directly Federal environmental pro-
17 grams required or authorized by law in the absence of an
18 acceptable tribal program, may award cooperative agree-
19 ments to federally-recognized Indian Tribes or Intertribal
20 consortia, if authorized by their member Tribes, to assist
21 the Administrator in implementing Federal environmental
22 programs for Indian Tribes required or authorized by law,
23 except that no such cooperative agreements may be award-
24 ed from funds designated for State financial assistance
25 agreements.

~~Vanderburgh County and the City of Evansville~~

~~FY 2004 Number 184~~

~~State and Tribal Assistance Grants~~

Provided further, That

(c)

The referenced statement of the managers under this heading in Public Law 108-199, in reference to item number 184, is deemed to be amended by striking "be divided equally between" and by striking "and" and inserting in place of "and", "or" *e*

insert III A

1 The Administrator of the Environmental Protection
2 Agency is authorized to collect and obligate pesticide reg-
3 istration service fees in accordance with section 33 of the
4 Federal Insecticide, Fungicide, and Rodenticide Act (as
5 added by subsection (f)(2) of the Pesticide Registration
6 Improvement Act of 2003), as amended.

7 Notwithstanding CERCLA 104(k)(4)(B)(i)(IV), ap-
8 propriated funds for fiscal year 2005 may be used to
9 award grants or loans under section 104(k) of CERCLA
10 to eligible entities that satisfy all of the elements set forth
11 in CERCLA section 101(40) to qualify as a bona fide pro-
12 spective purchaser except that the date of acquisition of
13 the property was prior to the date of enactment of the
14 Small Business Liability Relief and Brownfield Revitaliza-
15 tion Act of 2001.

16 The Administrator may hereafter receive and use
17 funds contributed by a non-Federal sponsor as its share
18 of the cost of a project to carry out a project under para-
19 graph (c)(12) of section 118 of the Federal Water Pollu-
20 tion Control Act, as amended.

21 ~~Notwithstanding any other provision of law, the Envi-~~
22 ~~ronmental Protection Agency and the New York State De-~~
23 ~~partment of Environmental Conservation are authorized~~
24 ~~to award a \$2,000,000 grant to the Town of Wheatfield,~~
25 ~~Niagara County, New York for the construction of sani-~~

1 ~~tary collector sewers from funds reallocated to the State of~~
2 ~~New York under title II of the Clean Water Act.~~

3 EXECUTIVE OFFICE OF THE PRESIDENT

4 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

5 For necessary expenses of the Office of Science and
6 Technology Policy, in carrying out the purposes of the Na-
7 tional Science and Technology Policy, Organization, and
8 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire
9 of passenger motor vehicles, and services as authorized by
10 5 U.S.C. 3109, not to exceed \$2,500 for official reception
11 and representation expenses, and rental of conference
12 rooms in the District of Columbia, \$6,379,000.

13 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

14 ENVIRONMENTAL QUALITY

15 For necessary expenses to continue functions as-
16 signed to the Council on Environmental Quality and Office
17 of Environmental Quality pursuant to the National Envi-
18 ronmental Policy Act of 1969, the Environmental Quality
19 Improvement Act of 1970, and Reorganization Plan No.
20 1 of 1977, and not to exceed \$750 for official reception
21 and representation expenses, \$3,284,000: *Provided*, That
22 notwithstanding section 202 of the National Environ-
23 mental Policy Act of 1970, the Council shall consist of
24 one member, appointed by the President, by and with the
25 advice and consent of the Senate, serving as chairman and
26 exercising all powers, functions, and duties of the Council.

1 FEDERAL DEPOSIT INSURANCE CORPORATION

2 OFFICE OF INSPECTOR GENERAL

3 For necessary expenses of the Office of Inspector
4 General in carrying out the provisions of the Inspector
5 General Act of 1978, as amended, ~~\$30,300,000~~, to be de- 30,125,000
6 rived from the Bank Insurance Fund, the Savings Asso-
7 ciation Insurance Fund, and the FSLIC Resolution Fund.

8 GENERAL SERVICES ADMINISTRATION

9 FEDERAL CITIZEN INFORMATION CENTER FUND

10 For necessary expenses of the Federal Citizen Infor-
11 mation Center, including services authorized by 5 U.S.C.
12 3109, \$14,907,000, to be deposited into the Federal Cit-
13 izen Information Center Fund: *Provided*, That the appro-
14 priations, revenues, and collections deposited into the
15 Fund shall be available for necessary expenses of Federal
16 Citizen Information Center activities in the aggregate
17 amount not to exceed \$27,000,000. Appropriations, reve-
18 nues, and collections accruing to this Fund during fiscal
19 year 2005 in excess of such amount shall remain in the
20 Fund and shall not be available for expenditure except as
21 authorized in appropriations Acts.

1 UNITED STATES INTERAGENCY COUNCIL ON
2 HOMELESSNESS
3 OPERATING EXPENSES

4 For necessary expenses (including payment of sala-
5 ries, authorized travel, hire of passenger motor vehicles,
6 the rental of conference rooms, and the employment of ex-
7 perts and consultants under section 3109 of title 5, United
8 States Code) of the United States Interagency Council on
9 Homelessness in carrying out the functions pursuant to
10 title II of the McKinney-Vento Homeless Assistance Act,
11 as amended, \$1,500,000.

12 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
13 SCIENCE, AERONAUTICS AND EXPLORATION
14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses, not otherwise provided for,
16 in the conduct and support of science, aeronautics and ex-
17 ploration research and development activities, including
18 research, development, operations, support and services;
19 maintenance; construction of facilities including repair, re-
20 habilitation, revitalization, and modification of facilities,
21 construction of new facilities and additions to existing fa-
22 cilities, facility planning and design, and restoration, and
23 acquisition or condemnation of real property, as author-
24 ized by law; environmental compliance and restoration;
25 space flight, spacecraft control and communications activi-
26 ties including operations, production, and services; pro-

1 gram management; personnel and related costs, including
2 uniforms or allowances therefor, as authorized by 5 U.S.C.
3 5901–5902; travel expenses; purchase and hire of pas-
4 senger motor vehicles; not to exceed \$35,000 for official
5 reception and representation expenses; and purchase,
6 lease, charter, maintenance and operation of mission and
7 administrative aircraft, \$7,742,550,000, to remain avail-
8 able until September 30, 2006, of which amounts as deter-
9 mined by the Administrator for salaries and benefits;
10 training, travel and awards; facility and related costs; in-
11 formation technology services; science, engineering, fabri-
12 cating and testing services; and other administrative serv-
13 ices may be transferred to “Exploration capabilities” in
14 accordance with section 312(b) of the National Aero-
15 nautics and Space Act of 1958, as amended by Public Law
16 106–377.

17 EXPLORATION CAPABILITIES

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses, not otherwise provided for,
20 in the conduct and support of exploration capabilities re-
21 search and development activities, including research, de-
22 velopment, operations, support and services; maintenance;
23 construction of facilities including repair, rehabilitation,
24 revitalization and modification of facilities, construction of
25 new facilities and additions to existing facilities, facility
26 planning and design, and acquisition or condemnation of

1 real property, as authorized by law; environmental compli-
2 ance and restoration; space flight, spacecraft control and
3 communications activities including operations, produc-
4 tion, and services; program management; personnel and
5 related costs, including uniforms or allowances therefor,
6 as authorized by 5 U.S.C. 5901-5902; travel expenses;
7 purchase and hire of passenger motor vehicles; not to ex-
8 ceed \$35,000 for official reception and representation ex-
9 penses; and purchase, lease, charter, maintenance and op-
10 eration of mission and administrative aircraft,
11 ~~\$8,725,850,000~~, to remain available until September 30,
12 2006, of which amounts as determined by the Adminis-
13 trator for salaries and benefits; training, travel and
14 awards; facility and related costs; information technology
15 services; science, engineering, fabricating and testing serv-
16 ices; and other administrative services may be transferred
17 to "Science, aeronautics and exploration" in accordance
18 with section 312(b) of the National Aeronautics and Space
19 Act of 1958, as amended by Public Law 106-377.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General in carrying out the Inspector General Act of 1978,
23 as amended, \$31,600,000.

24 ADMINISTRATIVE PROVISIONS

25 Notwithstanding the limitation on the availability of
26 funds appropriated for "Science, aeronautics and explo-

1 ration”, or “Exploration capabilities” by this appropria-
2 tions Act, when any activity has been initiated by the in-
3 currence of obligations for construction of facilities or en-
4 vironmental compliance and restoration activities as au-
5 thorized by law, such amount available for such activity
6 shall remain available until expended. This provision does
7 not apply to the amounts appropriated for institutional
8 minor revitalization and construction of facilities, and in-
9 stitutional facility planning and design.

10 Notwithstanding the limitation on the availability of
11 funds appropriated for “Science, aeronautics and explo-
12 ration”, or “Exploration capabilities” by this appropria-
13 tions Act, the amounts appropriated for construction of
14 facilities shall remain available until September 30, 2007.

15 The unexpired balances of prior appropriations to
16 NASA for activities for which funds are provided under
17 this Act may be transferred to the new account established
18 for the appropriation that provides such activity under this
19 Act. Balances so transferred may be merged with funds
20 in the newly established account and thereafter may be
21 accounted for as one fund under the same terms and con-
22 ditions but shall remain available for the same period of
23 time as originally appropriated.

24 From amounts made available in this Act for these
25 activities, subject to the operating plan procedures of the

cor 1 House and Senate Committees on Appropriations, the Ad-
2 ministration may transfer amounts between the "Science,
3 aeronautics, and exploration" account and the "Explo-
4 ration capabilities" account.

5 Funds for announced prizes otherwise authorized
6 shall remain available, without fiscal year limitation, until
7 the prize is claimed or the offer is withdrawn. Funding
8 shall not be made available for Centennial Challenges un-
9 less authorized.

10 Funding made available under the headings "Explo-
11 ration Capabilities" and "Science, aeronautics, and explo-
12 ration" in this Act shall be governed by the terms and
13 conditions specified in the statement of managers except
14 to the extent changes are made in accordance with the
15 operating plan procedures of the House and Senate Com-
16 mittees on Appropriations; *Provided, That to the extent*
17 *any part of this provision is determined to be unconstitu-*
18 *tional, the remainder of the provision shall be considered*
19 *severable from such part and legally effective.*

20 NATIONAL CREDIT UNION ADMINISTRATION

21 CENTRAL LIQUIDITY FACILITY

22 During fiscal year 2005, gross obligations of the Cen-
23 tral Liquidity Facility for the principal amount of new di-
24 rect loans to member credit unions, as authorized by 12
25 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Pro-*

1 *vided*, That administrative expenses of the Central Liquid-
2 ity Facility in fiscal year 2005 shall not exceed \$310,000.

3 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

4 For the Community Development Revolving Loan
5 Fund program as authorized by 42 U.S.C. 9812, 9822
6 and 9910, \$1,000,000 shall be available: *Provided*, That
7 of this amount \$200,000, together with amounts of prin-
8 cipal and interest on loans repaid, is available until ex-
9 pended for loans to community development credit unions,
10 and \$800,000 is available until September 30, 2006 for
11 technical assistance to low-income and community devel-
12 opment credit unions.

13 NATIONAL SCIENCE FOUNDATION

14 RESEARCH AND RELATED ACTIVITIES

15 For necessary expenses in carrying out the National
16 Science Foundation Act of 1950, as amended (42 U.S.C.
17 1861–1875), and the Act to establish a National Medal
18 of Science (42 U.S.C. 1880–1881); services as authorized
19 by 5 U.S.C. 3109; maintenance and operation of aircraft
20 and purchase of flight services for research support; acqui-
21 sition of aircraft; ~~and authorized travel~~ \$4,254,593,000,
22 of which not to exceed \$350,000,000 shall remain avail-
23 able until expended for Polar research and operations sup-
24 port, and for reimbursement to other Federal agencies for
25 operational and science support and logistical and other
26 related activities for the United States Antarctic program;

1 the balance to remain available until September 30, 2006:
2 *Provided*, That receipts for scientific support services and
3 materials furnished by the National Research Centers and
4 other National Science Foundation supported research fa-
5 cilities may be credited to this appropriation: *Provided fur-*
6 *ther*, That to the extent that the amount appropriated is
7 less than the total amount authorized to be appropriated
8 for included program activities, all amounts, including
9 floors and ceilings, specified in the authorizing Act for
10 those program activities or their subactivities shall be re-
11 duced proportionally: *Provided further*, That \$95,000,000
12 of the funds available under this heading shall be made
13 available for a comprehensive research initiative on plant
14 genomes for economically significant crops: *Provided fur-*
15 *ther*, That, not to exceed \$25,954,000 of these funds shall
16 be for all costs, direct and indirect, associated with per-
17 sonnel assignments under the Intergovernmental Per-
18 sonnel Act.

19 MAJOR RESEARCH EQUIPMENT AND FACILITIES

20 CONSTRUCTION

21 For necessary expenses for the acquisition, construc-
22 tion, commissioning, and upgrading of major research
23 equipment, facilities, and other such capital assets pursu-
24 ant to the National Science Foundation Act of 1950, as
25 amended, including authorized travel, \$175,050,000, to
26 remain available until expended.

1 EDUCATION AND HUMAN RESOURCES

2 For necessary expenses in carrying out science and
3 engineering education and human resources programs and
4 activities pursuant to the National Science Foundation
5 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-
6 ing services as authorized by 5 U.S.C. 3109, ~~authorized~~
7 ~~travel~~ and rental of conference rooms in the District of
8 Columbia, \$848,207,000, to remain available until Sep-
9 tember 30, 2006: *Provided*, That to the extent that the
10 amount of this appropriation is less than the total amount
11 authorized to be appropriated for included program activi-
12 ties, all amounts, including floors and ceilings, specified
13 in the authorizing Act for those program activities or their
14 subactivities shall be reduced proportionally: *Provided fur-*
15 *ther*, That not to exceed \$5,500,000 of these funds shall
16 be for all costs, direct and indirect, associated with per-
17 sonnel assignments under the Intergovernmental Per-
18 sonnel Act.

19 SALARIES AND EXPENSES

20 For salaries and expenses necessary in carrying out
21 the National Science Foundation Act of 1950, as amended
22 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C.
23 3109; hire of passenger motor vehicles; not to exceed
24 \$9,000 for official reception and representation expenses;
25 uniforms or allowances therefor, as authorized by 5 U.S.C.
26 5901–5902; rental of conference rooms in the District of

1 Columbia; and reimbursement of the General Services Ad-
2 ministration for security guard services; \$225,000,000:
3 *Provided*, That contracts may be entered into under “Sala-
4 ries and expenses” in fiscal year 2005 for maintenance
5 and operation of facilities, and for other services, to be
6 provided during the next fiscal year.

7 OFFICE OF THE NATIONAL SCIENCE BOARD

8 For necessary expenses (including payment of sala-
9 ries, authorized travel, hire of passenger motor vehicles,
10 the rental of conference rooms in the District of Columbia,
11 and the employment of experts and consultants under sec-
12 tion 3109 of title 5, United States Code) involved in car-
13 rying out section 4 of the National Science Foundation
14 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
15 (42 U.S.C. 1880 et seq.), \$4,000,000: *Provided*, That not
16 more than \$9,000 shall be available for official reception
17 and representation expenses.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector
20 General as authorized by the Inspector General Act of
21 1978, as amended, \$10,110,000, to remain available until
22 September 30, 2006.

1 NEIGHBORHOOD REINVESTMENT CORPORATION

2 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

3 CORPORATION

4 For payment to the Neighborhood Reinvestment Cor-
5 poration for use in neighborhood reinvestment activities,
6 as authorized by the Neighborhood Reinvestment Corpora-
7 tion Act (42 U.S.C. 8101–8107), \$115,000,000, of which
8 \$5,000,000 shall be for a multi-family rental housing pro-
9 gram.

10 SELECTIVE SERVICE SYSTEM

11 SALARIES AND EXPENSES

12 For necessary expenses of the Selective Service Sys-
13 tem, including expenses of attendance at meetings and of
14 training for uniformed personnel assigned to the Selective
15 Service System, as authorized by 5 U.S.C. 4101–4118 for
16 civilian employees; purchase of uniforms, or allowances
17 therefor, as authorized by 5 U.S.C. 5901–5902; hire of
18 passenger motor vehicles; services as authorized by 5
19 U.S.C. 3109; and not to exceed \$750 for official reception
20 and representation expenses; \$26,300,000: *Provided*, That
21 during the current fiscal year, the President may exempt
22 this appropriation from the provisions of 31 U.S.C. 1341,
23 whenever the President deems such action to be necessary
24 in the interest of national defense: *Provided further*, That
25 none of the funds appropriated by this Act may be ex-

1 pended for or in connection with the induction of any per-
2 son into the Armed Forces of the United States.

3 WHITE HOUSE COMMISSION ON THE NATIONAL
4 MOMENT OF REMEMBRANCE

5 For necessary expenses of the White House Commis-
6 sion on the National Moment of Remembrance, \$250,000.

7 TITLE IV—GENERAL PROVISIONS

8 SEC. 401. No part of any appropriation contained in
9 this Act shall remain available for obligation beyond the
10 current fiscal year unless expressly so provided herein.

11 SEC. 402. No funds appropriated by this Act may be
12 expended—

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

15 (A) such certification is accompanied by,
16 or is part of, a voucher or abstract which de-
17 scribes the payee or payees and the items or
18 services for which such expenditure is being
19 made; or

20 (B) the expenditure of funds pursuant to
21 such certification, and without such a voucher
22 or abstract, is specifically authorized by law;
23 and

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

4 SEC. 403. None of the funds provided in this Act to
5 any department or agency may be obligated or expended
6 for: (1) the transportation of any officer or employee of
7 such department or agency between the domicile and the
8 place of employment of the officer or employee, with the
9 exception of an officer or employee authorized such trans-
10 portation under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2)
11 to provide a cook, chauffeur, or other personal servants
12 to any officer or employee of such department or agency.

13 SEC. 404. None of the funds provided in this Act may
14 be used for payment, through grants or contracts, to re-
15 cipients that do not share in the cost of conducting re-
16 search resulting from proposals not specifically solicited
17 by the Government: *Provided*, That the extent of cost
18 sharing by the recipient shall reflect the mutuality of in-
19 terest of the grantee or contractor and the Government
20 in the research.

21 SEC. 405. None of the funds provided in this Act may
22 be used, directly or through grants, to pay or to provide
23 reimbursement for payment of the salary of a consultant
24 (whether retained by the Federal Government or a grant-
25 ee) at more than the daily equivalent of the rate paid for

1 level IV of the Executive Schedule, unless specifically au-
2 thorized by law.

3 SEC. 406. None of the funds provided in this Act may
4 be used to pay the expenses of, or otherwise compensate,
5 non-Federal parties intervening in regulatory or adjudica-
6 tory proceedings. Nothing herein affects the authority of
7 the Consumer Product Safety Commission pursuant to
8 section 7 of the Consumer Product Safety Act (15 U.S.C.
9 2056 et seq.).

10 SEC. 407. Except as otherwise provided under exist-
11 ing law, or under an existing Executive order issued pur-
12 suant to an existing law, the obligation or expenditure of
13 any appropriation under this Act for contracts for any
14 consulting service shall be limited to contracts which are:
15 (1) a matter of public record and available for public in-
16 spection; and (2) thereafter included in a publicly available
17 list of all contracts entered into within 24 months prior
18 to the date on which the list is made available to the public
19 and of all contracts on which performance has not been
20 completed by such date. The list required by the preceding
21 sentence shall be updated quarterly and shall include a
22 narrative description of the work to be performed under
23 each such contract.

24 SEC. 408. None of the funds appropriated in this Act
25 may be used to implement any cap on reimbursements to

1 grantees for indirect costs, except as published in Office
2 of Management and Budget Circular A-21.

3 SEC. 409. Such sums as may be necessary for fiscal
4 year 2005 pay raises for programs funded by this Act shall
5 be absorbed within the levels appropriated in this Act.

6 SEC. 410. (a) It is the sense of the Congress that,
7 to the greatest extent practicable, all equipment and prod-
8 ucts purchased with funds made available in this Act
9 should be American-made.

10 (b) In providing financial assistance to, or entering
11 into any contract with, any entity using funds made avail-
12 able in this Act, the head of each Federal agency, to the
13 greatest extent practicable, shall provide to such entity a
14 notice describing the statement made in subsection (a) by
15 the Congress.

16 SEC. 411. None of the funds made available in this
17 Act may be used for any program, project, or activity,
18 when it is made known to the Federal entity or official
19 to which the funds are made available that the program,
20 project, or activity is not in compliance with any Federal
21 law relating to risk assessment, the protection of private
22 property rights, or unfunded mandates.

23 SEC. 412. Except in the case of entities that are
24 funded solely with Federal funds or any natural persons
25 that are funded under this Act, none of the funds in this

1 Act shall be used for the planning or execution of any pro-
2 gram to pay the expenses of, or otherwise compensate,
3 non-Federal parties to lobby or litigate in respect to adju-
4 dicatory proceedings funded in this Act. A chief executive
5 officer of any entity receiving funds under this Act shall
6 certify that none of these funds have been used to engage
7 in the lobbying of the Federal Government or in litigation
8 against the United States unless authorized under existing
9 law.

10 SEC. 413. No part of any funds appropriated in this
11 Act shall be used by an agency of the executive branch,
12 other than for normal and recognized executive-legislative
13 relationships, for publicity or propaganda purposes, and
14 for the preparation, distribution or use of any kit, pam-
15 phlet, booklet, publication, radio, television or film presen-
16 tation designed to support or defeat legislation pending
17 before the Congress, except in presentation to the Con-
18 gress itself.

19 SEC. 414. All departments and agencies funded under
20 this Act are encouraged, within the limits of the existing
21 statutory authorities and funding, to expand their use of
22 “E-Commerce” technologies and procedures in the con-
23 duct of their business practices and public service activi-
24 ties.

1 SEC. 415. None of the funds made available in this
2 Act may be transferred to any department, agency, or in-
3 strumentality of the United States Government except
4 pursuant to a transfer made by, or transfer authority pro-
5 vided in, this Act or any other appropriation Act.

6 SEC. 416. None of the funds provided in this Act to
7 any department or agency shall be obligated or expended
8 to procure passenger automobiles as defined in 15 U.S.C.
9 2001 with an EPA estimated miles per gallon average of
10 less than 22 miles per gallon.

11 SEC. 417. Section 313 of the National Aeronautics
12 and Space Act of 1958, as amended, is further amended
13 in subsection (A)—

14 (1) by striking “2004” and inserting “2005”;
15 and

16 (2) by striking “Space flight capabilities” and
17 inserting “Exploration capabilities”.

18 SEC. 418. None of the funds made available in this
19 Act may be used to implement any policy prohibiting the
20 Directors of the Veterans Integrated Service Networks
21 from conducting outreach or marketing to enroll new vet-
22 erans within their respective Networks.

23 SEC. 419. It is the sense of Congress that no veteran
24 should wait more than 30 days for an initial doctor’s ap-
25 pointment.

1 SEC. 420. None of the funds made available to NASA
2 in this Act may be used for voluntary separation incentive
3 payments as provided for in subchapter II of chapter 35
4 of title 5, United States Code, unless the Administrator
5 of NASA has first certified to Congress that such pay-
6 ments would not result in the loss of skills related to the
7 safety of the Space Shuttle or the International Space Sta-
8 tion or to the conduct of independent safety oversight in
9 the National Aeronautics and Space Administration.

10 SEC. 421. (a) TREATMENT OF PIONEER HOMES IN
11 ALASKA AS STATE HOME FOR VETERANS.—For this fiscal
12 year and each fiscal year hereafter, the Secretary of Vet-
13 erans Affairs may—

14 (1) treat the Pioneer Homes in the State of
15 Alaska collectively as a single State home for vet-
16 erans for purposes of section 1741 of title 38,
17 United States Code; and

18 (2) make per diem payments to the State of
19 Alaska for care provided to veterans in the Pioneer
20 Homes in accordance with the provisions of that sec-
21 tion.

22 (b) TREATMENT NOTWITHSTANDING NON-VETERAN
23 RESIDENCY.—The Secretary may treat the Pioneer
24 Homes as a State home under subsection (a) notwith-

1 standing the residency of non-veterans in one or more of
2 the Pioneer Homes.

3 (c) PIONEER HOMES DEFINED.—In this section, the
4 term “Pioneer Homes” means the six regional homes in
5 the State of Alaska known as Pioneer Homes, which are
6 located in the following:

7 (1) Anchorage, Alaska.

8 (2) Fairbanks, Alaska.

9 (3) Juneau, Alaska.

10 (4) Ketchikan, Alaska.

11 (5) Palmer, Alaska.

12 (6) Sitka, Alaska.

13 (d) LIMITATION.—The number of beds occupied by
14 veterans collectively in the six Pioneer Homes listed under
15 subsection (c) for which per diem would be paid under
16 this authority shall not exceed the number of veterans in
17 state beds that otherwise would be permitted in Alaska
18 under the Department of Veterans Affairs state home reg-
19 ulations governing the number of beds per veteran popu-
20 lation.

21 SEC. 422. Of the amounts available to the National
22 Aeronautics and Space Administration, such sums as may
23 be necessary for the benefit of the families of the astro-
24 nauts who died on board the Space Shuttle Columbia on
25 February 1, 2003, are available under the terms of section

1 203(c)(13) of the National Aeronautics and Space Act of
2 1958, as amended, independent of the limitations estab-
3 lished therein.

4 SEC. 423. Section 428 of the Departments of Vet-
5 erans Affairs and Housing and Urban Development, and
6 Independent Agencies Appropriations Act, 2004 is amend-
7 ed—

8 (1) in subsection (c), by inserting “new” before
9 “spark ignition engines”; and

10 (2) in subsection (d), by striking out “The pro-
11 hibition in subsection (e)” and inserting in lieu
12 thereof: “The prohibition in subsection (c)”.

13 This ~~Act~~ may be cited as the “Departments of Vet-
14 erans Affairs and Housing and Urban Development, and
15 Independent Agencies Appropriations Act, 2005”.

Insert
133A-B

division

SEC. 424. In addition to the amounts otherwise provided in this or any other Act for fiscal year 2005, for "Department of Housing and Urban Development, Community Development Fund", \$31,000,000 to remain available until expended for a grant to the The Hudson River Park Trust for planning, design and reconstruction of Pier 86 in New York City.

SEC. 425. From within funds available to the Secretary of Veterans Affairs, \$200,000 shall be made available until expended to Eric and Brian Simon of Minneapolis, Minnesota, to be divided evenly between the individuals.

133 A

1 Village of Chickasaw TDS

2 ~~1-17-04~~

5 **A BILL**

7 ~~For the relief of the Village of Chickasaw, Ohio.~~

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

11 *Sec. 426*

12 **SEC. 1. WAIVER OF REQUIREMENTS.**

13 (a) Subject to section 2, the limitation on the release of funds in section

14 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304) shall
15 not apply to the Village of Chickasaw Sewer Collection and Treatment System, located in
16 the Village of Chickasaw, Mercer County, Ohio.

17 (b) **SEC. 2. APPLICABILITY.**

18 Section 1 only applies to the grant that was awarded to the Village of

19 Chickasaw (Ohio Small Cities CDBG Grant # C-W-03-283-1), for the period beginning
20 September 1, 2003 and ending October 31, 2005 and in the amount of \$600,000.

21 (c) **SEC. 3. ENVIRONMENTAL REVIEWS.**

22 Notwithstanding the provisions of this Act, the Village of Chickasaw must

23 complete all appropriate environmental reviews in a timely manner and to the satisfaction
24 of the state of Ohio.

25
26
27
133B