

**Calendar No. 526**109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 3708****[Report No. 109-287]**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2007, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 20, 2006

Mr. SPECTER, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2007, and for other purposes.

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

1 Education, and related agencies for the fiscal year ending  
2 September 30, 2007, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF LABOR

5 EMPLOYMENT AND TRAINING ADMINISTRATION

6 TRAINING AND EMPLOYMENT SERVICES

7 For necessary expenses of the Workforce Investment  
8 Act of 1998 (the “Act”), the Denali Commission Act of  
9 1998, and the Women in Apprenticeship and Non-Tradi-  
10 tional Occupations Act of 1992, including the purchase  
11 and hire of passenger motor vehicles, the construction, al-  
12 teration, and repair of buildings and other facilities, and  
13 the purchase of real property for training centers as au-  
14 thorized by the Act, \$3,459,832,000, plus reimburse-  
15 ments, is available. Of the amounts provided:

16 (1) For grants to States for adult employment  
17 and training activities, youth activities, and dis-  
18 located worker employment and training activities,  
19 \$2,928,764,000 as follows:

20 (A) \$800,000,000 for adult employment  
21 and training activities, of which \$88,000,000 is  
22 available for the period July 1, 2007 to June  
23 30, 2008 and of which \$712,000,000 is avail-  
24 able for the period October 1, 2007 through  
25 June 30, 2008.

1 (B) \$935,500,000 for youth activities,  
2 which is available for the period April 1, 2007  
3 through June 30, 2008: *Provided*, That up to  
4 \$50,000,000 may be made available for the  
5 Youthbuild Program, if authorized for transfer  
6 to the Department of Labor prior to April 1,  
7 2007.

8 (C) \$1,193,264,000 for dislocated worker  
9 employment and training activities, of which  
10 \$345,264,000 is available for the period July 1,  
11 2007 through June 30, 2008, and of which  
12 \$848,000,000 is available for the period Octo-  
13 ber 1, 2007 through June 30, 2008: *Provided*,  
14 That notwithstanding the transfer limitation  
15 under section 133(b)(4) of such Act, up to 30  
16 percent of such funds may be transferred by a  
17 local board if approved by the Governor.

18 (2) For federally administered programs,  
19 \$413,457,000 as follows:

20 (A) \$282,800,000 for the dislocated work-  
21 ers assistance national reserve, of which  
22 \$64,000,000 is available for the period July 1,  
23 2007 through June 30, 2008, and of which  
24 \$212,000,000 is available for the period Octo-  
25 ber 1, 2007 through June 30, 2008: *Provided*,

1           That \$125,000,000 shall be available for Com-  
2           munity-Based Job Training Grants, which shall  
3           be from funds reserved under section  
4           132(a)(2)(A) of the Workforce Investment Act  
5           of 1998 and shall be used to carry out such  
6           grants under section 171(d) of such Act, except  
7           that the 10 percent limitation otherwise appli-  
8           cable to the amount of funds that may be used  
9           to carry out section 171(d) shall not be applica-  
10          ble to funds used for Community-Based Job  
11          Training Grants.

12                 (B) \$50,000,000 for Native American pro-  
13                 grams, which is available for the period July 1,  
14                 2007 through June 30, 2008.

15                 (C) \$80,657,000 for migrant and seasonal  
16                 farmworkers, including \$75,053,000 for for-  
17                 mula grants, \$5,000,000 for migrant and sea-  
18                 sonal housing (of which not less than 70 per-  
19                 cent shall be for permanent housing), and  
20                 \$604,000 for other discretionary purposes,  
21                 which is available for the period July 1, 2007  
22                 through June 30, 2008: *Provided*, That, not-  
23                 withstanding any other provision of law or re-  
24                 lated regulation, the Department shall take no  
25                 action limiting the number or proportion of eli-

1           gible participants receiving related assistance  
2           services or discouraging grantees from pro-  
3           viding such services.

4           (3) For national activities, \$90,496,000 as fol-  
5           lows:

6                   (A) \$60,000,000 for Responsible Re-  
7                   integration of Youthful Offenders, which is  
8                   available for the period of July 1, 2007 through  
9                   June 30, 2008.

10                   (B) \$44,815,000 for Pilots, Demonstra-  
11                   tions, and Research, of which \$17,700,000 is  
12                   available for the period July 1, 2007 through  
13                   June 30, 2008; and of which \$27,115,000 shall  
14                   be available for noncompetitive grants, with  
15                   terms and conditions and in the amounts speci-  
16                   fied in the committee report of the Senate ac-  
17                   companying this Act: *Provided*, That funding  
18                   provided to carry out projects under section  
19                   171 of the Workforce Investment Act of 1998  
20                   that are identified in the committee report ac-  
21                   companying this Act, shall not be subject to the  
22                   requirements of section 171(b)(2)(B) of such  
23                   Act, the requirements of section 171(c)(4)(D)  
24                   of such Act, the joint funding requirements of  
25                   sections 171(b)(2)(A) and 171(c)(4)(A) of such

1 Act, or any time limit requirements of sections  
2 171(b)(2)(C) and 171(e)(4)(B) of such Act.

3 (C) \$4,921,000 for Evaluation, which is  
4 available for the period July 1, 2007 through  
5 June 30, 2008.

6 (D) \$6,875,000 for the Denali Commission  
7 which is available for the period July 1, 2007  
8 through June 30, 2008.

9 (E) \$1,000,000 for carrying out Public  
10 Law 102–530, which is available for the period  
11 July 1, 2007 through June 30, 2008: *Provided*,  
12 That funds provided to carry out section 171(d)  
13 of the Workforce Investment Act of 1998 may  
14 be used for demonstration projects that provide  
15 assistance to new entrants in the workforce and  
16 incumbent workers.

17 Funds provided to carry out section 132(a)(2)(A) of  
18 the Act may be used to provide assistance to a State for  
19 statewide or local use in order to address cases where  
20 there have been worker dislocations across multiple sectors  
21 or across multiple local areas and such workers remain  
22 dislocated; coordinate the State workforce development  
23 plan with emerging economic development needs; and  
24 train such eligible dislocated workers.

1       The Secretary of Labor shall take no action to  
2 amend, through regulatory or administrative action, the  
3 definition established in 20 CFR 667.220 for functions  
4 and activities under title I of the Act, or to modify,  
5 through regulatory or administrative action, the procedure  
6 for redesignation of local areas as specified in subtitle B  
7 of title I of the Act (including applying the standards spec-  
8 ified in section 116(a)(3)(B) of the Act, but notwith-  
9 standing the time limits specified in section 116(a)(3)(B)  
10 of the Act), until April 1, 2007 or until such time as legis-  
11 lation reauthorizing the Act is enacted whichever comes  
12 first. Nothing in the preceding sentence shall permit or  
13 require the Secretary of Labor to withdraw approval for  
14 such redesignation from the State that received the ap-  
15 proval not later than October 12, 2005, or to revise action  
16 taken or to modify the redesignation procedure being used  
17 by the Secretary in order to complete such redesignation  
18 for a State that initiated the process of such redesignation  
19 by submitting any request for such redesignation not later  
20 than October 26, 2005.

21       Of the funds provided under this heading in Public  
22 Law 109–149 for the Employment and Training Adminis-  
23 tration, funding shall be continued at no less than the pre-  
24 vious grants level for a non-competitive grant to the Na-

1 tional Center on Education and the Economy to be award-  
2 ed no later than June 30, 2007.

3 Of the funds provided under this heading in Public  
4 Law 109–149 for the Employment and Training Adminis-  
5 tration, \$1,500,000 shall be for a non-competitive grant  
6 to be awarded not later than January 12, 2007 to the  
7 AFL–CIO Working for America Institute, to continue to  
8 initiate and support labor-management workforce partner-  
9 ships.

10 Of the funds provided under this heading in Public  
11 Law 109–149 for the Employment and Training Adminis-  
12 tration, \$2,200,000 shall be for a non-competitive grant  
13 to be awarded not later than February 28, 2007, to the  
14 AFL–CIO Appalachian Council, Incorporated, for Job  
15 Corps career transition services.

16 Of the funds provided under this heading in Public  
17 Law 109–149 for the Employment and Training Adminis-  
18 tration, \$500,000 shall be for a non-competitive grant to  
19 be awarded not later than January 12, 2007, to the Delta  
20 Housing Development Corporation, to manage farm-  
21 worker, migrant and seasonal housing.

22 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

23 AMERICANS

24 To carry out title V of the Older Americans Act of  
25 1965, as amended, \$432,311,000.



## 1 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

2 For payments during the current fiscal year of trade  
3 adjustment benefit payments and allowances under part  
4 I and section 246; and for training, allowances for job  
5 search and relocation, and related State administrative ex-  
6 penses under part II of chapter 2, title II of the Trade  
7 Act of 1974 (including the benefits and services described  
8 under sections 123(c)(2) and 151(b) and (c) of the Trade  
9 Adjustment Assistance Reform Act of 2002, Public Law  
10 107–210), \$938,600,000, together with such amounts as  
11 may be necessary to be charged to the subsequent appro-  
12 priation for payments for any period subsequent to Sep-  
13 tember 15 of the current year.

14 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT  
15 SERVICE OPERATIONS

16 For authorized administrative expenses,  
17 \$104,530,000, together with not to exceed  
18 \$3,246,346,000 (including not to exceed \$1,228,000  
19 which may be used for amortization payments to States  
20 which had independent retirement plans in their State em-  
21 ployment service agencies prior to 1980), which may be  
22 expended from the Employment Security Administration  
23 Account in the Unemployment Trust Fund including the  
24 cost of administering section 51 of the Internal Revenue  
25 Code of 1986, as amended, section 7(d) of the Wagner-  
26 Peyser Act, as amended, the Trade Act of 1974, as

1 amended, the Immigration Act of 1990, and the Immigra-  
2 tion and Nationality Act, as amended, and of which the  
3 sums available in the allocation for activities authorized  
4 by title III of the Social Security Act, as amended (42  
5 U.S.C. 502–504), and the sums available in the allocation  
6 for necessary administrative expenses for carrying out 5  
7 U.S.C. 8501–8523, shall be available for obligation by the  
8 States through December 31, 2007, except that funds  
9 used for automation acquisitions shall be available for obli-  
10 gation by the States through September 30, 2009; of  
11 which \$104,530,000, together with not to exceed  
12 \$666,753,000 of the amount which may be expended from  
13 said trust fund, shall be available for obligation for the  
14 period July 1, 2007 through June 30, 2008, to fund ac-  
15 tivities under the Act of June 6, 1933, as amended, in-  
16 cluding the cost of penalty mail authorized under 39  
17 U.S.C. 3202(a)(1)(E) made available to States in lieu of  
18 allotments for such purpose: *Provided*, That to the extent  
19 that the Average Weekly Insured Unemployment (AWIU)  
20 for fiscal year 2007 is projected by the Department of  
21 Labor to exceed 2,708,000, an additional \$28,600,000  
22 shall be available for obligation for every 100,000 increase  
23 in the AWIU level (including a pro rata amount for any  
24 increment less than 100,000) from the Employment Secu-  
25 rity Administration Account of the Unemployment Trust

1 Fund: *Provided further*, That funds appropriated in this  
2 Act which are used to establish a national one-stop career  
3 center system, or which are used to support the national  
4 activities of the Federal-State unemployment insurance or  
5 immigration programs, may be obligated in contracts,  
6 grants or agreements with non-State entities: *Provided*  
7 *further*, That funds appropriated in this Act for activities  
8 authorized under the Wagner-Peyser Act, as amended,  
9 and title III of the Social Security Act, may be used by  
10 the States to fund integrated Employment Service and  
11 Unemployment Insurance automation efforts, notwith-  
12 standing cost allocation principles prescribed under Office  
13 of Management and Budget Circular A-87.

14 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND  
15 OTHER FUNDS

16 For repayable advances to the Unemployment Trust  
17 Fund as authorized by sections 905(d) and 1203 of the  
18 Social Security Act, as amended, and to the Black Lung  
19 Disability Trust Fund as authorized by section 9501(c)(1)  
20 of the Internal Revenue Code of 1954, as amended; and  
21 for nonrepayable advances to the Unemployment Trust  
22 Fund as authorized by section 8509 of title 5, United  
23 States Code, and to the “Federal unemployment benefits  
24 and allowances” account, to remain available until Sep-  
25 tember 30, 2008, \$452,000,000.

1 In addition, for making repayable advances to the  
2 Black Lung Disability Trust Fund in the current fiscal  
3 year after September 15, 2007, for costs incurred by the  
4 Black Lung Disability Trust Fund in the current fiscal  
5 year, such sums as may be necessary.

6 PROGRAM ADMINISTRATION

7 For expenses of administering employment and train-  
8 ing programs, \$90,182,000, together with not to exceed  
9 \$94,794,000, which may be expended from the Employ-  
10 ment Security Administration Account in the Unemploy-  
11 ment Trust Fund.

12 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses for the Employee Benefits  
15 Security Administration, \$143,573,000.

16 PENSION BENEFIT GUARANTY CORPORATION

17 PENSION BENEFIT GUARANTY CORPORATION FUND

18 The Pension Benefit Guaranty Corporation is author-  
19 ized to make such expenditures, including financial assist-  
20 ance authorized by section 104 of Public Law 96-364,  
21 within limits of funds and borrowing authority available  
22 to such Corporation, and in accord with law, and to make  
23 such contracts and commitments without regard to fiscal  
24 year limitations as provided by section 104 of the Govern-  
25 ment Corporation Control Act, as amended (31 U.S.C.  
26 9104), as may be necessary in carrying out the program,

1 including associated administrative expenses, through  
 2 September 30, 2006 for such Corporation: *Provided*, That  
 3 none of the funds available to the Corporation for fiscal  
 4 year 2007 shall be available for obligations for administra-  
 5 tive expenses in excess of \$397,644,000: *Provided further*,  
 6 That obligations in excess of such amount may be incurred  
 7 after approval by the Office of Management and Budget  
 8 and notification of the Committees on Appropriations of  
 9 the House and Senate: *Provided further*, That to the ex-  
 10 tent that the number of new plan participants in plans  
 11 terminated by the Corporation exceeds 100,000 in fiscal  
 12 year 2007 (including a pro rata amount for any increment  
 13 less than 100,000), an amount not to exceed an additional  
 14 \$9,800,000 shall be available for obligation for adminis-  
 15 trative expenses for every 20,000 additional terminated  
 16 participants.

17           EMPLOYMENT STANDARDS ADMINISTRATION

18                           SALARIES AND EXPENSES

19           For necessary expenses for the Employment Stand-  
 20 ards Administration, including reimbursement to State,  
 21 Federal, and local agencies and their employees for inspec-  
 22 tion services rendered, \$433,295,000, together with  
 23 \$2,076,000 which may be expended from the Special Fund  
 24 in accordance with sections 39(c), 44(d) and 44(j) of the  
 25 Longshore and Harbor Workers' Compensation Act: *Pro-*

1 *vided*, That the Secretary of Labor is authorized to estab-  
2 lish and, in accordance with 31 U.S.C. 3302, collect and  
3 deposit in the Treasury fees for processing applications  
4 and issuing certificates under sections 11(d) and 14 of the  
5 Fair Labor Standards Act of 1938, as amended (29  
6 U.S.C. 211(d) and 214) and for processing applications  
7 and issuing registrations under title I of the Migrant and  
8 Seasonal Agricultural Worker Protection Act (29 U.S.C.  
9 1801 et seq.).

10 SPECIAL BENEFITS

11 (INCLUDING TRANSFER OF FUNDS)

12 For the payment of compensation, benefits, and ex-  
13 penses (except administrative expenses) accruing during  
14 the current or any prior fiscal year authorized by title 5,  
15 chapter 81 of the United States Code; continuation of ben-  
16 efits as provided for under the heading “Civilian War Ben-  
17 efits” in the Federal Security Agency Appropriation Act,  
18 1947; the Employees’ Compensation Commission Appro-  
19 priation Act, 1944; sections 4(c) and 5(f) of the War  
20 Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per-  
21 cent of the additional compensation and benefits required  
22 by section 10(h) of the Longshore and Harbor Workers’  
23 Compensation Act, as amended, \$230,000,000, together  
24 with such amounts as may be necessary to be charged to  
25 the subsequent year appropriation for the payment of  
26 compensation and other benefits for any period subse-

1 quent to August 15 of the current year: *Provided*, That  
2 amounts appropriated may be used under section 8104 of  
3 title 5, United States Code, by the Secretary of Labor to  
4 reimburse an employer, who is not the employer at the  
5 time of injury, for portions of the salary of a reemployed,  
6 disabled beneficiary: *Provided further*, That balances of re-  
7 imbursements unobligated on September 30, 2006, shall  
8 remain available until expended for the payment of com-  
9 pensation, benefits, and expenses: *Provided further*, That  
10 in addition there shall be transferred to this appropriation  
11 from the Postal Service and from any other corporation  
12 or instrumentality required under section 8147(c) of title  
13 5, United States Code, to pay an amount for its fair share  
14 of the cost of administration, such sums as the Secretary  
15 determines to be the cost of administration for employees  
16 of such fair share entities through September 30, 2007:  
17 *Provided further*, That of those funds transferred to this  
18 account from the fair share entities to pay the cost of ad-  
19 ministration of the Federal Employees' Compensation Act,  
20 \$51,034,000 shall be made available to the Secretary as  
21 follows:

- 22           (1) for enhancement and maintenance of auto-  
23           mated data processing systems and telecommuni-  
24           cations systems, \$14,580,000;

1           (2) for automated workload processing oper-  
2           ations, including document imaging, centralized mail  
3           intake and medical bill processing, \$22,924,000;

4           (3) for periodic roll management and medical  
5           review, \$13,530,000; and

6           (4) the remaining funds shall be paid into the  
7           Treasury as miscellaneous receipts:

8       *Provided further*, That the Secretary may require that any  
9       person filing a notice of injury or a claim for benefits  
10      under chapter 81 of title 5, United States Code, or 33  
11      U.S.C. 901 et seq., provide as part of such notice and  
12      claim, such identifying information (including Social Secu-  
13      rity account number) as such regulations may prescribe.

14           SPECIAL BENEFITS FOR DISABLED COAL MINERS

15           For carrying out title IV of the Federal Mine Safety  
16      and Health Act of 1977, as amended by Public Law 107–  
17      275, (the “Act”), \$229,373,000, to remain available until  
18      expended.

19           For making after July 31 of the current fiscal year,  
20      benefit payments to individuals under title IV of the Act,  
21      for costs incurred in the current fiscal year, such amounts  
22      as may be necessary.

23           For making benefit payments under title IV for the  
24      first quarter of fiscal year 2008, \$68,000,000, to remain  
25      available until expended.



1 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES  
2 OCCUPATIONAL ILLNESS COMPENSATION FUND  
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to administer the Energy  
5 Employees Occupational Illness Compensation Act,  
6 \$102,307,000, to remain available until expended: *Pro-*  
7 *vided*, That the Secretary of Labor is authorized to trans-  
8 fer to any executive agency with authority under the En-  
9 ergy Employees Occupational Illness Compensation Act,  
10 including within the Department of Labor, such sums as  
11 may be necessary in fiscal year 2007 to carry out those  
12 authorities: *Provided further*, That the Secretary may re-  
13 quire that any person filing a claim for benefits under the  
14 Act provide as part of such claim, such identifying infor-  
15 mation (including Social Security account number) as may  
16 be prescribed: *Provided further*, That not later than 30  
17 days after enactment, in addition to other sums trans-  
18 ferred by the Secretary of Labor to the National Institute  
19 for Occupational Safety and Health (“NIOSH”) for the  
20 administration of the Energy Employees Occupational Ill-  
21 ness Compensation Program (“EEOICPA”), the Sec-  
22 retary of Labor shall transfer \$4,500,000 to NIOSH from  
23 the funds appropriated to the Energy Employees Occupa-  
24 tional Illness Compensation Fund (42 U.S.C. 7384e), for  
25 use by or in support of the Advisory Board on Radiation  
26 and Worker Health (“the Board”) to carry out its statu-

1 tory responsibilities under EEOICPA (42 U.S.C. 7384n–  
2 q), including obtaining audits, technical assistance and  
3 other support from the Board’s audit contractor with re-  
4 gard to radiation dose estimation and reconstruction ef-  
5 forts, site profiles, procedures, and review of Special Expo-  
6 sure Cohort petitions and evaluation reports.

7                   BLACK LUNG DISABILITY TRUST FUND  
8                   (INCLUDING TRANSFER OF FUNDS)

9           In fiscal year 2007 and thereafter, such sums as may  
10 be necessary from the Black Lung Disability Trust Fund,  
11 to remain available until expended, for payment of all ben-  
12 efits authorized by section 9501(d)(1), (2), (4), and (7)  
13 of the Internal Revenue Code of 1954, as amended; and  
14 interest on advances, as authorized by section 9501(c)(2)  
15 of that Act. In addition, the following amounts shall be  
16 available from the Fund for fiscal year 2007 for expenses  
17 of operation and administration of the Black Lung Bene-  
18 fits program, as authorized by section 9501(d)(5):  
19 \$33,578,000 for transfer to the Employment Standards  
20 Administration “Salaries and Expenses”; \$25,255,000 for  
21 transfer to Departmental Management, “Salaries and Ex-  
22 penses”; \$346,000 for transfer to Departmental Manage-  
23 ment, “Office of Inspector General”; and \$356,000 for  
24 payments into miscellaneous receipts for the expenses of  
25 the Department of the Treasury.

1 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION  
2 SALARIES AND EXPENSES

3 For necessary expenses for the Occupational Safety  
4 and Health Administration, \$491,167,000, including not  
5 to exceed \$91,093,000 which shall be the maximum  
6 amount available for grants to States under section 23(g)  
7 of the Occupational Safety and Health Act (the “Act”),  
8 which grants shall be no less than 50 percent of the costs  
9 of State occupational safety and health programs required  
10 to be incurred under plans approved by the Secretary  
11 under section 18 of the Act; and, in addition, notwith-  
12 standing 31 U.S.C. 3302, the Occupational Safety and  
13 Health Administration may retain up to \$750,000 per fis-  
14 cal year of training institute course tuition fees, otherwise  
15 authorized by law to be collected, and may utilize such  
16 sums for occupational safety and health training and edu-  
17 cation: *Provided*, That, notwithstanding 31 U.S.C. 3302,  
18 the Secretary of Labor is authorized, during the fiscal year  
19 ending September 30, 2007, to collect and retain fees for  
20 services provided to Nationally Recognized Testing Lab-  
21 oratories, and may utilize such sums, in accordance with  
22 the provisions of 29 U.S.C. 9a, to administer national and  
23 international laboratory recognition programs that ensure  
24 the safety of equipment and products used by workers in  
25 the workplace: *Provided further*, That none of the funds

1 appropriated under this paragraph shall be obligated or  
2 expended to prescribe, issue, administer, or enforce any  
3 standard, rule, regulation, or order under the Act which  
4 is applicable to any person who is engaged in a farming  
5 operation which does not maintain a temporary labor  
6 camp and employs 10 or fewer employees: *Provided fur-*  
7 *ther,* That no funds appropriated under this paragraph  
8 shall be obligated or expended to administer or enforce  
9 any standard, rule, regulation, or order under the Act with  
10 respect to any employer of 10 or fewer employees who is  
11 included within a category having a Days Away, Re-  
12 stricted, or Transferred (DART) occupational injury and  
13 illness rate, at the most precise industrial classification  
14 code for which such data are published, less than the na-  
15 tional average rate as such rates are most recently pub-  
16 lished by the Secretary, acting through the Bureau of  
17 Labor Statistics, in accordance with section 24 of that Act  
18 (29 U.S.C. 673), except—

19           (1) to provide, as authorized by such Act, con-  
20           sultation, technical assistance, educational and train-  
21           ing services, and to conduct surveys and studies;

22           (2) to conduct an inspection or investigation in  
23           response to an employee complaint, to issue a cita-  
24           tion for violations found during such inspection, and  
25           to assess a penalty for violations which are not cor-

1       rected within a reasonable abatement period and for  
2       any willful violations found;

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

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

7           (5) to take any action authorized by such Act  
8       with respect to a report of an employment accident  
9       which is fatal to one or more employees or which re-  
10      sults in hospitalization of two or more employees,  
11      and to take any action pursuant to such investiga-  
12      tion authorized by such Act; and

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

16 *Provided further*, That the foregoing proviso shall not  
17 apply to any person who is engaged in a farming operation  
18 which does not maintain a temporary labor camp and em-  
19 ploys 10 or fewer employees: *Provided further*, That not  
20 less than \$3,200,000 shall be used to extend funding for  
21 the Institutional Competency Building training grants  
22 which commenced in September 2000, for program activi-  
23 ties for the period of September 30, 2007, to September  
24 30, 2008, provided that a grantee has demonstrated satis-  
25 factory performance.

1 MINE SAFETY AND HEALTH ADMINISTRATION  
2 SALARIES AND EXPENSES

3 For necessary expenses for the Mine Safety and  
4 Health Administration, \$302,436,000, including purchase  
5 and bestowal of certificates and trophies in connection  
6 with mine rescue and first-aid work, and the hire of pas-  
7 senger motor vehicles, including \$1,500,000 for an award  
8 to the Wheeling Jesuit University, for the National Tech-  
9 nology Transfer Center for a coal slurry impoundment  
10 pilot project; including \$100,000 for an award to Vehicle  
11 Projects, LLC, Denver, Colorado, for a fuel-cell coal mine  
12 vehicle demonstration project; including up to \$2,000,000  
13 for mine rescue and recovery activities; in addition, not  
14 to exceed \$750,000 may be collected by the National Mine  
15 Health and Safety Academy for room, board, tuition, and  
16 the sale of training materials, otherwise authorized by law  
17 to be collected, to be available for mine safety and health  
18 education and training activities, notwithstanding 31  
19 U.S.C. 3302; and, in addition, the Mine Safety and Health  
20 Administration may retain up to \$1,000,000 from fees col-  
21 lected for the approval and certification of equipment, ma-  
22 terials, and explosives for use in mines, and may utilize  
23 such sums for such activities; the Secretary is authorized  
24 to accept lands, buildings, equipment, and other contribu-  
25 tions from public and private sources and to prosecute

1 projects in cooperation with other agencies, Federal,  
2 State, or private; the Mine Safety and Health Administra-  
3 tion is authorized to promote health and safety education  
4 and training in the mining community through cooperative  
5 programs with States, industry, and safety associations;  
6 the Secretary is authorized to recognize the Joseph A.  
7 Holmes Safety Association as a principal safety associa-  
8 tion and, notwithstanding any other provision of law, may  
9 provide funds and, with or without reimbursement, per-  
10 sonnel, including service of Mine Safety and Health Ad-  
11 ministration officials as officers in local chapters or in the  
12 national organization; and any funds available to the de-  
13 partment may be used, with the approval of the Secretary,  
14 to provide for the costs of mine rescue and survival oper-  
15 ations in the event of a major disaster.

16 BUREAU OF LABOR STATISTICS

17 SALARIES AND EXPENSES

18 For necessary expenses for the Bureau of Labor Sta-  
19 tistics, including advances or reimbursements to State,  
20 Federal, and local agencies and their employees for serv-  
21 ices rendered, \$484,262,000, together with not to exceed  
22 \$79,026,000, which may be expended from the Employ-  
23 ment Security Administration Account in the Unemploy-  
24 ment Trust Fund, of which \$5,000,000 may be used to  
25 fund the mass layoff statistics program under section 15

1 of the Wagner-Peyser Act (29 U.S.C. 491–2): *Provided*,  
2 That the Current Employment Survey shall maintain the  
3 content of the survey issued prior to June 2005 with re-  
4 spect to the collection of data for the women worker series.

5 OFFICE OF DISABILITY EMPLOYMENT POLICY

6 SALARIES AND EXPENSES

7 For necessary expenses for the Office of Disability  
8 Employment Policy to provide leadership, develop policy  
9 and initiatives, and award grants furthering the objective  
10 of eliminating barriers to the training and employment of  
11 people with disabilities, \$27,655,000.

12 DEPARTMENTAL MANAGEMENT

13 SALARIES AND EXPENSES

14 For necessary expenses for Departmental Manage-  
15 ment, including the hire of three sedans, and including  
16 the management or operation, through contracts, grants  
17 or other arrangements of Departmental activities con-  
18 ducted by or through the Bureau of International Labor  
19 Affairs, including bilateral and multilateral technical as-  
20 sistance and other international labor activities,  
21 \$293,083,000, of which \$1,893,000, to remain available  
22 until September 30, 2008, is for Frances Perkins Building  
23 Security Enhancements, and \$27,651,000 is for the acqui-  
24 sition of Departmental information technology, architec-  
25 ture, infrastructure, equipment, software and related



1 needs, which will be allocated by the Department's Chief  
2 Information Officer in accordance with the Department's  
3 capital investment management process to assure a sound  
4 investment strategy; together with not to exceed  
5 \$322,000, which may be expended from the Employment  
6 Security Administration Account in the Unemployment  
7 Trust Fund.

8 OFFICE OF JOB CORPS

9 To carry out subtitle C of title I of the Workforce  
10 Investment Act of 1998 (29 U.S.C. 2881 et. seq.), includ-  
11 ing Federal administrative expenses, the purchase and  
12 hire of passenger motor vehicles, the construction, alter-  
13 ation and repairs of buildings and other facilities, and the  
14 purchase of real property for training centers as author-  
15 ized by the Workforce Investment Act; \$1,629,788,000,  
16 plus reimbursements, of which \$900,210,000 is available  
17 for obligation for the period July 1, 2007 through June  
18 30, 2008; and of which \$10,000,000 is available for the  
19 period July 1, 2007 through June 30, 2008 for necessary  
20 expenses of construction, rehabilitation, and acquisition of  
21 Job Corps centers; and of which \$591,000,000 is available  
22 for obligation for the period October 1, 2007 through June  
23 30, 2008; and of which \$100,000,000 is available for the  
24 period October 1, 2007 through June 30, 2010 for nec-  
25 essary expenses of construction, rehabilitation, and acqui-  
26 sition of Job Corps centers; and of which \$28,578,000 is

1 available for obligation for the period October 1, 2006  
2 through September 30, 2007 for necessary expenses of the  
3 Office of Job Corps: *Provided*, That the Office of Job  
4 Corps shall have contracting authority: *Provided further*,  
5 That no funds from any other appropriation shall be used  
6 to provide meal services at or for Job Corps centers.

7 VETERANS EMPLOYMENT AND TRAINING

8 Not to exceed \$195,604,000 may be derived from the  
9 Employment Security Administration Account in the Un-  
10 employment Trust Fund to carry out the provisions of 38  
11 U.S.C. 4100–4113, 4211–4215, and 4321–4327, and  
12 Public Law 103–353, and which shall be available for obli-  
13 gation by the States through December 31, 2007, of which  
14 \$1,969,000 is for the National Veterans’ Employment and  
15 Training Services Institute. To carry out the Homeless  
16 Veterans Reintegration Programs (38 U.S.C. 2021) and  
17 the Veterans Workforce Investment Programs (29 U.S.C.  
18 2913), \$29,263,000, of which \$7,425,000 shall be avail-  
19 able for obligation for the period July 1, 2007 through  
20 June 30, 2008.

21 OFFICE OF INSPECTOR GENERAL

22 For salaries and expenses of the Office of Inspector  
23 General in carrying out the provisions of the Inspector  
24 General Act of 1978, as amended, \$70,073,000, together  
25 with not to exceed \$5,688,000, which may be expended

1 from the Employment Security Administration Account in  
2 the Unemployment Trust Fund.

3 GENERAL PROVISIONS

4 SEC. 101. None of the funds appropriated in this title  
5 for the Job Corps shall be used to pay the salary of an  
6 individual, either as direct costs or any proration as an  
7 indirect cost, at a rate in excess of Executive Level I.

8 (TRANSFER OF FUNDS)

9 SEC. 102. Not to exceed 1 percent of any discre-  
10 tionary funds (pursuant to the Balanced Budget and  
11 Emergency Deficit Control Act of 1985, as amended)  
12 which are appropriated for the current fiscal year for the  
13 Department of Labor in this Act may be transferred be-  
14 tween a program, project, or activity, but no such pro-  
15 gram, project, or activity shall be increased by more than  
16 3 percent by any such transfer: *Provided*, That a program,  
17 project, or activity may be increased by up to an additional  
18 2 percent subject to approval by the House and Senate  
19 Committees on Appropriations: *Provided further*, That the  
20 transfer authority granted by this section shall be avail-  
21 able only to meet emergency needs and shall not be used  
22 to create any new program or to fund any project or activ-  
23 ity for which no funds are provided in this Act: *Provided*  
24 *further*, That the Appropriations Committees of both  
25 Houses of Congress are notified at least 15 days in ad-  
26 vance of any transfer and approve the transfer.

1       SEC. 103. In accordance with Executive Order No.  
2 13126, none of the funds appropriated or otherwise made  
3 available pursuant to this Act shall be obligated or ex-  
4 pended for the procurement of goods mined, produced,  
5 manufactured, or harvested or services rendered, whole or  
6 in part, by forced or indentured child labor in industries  
7 and host countries already identified by the United States  
8 Department of Labor prior to enactment of this Act.

9       SEC. 104. There is authorized to be appropriated  
10 such sums as may be necessary to the Denali Commission  
11 through the Department of Labor to conduct job training  
12 of the local workforce where Denali Commission projects  
13 will be constructed.

14       SEC. 105. The Department of Labor shall submit its  
15 fiscal year 2008 congressional budget justifications to the  
16 Committees on Appropriations of the House of Represent-  
17 atives and the Senate in the format and level of detail  
18 used by the Department of Education in its fiscal year  
19 2007 congressional budget justifications.

20       SEC. 106. The Secretary shall prepare and submit  
21 not later than July 1, 2007 to the Committees on Appro-  
22 priations of the Senate and of the House an operating  
23 plan that outlines the planned allocation by major project  
24 and activity of fiscal year 2007 funds made available for  
25 section 171 of the Workforce Investment Act, except for

1 those projects specifically identified in the accompanying  
2 report.

3       SEC. 107. After September 30, 2006, the Secretary  
4 of Labor shall issue a monthly transit subsidy of not less  
5 than the amount each of its employees of the National  
6 Capital Region is eligible to receive, not to exceed a max-  
7 imum of \$105.

8       SEC. 108. None of the funds appropriated under the  
9 heading “Employment and Training Administration” shall  
10 be used by a recipient or subrecipient of such funds to  
11 pay the salary and bonuses of an individual, either as di-  
12 rect costs or indirect costs, at a rate in excess of Executive  
13 Level II, except as provided for under section 101 of this  
14 Act. This limitation shall not apply to vendors providing  
15 goods and services as defined in OMB Circular A-133.  
16 Where States are recipients of such funds, States may es-  
17 tablish a lower limit for salaries and bonuses of those re-  
18 ceiving salaries and bonuses from subrecipients of such  
19 funds, taking into account factors including the relative  
20 cost-of-living in the State, the compensation levels for  
21 comparable State or local government employees, and the  
22 size of the organizations that administer Federal pro-  
23 grams involved including Employment and Training Ad-  
24 ministration programs.

1 This title may be cited as the “Department of Labor  
2 Appropriations Act, 2007”.

3 TITLE II

4 DEPARTMENT OF HEALTH AND HUMAN  
5 SERVICES

6 HEALTH RESOURCES AND SERVICES ADMINISTRATION

7 HEALTH RESOURCES AND SERVICES

8 For carrying out titles II, III, IV, VII, VIII, X, XII,  
9 XIX, and XXVI of the Public Health Service Act (“PHS  
10 Act”), section 427(a) of the Federal Coal Mine Health and  
11 Safety Act, title V and sections 1128E, 711, and 1820  
12 of the Social Security Act, the Health Care Quality Im-  
13 provement Act of 1986, as amended, the Native Hawaiian  
14 Health Care Act of 1988, as amended, the Cardiac Arrest  
15 Survival Act of 2000, section 712 of the American Jobs  
16 Creation Act of 2004, and for expenses necessary to sup-  
17 port activities related to countering potential biological,  
18 disease, nuclear, radiological and chemical threats to civil-  
19 ian populations, \$6,967,859,000, of which \$260,028,000  
20 shall be available for construction and renovation (includ-  
21 ing equipment) of health care and other facilities and  
22 other health-related activities as specified in the committee  
23 report accompanying this Act, and of which \$38,538,000  
24 from general revenues, notwithstanding section 1820(j) of  
25 the Social Security Act, shall be available for carrying out

1 the Medicare rural hospital flexibility grants program  
2 under section 1820 of such Act: *Provided*, That of the  
3 funds made available under this heading, \$220,000 shall  
4 be available until expended for facilities renovations at the  
5 Gillis W. Long Hansen’s Disease Center: *Provided further*,  
6 That in addition to fees authorized by section 427(b) of  
7 the Health Care Quality Improvement Act of 1986, fees  
8 shall be collected for the full disclosure of information  
9 under the Act sufficient to recover the full costs of oper-  
10 ating the National Practitioner Data Bank, and shall re-  
11 main available until expended to carry out that Act: *Pro-*  
12 *vided further*, That fees collected for the full disclosure of  
13 information under the “Health Care Fraud and Abuse  
14 Data Collection Program”, authorized by section  
15 1128E(d)(2) of the Social Security Act, shall be sufficient  
16 to recover the full costs of operating the program, and  
17 shall remain available until expended to carry out that  
18 Act: *Provided further*, That \$25,000,000 of the funding  
19 provided for community health centers shall be used for  
20 base grant adjustments for existing centers: *Provided fur-*  
21 *ther*, That no more than \$10,000 is available until ex-  
22 pended for carrying out the provisions of 42 U.S.C. 233(o)  
23 including associated administrative expenses: *Provided*  
24 *further*, That no more than \$44,550,000 is available until  
25 expended for carrying out the provisions of Public Law

1 104–73 and for expenses incurred by the Department of  
2 Health and Human Services pertaining to administrative  
3 claims made under such law: *Provided further*, That of the  
4 funds made available under this heading, \$283,103,000  
5 shall be for the program under title X of the PHS Act  
6 to provide for voluntary family planning projects: *Provided*  
7 *further*, That amounts provided to said projects under  
8 such title shall not be expended for abortions, that all  
9 pregnancy counseling shall be nondirective, and that such  
10 amounts shall not be expended for any activity (including  
11 the publication or distribution of literature) that in any  
12 way tends to promote public support or opposition to any  
13 legislative proposal or candidate for public office: *Provided*  
14 *further*, That \$844,546,000 shall be for State AIDS Drug  
15 Assistance Programs authorized by section 2616 of the  
16 PHS Act: *Provided further*, That in addition to grants pro-  
17 vided under this heading pursuant to subpart I of part  
18 B of title XXVI of the PHS Act, and notwithstanding sec-  
19 tions 2616 through 2620 of the PHS Act, \$15,000,000  
20 shall be for awards to States for HIV/AIDS care and  
21 treatment services: *Provided further*, That in addition to  
22 amounts provided herein, \$25,000,000 shall be available  
23 from amounts available under section 241 of the PHS Act  
24 to carry out parts A, B, C, and D of title XXVI of the  
25 Public Health Service Act to fund section 2691 Special



1 Projects of National Significance: *Provided further*, That,  
2 notwithstanding section 502(a)(1) of the Social Security  
3 Act, not to exceed \$116,051,892 is available for carrying  
4 out special projects of regional and national significance  
5 pursuant to section 501(a)(2) of such Act: *Provided fur-*  
6 *ther*, That of the funds provided, \$39,283,000 shall be  
7 provided to the Denali Commission as a direct lump pay-  
8 ment pursuant to Public Law 106–113: *Provided further*,  
9 That of the funds provided, \$35,000,000 shall be provided  
10 for the Delta Health Initiative as authorized in section  
11 223 of this Act and associated administrative expenses:  
12 *Provided further*, That notwithstanding section 747(e)(2)  
13 of the PHS Act, not less than \$5,000,000 shall be for pe-  
14 diatric dentistry programs and not less than \$31,000,000  
15 shall be for family medicine programs: *Provided further*,  
16 That where prior year funds were disbursed under this  
17 appropriation account as Health Care and Other Facilities  
18 grants (and were used for the purchase, construction, or  
19 major alteration of property; or the purchase of equip-  
20 ment), the Federal interest in such property or equipment  
21 shall last for a period of 5 years following the completion  
22 of the project and terminate at that time: *Provided further*,  
23 That if the property use changes (or the property is trans-  
24 ferred or sold) and the Government is compensated for  
25 its proportionate interest in the property, the Federal in-

1 terest in such property shall be terminated: *Provided fur-*  
 2 *ther*, That for projects where 5 years has already elapsed  
 3 since completion, the Federal interest shall be terminated  
 4 immediately.

5 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM  
 6 ACCOUNT

7 Such sums as may be necessary to carry out the pur-  
 8 pose of the program, as authorized by title VII of the Pub-  
 9 lic Health Service Act, as amended. For administrative ex-  
 10 penses to carry out the guaranteed loan program, includ-  
 11 ing section 709 of the Public Health Service Act,  
 12 \$2,887,000.

13 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

14 For payments from the Vaccine Injury Compensation  
 15 Program Trust Fund, such sums as may be necessary for  
 16 claims associated with vaccine-related injury or death with  
 17 respect to vaccines administered after September 30,  
 18 1988, pursuant to subtitle 2 of title XXI of the Public  
 19 Health Service Act, to remain available until expended:  
 20 *Provided*, That for necessary administrative expenses, not  
 21 to exceed \$3,564,000 shall be available from the Trust  
 22 Fund to the Secretary of Health and Human Services.

23 CENTERS FOR DISEASE CONTROL AND PREVENTION

24 DISEASE CONTROL, RESEARCH, AND TRAINING

25 To carry out titles II, III, VII, XI, XV, XVII, XIX,  
 26 XXI, and XXVI of the Public Health Service Act, sections

1 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal  
2 Mine Safety and Health Act of 1977, sections 20, 21, and  
3 22 of the Occupational Safety and Health Act of 1970,  
4 title IV of the Immigration and Nationality Act, section  
5 501 of the Refugee Education Assistance Act of 1980, and  
6 for expenses necessary to support activities related to  
7 countering potential biological, disease, nuclear, radio-  
8 logical, and chemical threats to civilian populations; in-  
9 cluding purchase and insurance of official motor vehicles  
10 in foreign countries; and purchase, hire, maintenance, and  
11 operation of aircraft, \$6,095,900,000, of which  
12 \$100,000,000 shall remain available until expended for  
13 equipment, construction and renovation of facilities; of  
14 which \$550,000,000 shall remain available until expended  
15 for the Strategic National Stockpile; and of which  
16 \$121,326,000 for international HIV/AIDS shall remain  
17 available until September 30, 2008. In addition, such  
18 sums as may be derived from authorized user fees, which  
19 shall be credited to this account: *Provided*, That in addi-  
20 tion to amounts provided herein, the following amounts  
21 shall be available from amounts available under section  
22 241 of the Public Health Service Act: (1) \$12,794,000 to  
23 carry out the National Immunization Surveys and (2)  
24 \$87,071,000 to carry out research activities within the  
25 National Occupational Research Agenda: *Provided further*,

1 That none of the funds made available for injury preven-  
2 tion and control at the Centers for Disease Control and  
3 Prevention may be used, in whole or in part, to advocate  
4 or promote gun control: *Provided further*, That up to  
5 \$31,800,000 shall be made available until expended for  
6 Individual Learning Accounts for full-time equivalent em-  
7 ployees of the Centers for Disease Control and Prevention:  
8 *Provided further*, That the Director may redirect the total  
9 amount made available under authority of Public Law  
10 101–502, section 3, dated November 3, 1990, to activities  
11 the Director may so designate: *Provided further*, That the  
12 Congress is to be notified promptly of any such transfer:  
13 *Provided further*, That not to exceed \$12,500,000 may be  
14 available for making grants under section 1509 of the  
15 Public Health Service Act to not more than 15 States,  
16 tribes, or tribal organizations: *Provided further*, That not-  
17 withstanding any other provision of law, a single contract  
18 or related contracts for development and construction of  
19 facilities may be employed which collectively include the  
20 full scope of the project: *Provided further*, That the solici-  
21 tation and contract shall contain the clause “availability  
22 of funds” found at 48 CFR 52.232–18: *Provided further*,  
23 That of the funds appropriated, \$10,000 is for official re-  
24 ception and representation expenses when specifically ap-  
25 proved by the Director of the Centers for Disease Control

1 and Prevention: *Provided further*, That employees of the  
2 Centers for Disease Control and Prevention or the Public  
3 Health Service, both civilian and Commissioned Officers,  
4 detailed to States, municipalities, or other organizations  
5 under authority of section 214 of the Public Health Serv-  
6 ice Act, shall be treated as non-Federal employees for re-  
7 porting purposes only and shall not be included within any  
8 personnel ceiling applicable to the Agency, Service, or the  
9 Department of Health and Human Services during the pe-  
10 riod of detail or assignment.

11 NATIONAL INSTITUTES OF HEALTH

12 NATIONAL CANCER INSTITUTE

13 For carrying out section 301 and title IV of the Pub-  
14 lic Health Service Act with respect to cancer,  
15 \$4,799,063,000, of which up to \$8,000,000 may be used  
16 for facilities repairs and improvements at the NCI-Fred-  
17 erick Federally Funded Research and Development Center  
18 in Frederick, Maryland.

19 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

20 For carrying out section 301 and title IV of the Pub-  
21 lic Health Service Act with respect to cardiovascular, lung,  
22 and blood diseases, and blood and blood products,  
23 \$2,924,299,000.

1 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL  
2 RESEARCH

3 For carrying out section 301 and title IV of the Pub-  
4 lic Health Service Act with respect to dental disease,  
5 \$389,669,000.

6 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND  
7 KIDNEY DISEASES

8 For carrying out section 301 and title IV of the Pub-  
9 lic Health Service Act with respect to diabetes and diges-  
10 tive and kidney disease, \$1,707,753,000.

11 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS  
12 AND STROKE

13 For carrying out section 301 and title IV of the Pub-  
14 lic Health Service Act with respect to neurological dis-  
15 orders and stroke, \$1,537,703,000.

16 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS  
17 DISEASES

18 (INCLUDING TRANSFER OF FUNDS)

19 For carrying out section 301 and title IV of the Pub-  
20 lic Health Service Act with respect to allergy and infec-  
21 tious diseases, \$4,495,496,000: *Provided*, That  
22 \$100,000,000 may be made available to International As-  
23 sistance Programs “Global Fund to Fight HIV/AIDS, Ma-  
24 laria, and Tuberculosis”, to remain available until ex-  
25 pended: *Provided further*, That up to \$25,000,000 shall  
26 be for extramural facilities construction grants to enhance

1 the Nation's capability to do research on biological and  
2 other agents.

3 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

4 For carrying out section 301 and title IV of the Pub-  
5 lic Health Service Act with respect to general medical  
6 sciences, \$1,934,888,000.

7 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN  
8 DEVELOPMENT

9 For carrying out section 301 and title IV of the Pub-  
10 lic Health Service Act with respect to child health and  
11 human development, \$1,264,500,000.

12 NATIONAL EYE INSTITUTE

13 For carrying out section 301 and title IV of the Pub-  
14 lic Health Service Act with respect to eye diseases and  
15 visual disorders, \$666,898,000.

16 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH  
17 SCIENCES

18 For carrying out sections 301 and 311 and title IV  
19 of the Public Health Service Act with respect to environ-  
20 mental health sciences, \$641,292,000.

21 NATIONAL INSTITUTE ON AGING

22 For carrying out section 301 and title IV of the Pub-  
23 lic Health Service Act with respect to aging,  
24 \$1,048,912,000.

1 NATIONAL INSTITUTE OF ARTHRITIS AND  
2 MUSCULOSKELETAL AND SKIN DISEASES

3 For carrying out section 301 and title IV of the Pub-  
4 lic Health Service Act with respect to arthritis and mus-  
5 culoskeletal and skin diseases, \$508,583,000.

6 NATIONAL INSTITUTE ON DEAFNESS AND OTHER  
7 COMMUNICATION DISORDERS

8 For carrying out section 301 and title IV of the Pub-  
9 lic Health Service Act with respect to deafness and other  
10 communication disorders, \$395,188,000.

11 NATIONAL INSTITUTE OF NURSING RESEARCH

12 For carrying out section 301 and title IV of the Pub-  
13 lic Health Service Act with respect to nursing research,  
14 \$137,848,000.

15 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND  
16 ALCOHOLISM

17 For carrying out section 301 and title IV of the Pub-  
18 lic Health Service Act with respect to alcohol abuse and  
19 alcoholism, \$436,630,000.

20 NATIONAL INSTITUTE ON DRUG ABUSE

21 For carrying out section 301 and title IV of the Pub-  
22 lic Health Service Act with respect to drug abuse,  
23 \$1,000,342,000.



## 1 NATIONAL INSTITUTE OF MENTAL HEALTH

2 For carrying out section 301 and title IV of the Pub-  
3 lic Health Service Act with respect to mental health,  
4 \$1,403,551,000.

## 5 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

6 For carrying out section 301 and title IV of the Pub-  
7 lic Health Service Act with respect to human genome re-  
8 search, \$486,315,000.

9 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND  
10 BIOENGINEERING

11 For carrying out section 301 and title IV of the Pub-  
12 lic Health Service Act with respect to biomedical imaging  
13 and bioengineering research, \$297,606,000.

## 14 NATIONAL CENTER FOR RESEARCH RESOURCES

15 For carrying out section 301 and title IV of the Pub-  
16 lic Health Service Act with respect to research resources  
17 and general research support grants, \$1,104,346,000:  
18 *Provided*, That none of these funds shall be used to pay  
19 recipients of the general research support grants program  
20 any amount for indirect expenses in connection with such  
21 grants.

22 NATIONAL CENTER FOR COMPLEMENTARY AND  
23 ALTERNATIVE MEDICINE

24 For carrying out section 301 and title IV of the Pub-  
25 lic Health Service Act with respect to complementary and  
26 alternative medicine, \$121,982,000.

1 NATIONAL CENTER ON MINORITY HEALTH AND HEALTH  
2 DISPARITIES

3 For carrying out section 301 and title IV of the Pub-  
4 lic Health Service Act with respect to minority health and  
5 health disparities research, \$196,771,000.

6 JOHN E. FOGARTY INTERNATIONAL CENTER

7 For carrying out the activities at the John E.  
8 Fogarty International Center, \$66,832,000.

9 NATIONAL LIBRARY OF MEDICINE

10 For carrying out section 301 and title IV of the Pub-  
11 lic Health Service Act with respect to health information  
12 communications, \$315,294,000, of which \$4,000,000 shall  
13 be available until expended for improvement of informa-  
14 tion systems: *Provided*, That in fiscal year 2007, the Li-  
15 brary may enter into personal services contracts for the  
16 provision of services in facilities owned, operated, or con-  
17 structed under the jurisdiction of the National Institutes  
18 of Health: *Provided further*, That in addition to amounts  
19 provided herein, \$8,200,000 shall be available from  
20 amounts available under section 241 of the Public Health  
21 Service Act to carry out National Information Center on  
22 Health Services Research and Health Care Technology  
23 and related health services.

1                                   OFFICE OF THE DIRECTOR  
2                                   (INCLUDING TRANSFER OF FUNDS)

3           For carrying out the responsibilities of the Office of  
4 the Director, National Institutes of Health, \$687,825,000,  
5 of which up to \$14,000,000 shall be used to carry out sec-  
6 tion 217 of this Act: *Provided*, That funding shall be avail-  
7 able for the purchase of not to exceed 29 passenger motor  
8 vehicles for replacement only: *Provided further*, That the  
9 Director may direct up to 1 percent of the total amount  
10 made available in this or any other Act to all National  
11 Institutes of Health appropriations to activities the Direc-  
12 tor may so designate: *Provided further*, That no such ap-  
13 propriation shall be decreased by more than 1 percent by  
14 any such transfers and that the Committees on Appropria-  
15 tions of the House of Representatives and Senate are  
16 promptly notified of the transfer: *Provided further*, That  
17 the National Institutes of Health is authorized to collect  
18 third party payments for the cost of clinical services that  
19 are incurred in National Institutes of Health research fa-  
20 cilities and that such payments shall be credited to the  
21 National Institutes of Health Management Fund: *Pro-*  
22 *vided further*, That all funds credited to such Fund shall  
23 remain available for one fiscal year after the fiscal year  
24 in which they are deposited: *Provided further*, That up to  
25 \$500,000 shall be available to carry out section 499 of  
26 the Public Health Service Act: *Provided further*, That in

1 addition to the transfer authority provided above, a uni-  
2 form percentage of the amounts appropriated in this Act  
3 to each Institute and Center may be transferred and uti-  
4 lized for the National Institutes of Health Common Fund:  
5 *Provided further*, That the amount utilized under the pre-  
6 ceding proviso shall not exceed \$332,000,000 without  
7 prior notification to the Committees on Appropriations of  
8 the House of Representatives and the Senate: *Provided*  
9 *further*, That amounts transferred and utilized under the  
10 preceding two provisos shall be in addition to amounts  
11 made available for the Common Fund from the Director's  
12 Discretionary Fund and to any amounts allocated to ac-  
13 tivities related to the Common Fund through the normal  
14 research priority-setting process of individual Institutes  
15 and Centers: *Provided further*, That of the funds provided  
16 \$10,000 shall be for official reception and representation  
17 expenses when specifically approved by the Director of  
18 NIH: *Provided further*, That the Office of AIDS Research  
19 within the Office of the Director, NIH may spend up to  
20 \$4,000,000 to make grants for construction or renovation  
21 of facilities as provided for in section 2354(a)(5)(B) of the  
22 Public Health Service Act: *Provided further*, That of the  
23 funds provided \$96,030,000 shall be for expenses nec-  
24 essary to support activities related to countering potential  
25 nuclear, radiological and chemical threats to civilian popu-

1 lations: *Provided further*, That of the funds provided,  
2 \$159,500,000 shall be for expenses necessary to support  
3 activities related to the advanced development of bio-  
4 defense countermeasures.

5 BUILDINGS AND FACILITIES

6 For the study of, construction of, renovation of, and  
7 acquisition of equipment for, facilities of or used by the  
8 National Institutes of Health, including the acquisition of  
9 real property, \$81,081,000, to remain available until ex-  
10 pended: *Provided*, That notwithstanding any other provi-  
11 sion of law, single contracts or related contracts, which  
12 collectively include the full scope of the project, may be  
13 employed for the development and construction of the sec-  
14 ond phase of the John Edward Porter Neuroscience Re-  
15 search Center: *Provided further*, That the solicitations and  
16 contracts shall contain the clause “availability of funds”  
17 found at 48 CFR 52.232–18.

18 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

19 ADMINISTRATION

20 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

21 For carrying out titles V and XIX of the Public  
22 Health Service Act (“PHS Act”) with respect to substance  
23 abuse and mental health services, the Protection and Ad-  
24 vocacy for Individuals with Mental Illness Act, and section  
25 301 of the PHS Act with respect to program management,  
26 \$3,211,183,000, of which \$9,635,000 shall be available for

1 projects and in the amounts specified in the committee  
2 report accompanying this Act: *Provided*, That notwith-  
3 standing section 520A(f)(2) of the PHS Act, no funds ap-  
4 propriated for carrying out section 520A are available for  
5 carrying out section 1971 of the PHS Act: *Provided fur-*  
6 *ther*, That in addition to amounts provided herein, the fol-  
7 lowing amounts shall be available under section 241 of the  
8 PHS Act: (1) \$79,200,000 to carry out subpart II of part  
9 B of title XIX of the PHS Act to fund section 1935(b)  
10 technical assistance, national data, data collection and  
11 evaluation activities, and further that the total available  
12 under this Act for section 1935(b) activities shall not ex-  
13 ceed 5 percent of the amounts appropriated for subpart  
14 II of part B of title XIX; (2) \$21,629,000 to carry out  
15 subpart I of part B of title XIX of the PHS Act to fund  
16 section 1920(b) technical assistance, national data, data  
17 collection and evaluation activities, and further that the  
18 total available under this Act for section 1920(b) activities  
19 shall not exceed 5 percent of the amounts appropriated  
20 for subpart I of part B of title XIX; (3) \$21,000,000 to  
21 carry out national surveys on drug abuse; and (4)  
22 \$4,300,000 to evaluate substance abuse treatment pro-  
23 grams.

1 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

2 HEALTHCARE RESEARCH AND QUALITY

3 For carrying out titles III and IX of the Public  
4 Health Service Act, and part A of title XI of the Social  
5 Security Act, \$318,695,000; and in addition, amounts re-  
6 ceived from Freedom of Information Act fees, reimburs-  
7 able and interagency agreements, and the sale of data  
8 shall be credited to this appropriation and shall remain  
9 available until expended: *Provided*, That no amount shall  
10 be made available pursuant to section 927(c) of the Public  
11 Health Service Act for fiscal year 2007: *Provided further*,  
12 That not more than \$50,000,000 of these funds shall be  
13 for the development of scientific evidence that supports the  
14 implementation and evaluation of health care information  
15 technology systems.

16 CENTERS FOR MEDICARE AND MEDICAID SERVICES

17 GRANTS TO STATES FOR MEDICAID

18 For carrying out, except as otherwise provided, titles  
19 XI and XIX of the Social Security Act, \$138,072,248,000,  
20 to remain available until expended.

21 For making, after May 31, 2007, payments to States  
22 under title XIX of the Social Security Act for the last  
23 quarter of fiscal year 2007, for unanticipated costs, in-  
24 curred for the current fiscal year, such sums as may be  
25 necessary.

1 For making payments to States or in the case of sec-  
2 tion 1928 on behalf of States under title XIX of the Social  
3 Security Act for the first quarter of fiscal year 2008,  
4 \$65,257,617,000, to remain available until expended.

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

9 PAYMENTS TO HEALTH CARE TRUST FUNDS

10 For payment to the Federal Hospital Insurance and  
11 the Federal Supplementary Medical Insurance Trust  
12 Funds, as provided under section 1844 and 1860D–16 of  
13 the Social Security Act, sections 103(c) and 111(d) of the  
14 Social Security Amendments of 1965, section 278(d) of  
15 Public Law 97–248, and for administrative expenses in-  
16 curred pursuant to section 201(g) of the Social Security  
17 Act, \$197,017,391,000.

18 In addition, for making matching payments under  
19 section 1844, and benefit payments under 1860D–16 of  
20 the Social Security Act, not anticipated in budget esti-  
21 mates, such sums as may be necessary.

22 PROGRAM MANAGEMENT

23 For carrying out, except as otherwise provided, titles  
24 XI, XVIII, XIX, and XXI of the Social Security Act, titles  
25 XIII and XXVII of the Public Health Service Act, and  
26 the Clinical Laboratory Improvement Amendments of



1 1988, not to exceed \$3,149,250,000, to be transferred  
2 from the Federal Hospital Insurance and the Federal Sup-  
3 plementary Medical Insurance Trust Funds, as authorized  
4 by section 201(g) of the Social Security Act; together with  
5 all funds collected in accordance with section 353 of the  
6 Public Health Service Act and section 1857(e)(2) of the  
7 Social Security Act, and such sums as may be collected  
8 from authorized user fees and the sale of data, which shall  
9 remain available until expended: *Provided*, That all funds  
10 derived in accordance with 31 U.S.C. 9701 from organiza-  
11 tions established under title XIII of the Public Health  
12 Service Act shall be credited to and available for carrying  
13 out the purposes of this appropriation: *Provided further*,  
14 That \$5,848,000 shall be available for noncompetitive  
15 grants, with terms and conditions and in the amounts  
16 specified in the committee report of the Senate accom-  
17 panying this Act: *Provided further*, That \$22,765,000, to  
18 remain available until September 30, 2008, is for contract  
19 costs for the Centers for Medicare and Medicaid Services  
20 Systems Revitalization Plan: *Provided further*, That  
21 \$48,960,000, to remain available until September 30,  
22 2008, is for contract costs for the Healthcare Integrated  
23 General Ledger Accounting System: *Provided further*,  
24 That \$146,760,000, to remain available until September  
25 30, 2008, is for Medicare contracting reform activities of

1 the Centers for Medicare and Medicaid Services: *Provided*  
2 *further*, That funds appropriated under this heading are  
3 available for the Healthy Start, Grow Smart program  
4 under which the Centers for Medicare and Medicaid Serv-  
5 ices may, directly or through grants, contracts, or coopera-  
6 tive agreements, produce and distribute informational ma-  
7 terials including, but not limited to, pamphlets and bro-  
8 chures on infant and toddler health care to expectant par-  
9 ents enrolled in the Medicaid program and to parents and  
10 guardians enrolled in such program with infants and chil-  
11 dren: *Provided further*, That the Secretary shall charge a  
12 fee for conducting revisit surveys performed on health care  
13 facilities cited for deficiencies during initial certification,  
14 recertification, or substantiated complaints surveys; such  
15 fees shall be credited to this appropriation as offsetting  
16 collections, to remain available until expended for con-  
17 ducting such surveys; and the amount appropriated under  
18 this heading from the Federal Hospital Insurance and the  
19 Federal Supplementary Medical Insurance Trust Funds  
20 shall be reduced by an amount corresponding to the fees  
21 collected: *Provided further*, That the Secretary of Health  
22 and Human Services shall collect fees in fiscal year 2007  
23 from Medicare Advantage organizations pursuant to sec-  
24 tion 1857(e)(2) of the Social Security Act and from eligi-  
25 ble organizations with risk-sharing contracts under section

1 1876 of that Act pursuant to section 1876(k)(4)(D) of  
2 that Act: *Provided further*, That to the extent Medicare  
3 claims volume is projected by the Centers for Medicare  
4 and Medicaid Services to exceed 200,000,000 part A  
5 claims and/or 1,022,100,000 part B claims, an additional  
6 \$32,500,000 shall be available for obligation for every  
7 50,000,000 increase in Medicare claims volume (including  
8 a pro rata amount for any increment less than  
9 50,000,000) from the Federal Hospital Insurance and the  
10 Federal Supplementary Medical Insurance Trust Funds.

11 ADMINISTRATION FOR CHILDREN AND FAMILIES

12 PAYMENTS TO STATES FOR CHILD SUPPORT

13 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

14 For making payments to States or other non-Federal  
15 entities under titles I, IV–D, X, XI, XIV, and XVI of the  
16 Social Security Act, \$2,752,697,000, to remain available  
17 until expended, of which up to \$1,300,000 is for repatri-  
18 ation of U.S. citizens returned from foreign countries pur-  
19 suant to section 1113 of the Act; and for such purposes  
20 for the first quarter of fiscal year 2008, \$1,000,000,000,  
21 to remain available until expended.

22 For making payments to each State for carrying out  
23 the program of Aid to Families with Dependent Children  
24 under title IV–A of the Social Security Act before the ef-  
25 fective date of the program of Temporary Assistance for

1 Needy Families (TANF) with respect to such State, such  
2 sums as may be necessary: *Provided*, That the sum of the  
3 amounts available to a State with respect to expenditures  
4 under such title IV–A in fiscal year 1997 under this ap-  
5 propriation and under such title IV–A as amended by the  
6 Personal Responsibility and Work Opportunity Reconcili-  
7 ation Act of 1996 shall not exceed the limitations under  
8 section 116(b) of such Act.

9 For making, after May 31 of the current fiscal year,  
10 payments to States or other non-Federal entities under  
11 titles I, IV–D, X, XI, XIV, and XVI of the Social Security  
12 Act, for the last 3 months of the current fiscal year for  
13 unanticipated costs, incurred for the current fiscal year,  
14 such sums as may be necessary.

15 LOW INCOME HOME ENERGY ASSISTANCE

16 For making payments under section 2602(b) of the  
17 Low Income Home Energy Act, \$1,980,000,000.

18 For making payments under title XXVI of the Omni-  
19 bus Budget Reconciliation Act of 1981, \$181,170,000, to  
20 remain available until September 30, 2007: *Provided*,  
21 That these funds are for the unanticipated home energy  
22 assistance needs of one or more States, as authorized by  
23 section 2604(e) of such Act, and notwithstanding the des-  
24 ignation requirement of section 2602(e) of such Act.

## 1 REFUGEE AND ENTRANT ASSISTANCE

2 For necessary expenses for refugee and entrant as-  
3 sistance activities and for costs associated with the care  
4 and placement of unaccompanied alien children authorized  
5 by section 414 of the Immigration and Nationality Act  
6 and section 501 of the Refugee Education Assistance Act  
7 of 1980 (Public Law 96-422), for carrying out section  
8 462 of the Homeland Security Act of 2002 (Public Law  
9 107-296), and for carrying out the Torture Victims Relief  
10 Act of 2003 (Public Law 108-179), \$599,935,000, of  
11 which up to \$9,816,000 shall be available to carry out the  
12 Trafficking Victims Protection Reauthorization Act of  
13 2005: *Provided*, That funds appropriated under this head-  
14 ing pursuant to section 414(a) of the Immigration and  
15 Nationality Act and section 462 of the Homeland Security  
16 Act of 2002 for fiscal year 2007 shall be available for the  
17 costs of assistance provided and other activities to remain  
18 available through September 30, 2009.

19 PAYMENTS TO STATES FOR THE CHILD CARE AND  
20 DEVELOPMENT BLOCK GRANT

21 For carrying out the Child Care and Development  
22 Block Grant Act of 1990, \$2,062,081,000 shall be used  
23 to supplement, not supplant State general revenue funds  
24 for child care assistance for low-income families: *Provided*,  
25 That \$18,777,370 shall be available for child care resource  
26 and referral and school-aged child care activities, of which

1 \$982,080 shall be for the Child Care Aware toll-free hot-  
2 line: *Provided further*, That, in addition to the amounts  
3 required to be reserved by the States under section 658G,  
4 \$267,785,718 shall be reserved by the States for activities  
5 authorized under section 658G, of which \$98,208,000  
6 shall be for activities that improve the quality of infant  
7 and toddler care: *Provided further*, That \$9,821,000 shall  
8 be for use by the Secretary for child care research, dem-  
9 onstration, and evaluation activities.

10 SOCIAL SERVICES BLOCK GRANT

11 For making grants to States pursuant to section  
12 2002 of the Social Security Act, \$1,700,000,000.

13 CHILDREN AND FAMILIES SERVICES PROGRAMS

14 For carrying out, except as otherwise provided, the  
15 Runaway and Homeless Youth Act, the Developmental  
16 Disabilities Assistance and Bill of Rights Act, the Head  
17 Start Act, the Child Abuse Prevention and Treatment Act,  
18 sections 310 and 316 of the Family Violence Prevention  
19 and Services Act, as amended, the Native American Pro-  
20 grams Act of 1974, title II of Public Law 95–266 (adop-  
21 tion opportunities), the Adoption and Safe Families Act  
22 of 1997 (Public Law 105–89), sections 1201 and 1211  
23 of the Children’s Health Act of 2000, the Abandoned In-  
24 fants Assistance Act of 1988, sections 261 and 291 of the  
25 Help America Vote Act of 2002, part B(1) of title IV and  
26 sections 413, 1110, and 1115 of the Social Security Act;

1 for making payments under the Community Services  
2 Block Grant Act, sections 439(h) and 477(i) of the Social  
3 Security Act, and title IV of Public Law 105–285, and  
4 for necessary administrative expenses to carry out said  
5 Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of  
6 the Social Security Act, the Omnibus Budget Reconcili-  
7 ation Act of 1981, title IV of the Immigration and Nation-  
8 ality Act, section 501 of the Refugee Education Assistance  
9 Act of 1980, and titles IV and V of Public Law 100–485,  
10 \$8,856,185,000, of which \$29,654,000, to remain avail-  
11 able until September 30, 2008, shall be for grants to  
12 States for adoption incentive payments, as authorized by  
13 section 473A of the Social Security Act and may be made  
14 for adoptions completed before September 30, 2007: *Pro-*  
15 *vided*, That \$6,788,571,000 shall be for making payments  
16 under the Head Start Act, of which \$1,388,800,000 shall  
17 become available October 1, 2007, and remain available  
18 through September 30, 2008: *Provided further*, That  
19 \$694,648,000 shall be for making payments under the  
20 Community Services Block Grant Act: *Provided further*,  
21 That not less than \$7,367,000 shall be for section  
22 680(3)(B) of the Community Services Block Grant Act:  
23 *Provided further*, That in addition to amounts provided  
24 herein, \$6,000,000 shall be available from amounts avail-  
25 able under section 241 of the Public Health Service Act

1 to carry out the provisions of section 1110 of the Social  
2 Security Act: *Provided further*, That to the extent Commu-  
3 nity Services Block Grant funds are distributed as grant  
4 funds by a State to an eligible entity as provided under  
5 the Act, and have not been expended by such entity, they  
6 shall remain with such entity for carryover into the next  
7 fiscal year for expenditure by such entity consistent with  
8 program purposes: *Provided further*, That the Secretary  
9 shall establish procedures regarding the disposition of in-  
10 tangible property which permits grant funds, or intangible  
11 assets acquired with funds authorized under section 680  
12 of the Community Services Block Grant Act, as amended,  
13 to become the sole property of such grantees after a period  
14 of not more than 12 years after the end of the grant for  
15 purposes and uses consistent with the original grant: *Pro-*  
16 *vided further*, That funds appropriated for section  
17 680(a)(2) of the Community Services Block Grant Act,  
18 as amended, shall be available for financing construction  
19 and rehabilitation and loans or investments in private  
20 business enterprises owned by community development  
21 corporations: *Provided further*, That \$54,549,000 is for a  
22 compassion capital fund to provide grants to charitable or-  
23 ganizations to emulate model social service programs and  
24 to encourage research on the best practices of social serv-  
25 ice organizations: *Provided further*, That \$15,720,000



1 shall be for activities authorized by the Help America Vote  
2 Act of 2002, of which \$11,000,000 shall be for payments  
3 to States to promote access for voters with disabilities, and  
4 of which \$4,720,000 shall be for payments to States for  
5 protection and advocacy systems for voters with disabili-  
6 ties: *Provided further*, That \$108,900,000 shall be for  
7 making competitive grants to provide abstinence education  
8 (as defined by section 510(b)(2) of the Social Security  
9 Act) to adolescents, and for Federal costs of administering  
10 the grant: *Provided further*, That grants under the imme-  
11 diately preceding proviso shall be made only to public and  
12 private entities which agree that, with respect to an ado-  
13 lescent to whom the entities provide abstinence education  
14 under such grant, the entities will not provide to that ado-  
15 lescent any other education regarding sexual conduct, ex-  
16 cept that, in the case of an entity expressly required by  
17 law to provide health information or services the adoles-  
18 cent shall not be precluded from seeking health informa-  
19 tion or services from the entity in a different setting than  
20 the setting in which abstinence education was provided:  
21 *Provided further*, That within amounts provided herein for  
22 abstinence education for adolescents, up to \$10,000,000  
23 may be available for a national abstinence education cam-  
24 paign: *Provided further*, That in addition to amounts pro-  
25 vided herein for abstinence education for adolescents,

1 \$4,500,000 shall be available from amounts available  
2 under section 241 of the Public Health Service Act to  
3 carry out evaluations (including longitudinal evaluations)  
4 of adolescent pregnancy prevention approaches: *Provided*  
5 *further*, That \$2,000,000 shall be for improving the Public  
6 Assistance Reporting Information System, including  
7 grants to States to support data collection for a study of  
8 the system's effectiveness.

9 PROMOTING SAFE AND STABLE FAMILIES

10 For carrying out section 436 of the Social Security  
11 Act, \$345,000,000 and for section 437, \$75,000,000.

12 PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION  
13 ASSISTANCE

14 For making payments to States or other non-Federal  
15 entities under title IV–E of the Social Security Act,  
16 \$5,211,000,000.

17 For making payments to States or other non-Federal  
18 entities under title IV–E of the Act, for the first quarter  
19 of fiscal year 2008, \$1,810,000,000.

20 For making, after May 31 of the current fiscal year,  
21 payments to States or other non-Federal entities under  
22 section 474 of title IV–E, for the last 3 months of the  
23 current fiscal year for unanticipated costs, incurred for the  
24 current fiscal year, such sums as may be necessary.

## 1 ADMINISTRATION ON AGING

## 2 AGING SERVICES PROGRAMS

3 For carrying out, to the extent not otherwise pro-  
4 vided, the Older Americans Act of 1965, as amended, and  
5 section 398 of the Public Health Service Act,  
6 \$1,380,516,000, of which \$5,500,000 shall be available for  
7 activities regarding medication management, screening,  
8 and education to prevent incorrect medication and adverse  
9 drug reactions.

## 10 OFFICE OF THE SECRETARY

## 11 GENERAL DEPARTMENTAL MANAGEMENT

12 For necessary expenses, not otherwise provided, for  
13 general departmental management, including hire of six  
14 sedans, and for carrying out titles III, XVII, XX, and XXI  
15 of the Public Health Service Act, the United States-Mex-  
16 ico Border Health Commission Act, and research studies  
17 under section 1110 of the Social Security Act,  
18 \$375,724,000, together with \$5,851,000 to be transferred  
19 and expended as authorized by section 201(g)(1) of the  
20 Social Security Act from the Hospital Insurance Trust  
21 Fund and the Supplemental Medical Insurance Trust  
22 Fund, and \$39,552,000 from the amounts available under  
23 section 241 of the Public Health Service Act to carry out  
24 national health or human services research and evaluation  
25 activities: *Provided*, That of the funds made available

1 under this heading for carrying out title XX of the Public  
2 Health Service Act, \$13,120,000 shall be for activities  
3 specified under section 2003(b)(2), all of which shall be  
4 for prevention service demonstration grants under section  
5 510(b)(2) of title V of the Social Security Act, as amend-  
6 ed, without application of the limitation of section 2010(c)  
7 of said title XX: *Provided further*, That of this amount,  
8 \$51,891,000 shall be for minority AIDS prevention and  
9 treatment activities; and \$6,016,000 shall be to assist Af-  
10 ghanistan in the development of maternal and child health  
11 clinics, consistent with section 103(a)(4)(H) of the Af-  
12 ghanistan Freedom Support Act of 2002: *Provided further*,  
13 That specific information requests from the chairmen and  
14 ranking members of the Subcommittees on Labor, Health  
15 and Human Services, and Education, and Related Agen-  
16 cies, on scientific research or any other matter, shall be  
17 transmitted to the Committees on Appropriations in a  
18 prompt professional manner and within the time frame  
19 specified in the request: *Provided further*, That scientific  
20 information requested by the Committees on Appropria-  
21 tions and prepared by government researchers and sci-  
22 entists shall be transmitted to the Committees on Appro-  
23 priations, uncensored and without delay.

24 OFFICE OF MEDICARE HEARINGS AND APPEALS

25 For expenses necessary for administrative law judges  
26 responsible for hearing cases under title XVIII of the So-

1 cial Security Act (and related provisions of title XI of such  
2 Act), \$70,000,000, to be transferred in appropriate part  
3 from the Federal Hospital Insurance and the Federal Sup-  
4 plementary Medical Insurance Trust Funds.

5 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH  
6 INFORMATION TECHNOLOGY

7 For expenses necessary for the Office of the National  
8 Coordinator for Health Information Technology, including  
9 grants, contracts and cooperative agreements for the de-  
10 velopment and advancement of an interoperable national  
11 health information technology infrastructure,  
12 \$51,313,000: *Provided*, That in addition to amounts pro-  
13 vided herein, \$11,930,000 shall be available from amounts  
14 available under section 241 of the Public Health Service  
15 Act to carry out health information technology network  
16 development.

17 OFFICE OF INSPECTOR GENERAL

18 For expenses necessary for the Office of Inspector  
19 General, including the hire of passenger motor vehicles for  
20 investigations, in carrying out the provisions of the Inspec-  
21 tor General Act of 1978, as amended, \$43,760,000: *Pro-*  
22 *vided*, That of such amount, necessary sums are available  
23 for providing protective services to the Secretary and in-  
24 vestigating non-payment of child support cases for which  
25 non-payment is a Federal offense under 18 U.S.C. 228.

## 1 OFFICE FOR CIVIL RIGHTS

2 For expenses necessary for the Office for Civil  
3 Rights, \$32,969,000, together with not to exceed  
4 \$3,314,000 to be transferred and expended as authorized  
5 by section 201(g)(1) of the Social Security Act from the  
6 Hospital Insurance Trust Fund and the Supplemental  
7 Medical Insurance Trust Fund.

## 8 RETIREMENT PAY AND MEDICAL BENEFITS FOR

## 9 COMMISSIONED OFFICERS

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

## 17 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

## 18 FUND

19 For expenses necessary to support activities related  
20 to countering potential biological, disease, nuclear, radio-  
21 logical and chemical threats to civilian populations, and  
22 other public health emergencies, \$166,907,000.

## 23 GENERAL PROVISIONS

24 SEC. 201. Funds appropriated in this title shall be  
25 available for not to exceed \$50,000 for official reception

1 and representation expenses when specifically approved by  
2 the Secretary.

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

10       SEC. 203. None of the funds appropriated in this Act  
11 may be used to implement section 399F(b) of the Public  
12 Health Service Act or section 1503 of the National Insti-  
13 tutes of Health Revitalization Act of 1993, Public Law  
14 103-43.

15       SEC. 204. None of the funds appropriated in this Act  
16 for the National Institutes of Health, the Agency for  
17 Healthcare Research and Quality, and the Substance  
18 Abuse and Mental Health Services Administration shall  
19 be used to pay the salary of an individual, through a grant  
20 or other extramural mechanism, at a rate in excess of Ex-  
21 ecutive Level I.

22       SEC. 205. None of the funds appropriated in this title  
23 for Head Start shall be used to pay the compensation of  
24 an individual, either as direct costs or any proration as

1 an indirect cost, at a rate in excess of Executive Level  
2 II.

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

12 SEC. 207. Notwithstanding section 241(a) of the  
13 Public Health Service Act, such portion as the Secretary  
14 shall determine, but not more than 2.4 percent, of any  
15 amounts appropriated for programs authorized under said  
16 Act shall be made available for the evaluation (directly,  
17 or by grants or contracts) of the implementation and effec-  
18 tiveness of such programs.

19 (TRANSFER OF FUNDS)

20 SEC. 208. Not to exceed 1 percent of any discre-  
21 tionary funds (pursuant to the Balanced Budget and  
22 Emergency Deficit Control Act of 1985, as amended)  
23 which are appropriated for the current fiscal year for the  
24 Department of Health and Human Services in this Act  
25 may be transferred between a program, project, or activ-  
26 ity, but no such program, project, or activity shall be in-



1 creased by more than 3 percent by any such transfer: *Pro-*  
2 *vided*, That a program, project, or activity may be in-  
3 creased by up to an additional 2 percent subject to ap-  
4 proval by the House and Senate Committees on Appro-  
5 priations: *Provided further*, That the transfer authority  
6 granted by this section shall be available only to meet  
7 emergency needs and shall not be used to create any new  
8 program or to fund any project or activity for which no  
9 funds are provided in this Act: *Provided further*, That the  
10 Appropriations Committees of both Houses of Congress  
11 are notified at least 15 days in advance of any transfer.

12 (TRANSFER OF FUNDS)

13 SEC. 209. The Director of the National Institutes of  
14 Health, jointly with the Director of the Office of AIDS  
15 Research, may transfer up to 3 percent among institutes  
16 and centers from the total amounts identified by these two  
17 Directors as funding for research pertaining to the human  
18 immunodeficiency virus: *Provided*, That the Congress is  
19 promptly notified of the transfer.

20 (TRANSFER OF FUNDS)

21 SEC. 210. Of the amounts made available in this Act  
22 for the National Institutes of Health, the amount for re-  
23 search related to the human immunodeficiency virus, as  
24 jointly determined by the Director of the National Insti-  
25 tutes of Health and the Director of the Office of AIDS  
26 Research, shall be made available to the “Office of AIDS

1 Research” account. The Director of the Office of AIDS  
2 Research shall transfer from such account amounts nec-  
3 essary to carry out section 2353(d)(3) of the Public  
4 Health Service Act.

5       SEC. 211. None of the funds appropriated in this Act  
6 may be made available to any entity under title X of the  
7 Public Health Service Act unless the applicant for the  
8 award certifies to the Secretary that it encourages family  
9 participation in the decision of minors to seek family plan-  
10 ning services and that it provides counseling to minors on  
11 how to resist attempts to coerce minors into engaging in  
12 sexual activities.

13       SEC. 212. None of the funds appropriated by this Act  
14 (including funds appropriated to any trust fund) may be  
15 used to carry out the Medicare Advantage program if the  
16 Secretary denies participation in such program to an oth-  
17 erwise eligible entity (including a Provider Sponsored Or-  
18 ganization) because the entity informs the Secretary that  
19 it will not provide, pay for, provide coverage of, or provide  
20 referrals for abortions: *Provided*, That the Secretary shall  
21 make appropriate prospective adjustments to the capita-  
22 tion payment to such an entity (based on an actuarially  
23 sound estimate of the expected costs of providing the serv-  
24 ice to such entity’s enrollees): *Provided further*, That noth-  
25 ing in this section shall be construed to change the Medi-

1 care program's coverage for such services and a Medicare  
2 Advantage organization described in this section shall be  
3 responsible for informing enrollees where to obtain infor-  
4 mation about all Medicare covered services.

5 SEC. 213. Notwithstanding any other provision of  
6 law, no provider of services under title X of the Public  
7 Health Service Act shall be exempt from any State law  
8 requiring notification or the reporting of child abuse, child  
9 molestation, sexual abuse, rape, or incest.

10 SEC. 214. (a) Except as provided by subsection (e)  
11 none of the funds appropriated by this Act may be used  
12 to withhold substance abuse funding from a State pursu-  
13 ant to section 1926 of the Public Health Service Act (42  
14 U.S.C. 300x-26) if such State certifies to the Secretary  
15 of Health and Human Services by May 1, 2007, that the  
16 State will commit additional State funds, in accordance  
17 with subsection (b), to ensure compliance with State laws  
18 prohibiting the sale of tobacco products to individuals  
19 under 18 years of age.

20 (b) The amount of funds to be committed by a State  
21 under subsection (a) shall be equal to 1 percent of such  
22 State's substance abuse block grant allocation for each  
23 percentage point by which the State misses the retailer  
24 compliance rate goal established by the Secretary of

1 Health and Human Services under section 1926 of such  
2 Act.

3 (c) The State is to maintain State expenditures in  
4 fiscal year 2007 for tobacco prevention programs and for  
5 compliance activities at a level that is not less than the  
6 level of such expenditures maintained by the State for fis-  
7 cal year 2006, and adding to that level the additional  
8 funds for tobacco compliance activities required under  
9 subsection (a). The State is to submit a report to the Sec-  
10 retary on all fiscal year 2006 State expenditures and all  
11 fiscal year 2007 obligations for tobacco prevention and  
12 compliance activities by program activity by July 31,  
13 2007.

14 (d) The Secretary shall exercise discretion in enforce-  
15 ing the timing of the State obligation of the additional  
16 funds required by the certification described in subsection  
17 (a) as late as July 31, 2007.

18 (e) None of the funds appropriated by this Act may  
19 be used to withhold substance abuse funding pursuant to  
20 section 1926 from a territory that receives less than  
21 \$1,000,000.

22 SEC. 215. In order for the Centers for Disease Con-  
23 trol and Prevention to carry out international health ac-  
24 tivities, including HIV/AIDS and other infectious disease,  
25 chronic and environmental disease, and other health ac-

1 tivities abroad during fiscal year 2007, the Secretary of  
2 Health and Human Services (HHS)—

3           (1) may exercise authority equivalent to that  
4           available to the Secretary of State in section 2(c) of  
5           the State Department Basic Authorities Act of 1956  
6           (22 U.S.C. 2669(c)). The Secretary of HHS shall  
7           consult with the Secretary of State and relevant  
8           Chief of Mission to ensure that the authority pro-  
9           vided in this section is exercised in a manner con-  
10          sistent with section 207 of the Foreign Service Act  
11          of 1980 (22 U.S.C. 3927) and other applicable stat-  
12          utes administered by the Department of State, and

13          (2) is authorized to provide such funds by ad-  
14          vance or reimbursement to the Secretary of State as  
15          may be necessary to pay the costs of acquisition,  
16          lease, alteration, renovation, and management of fa-  
17          cilities outside of the United States for the use of  
18          HHS. The Department of State shall cooperate fully  
19          with the Secretary of HHS to ensure that HHS has  
20          secure, safe, functional facilities that comply with  
21          applicable regulation governing location, setback,  
22          and other facilities requirements and serve the pur-  
23          poses established by this Act. The Secretary of HHS  
24          is authorized, in consultation with the Secretary of  
25          State, through grant or cooperative agreement, to

1       make available to public or nonprofit private institu-  
2       tions or agencies in participating foreign countries,  
3       funds to acquire, lease, alter, or renovate facilities in  
4       those countries as necessary to conduct programs of  
5       assistance for international health activities, includ-  
6       ing activities relating to HIV/AIDS and other infec-  
7       tious diseases, chronic and environmental diseases,  
8       and other health activities abroad.

9       SEC. 216. The Division of Federal Occupational  
10      Health hereafter may utilize personal services contracting  
11      to employ professional management/administrative and oc-  
12      cupational health professionals.

13      SEC. 217. (a) AUTHORITY.—Notwithstanding any  
14      other provision of law, the Director of the National Insti-  
15      tutes of Health may use funds available under section  
16      402(i) of the Public Health Service Act (42 U.S.C. 282(i))  
17      to enter into transactions (other than contracts, coopera-  
18      tive agreements, or grants) to carry out research in sup-  
19      port of the NIH Common Fund for Medical Research.

20      (b) PEER REVIEW.—In entering into transactions  
21      under subsection (a), the Director of the National Insti-  
22      tutes of Health may utilize such peer review procedures  
23      (including consultation with appropriate scientific experts)  
24      as the Director determines to be appropriate to obtain as-  
25      sessments of scientific and technical merit. Such proce-

1 dures shall apply to such transactions in lieu of the peer  
2 review and advisory council review procedures that would  
3 otherwise be required under sections 301(a)(3),  
4 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of  
5 the Public Health Service Act (42 U.S.C. 241,  
6 284(b)(1)(B), 284(b)(2), 284a(a)(3)(A), 289a, and 289e).

7       SEC. 218. Funds which are available for Individual  
8 Learning Accounts for employees of the Centers for Dis-  
9 ease Control and Prevention and the Agency for Toxic  
10 Substances and Disease Registry may be transferred to  
11 “Disease Control, Research, and Training,” to be avail-  
12 able only for Individual Learning Accounts: *Provided*,  
13 That such funds may be used for any individual full-time  
14 equivalent employee while such employee is employed ei-  
15 ther by CDC or ATSDR.

16       SEC. 219. Notwithstanding any other provisions of  
17 law, funds made available in this Act may be used to con-  
18 tinue operating the Council on Graduate Medical Edu-  
19 cation established by section 301 of Public Law 102–408.

20       SEC. 220. (a) For fiscal year 2007 and subject to  
21 subsection (b), the Secretary of Health and Human Serv-  
22 ices may waive the requirements of regulations promul-  
23 gated under the Head Start Act (42 U.S.C. 9831 et seq.),  
24 for one or more vehicles used by a Head Start agency or  
25 an Early Head Start entity (or the designee of either) in

1 transporting children enrolled in a Head Start program  
2 or an Early Head Start program if—

3 (1) such requirements pertain to child restraint  
4 systems or vehicle monitors;

5 (2) the agency or entity demonstrates that com-  
6 pliance with such requirements will result in a sig-  
7 nificant disruption to the Head Start program or the  
8 Early Head Start program; and

9 (3) waiving such requirements is in the best in-  
10 terest of the children involved.

11 (b) The Secretary of Health and Human Services  
12 may not issue any waiver under subsection (a) after Sep-  
13 tember 30, 2007, or the date of the enactment of a statute  
14 that authorizes appropriations for fiscal year 2007 to  
15 carry out the Head Start Act, whichever date is earlier.

16 SEC. 221. In addition to any other amounts available  
17 for such travel, and notwithstanding any other provision  
18 of law, amounts available from this or any other appro-  
19 priation for the purchase, hire, maintenance, or operation  
20 of aircraft by the Centers for Disease Control and Preven-  
21 tion shall be available for travel by the Secretary of Health  
22 and Human Services, the Director of the Centers for Dis-  
23 ease Control and Prevention, and employees of the De-  
24 partment of Health and Human Services accompanying  
25 the Secretary or the Director during such travel: *Provided,*



1 That travel on such aircraft shall be restricted for emer-  
2 gency use only.

3 SEC. 222. Funds appropriated by this Act to the In-  
4 stitutes and Centers of the National Institutes of Health  
5 may be expended for improvements and repairs of facili-  
6 ties, as necessary for the proper and efficient conduct of  
7 the activities authorized herein, not to exceed \$2,500,000  
8 per project.

9 SEC. 223. (a) The Secretary of Health and Human  
10 Services is authorized to award a grant to the Delta  
11 Health Alliance, a nonprofit alliance of academic institu-  
12 tions in the Mississippi Delta region that has as its pri-  
13 mary purposes addressing longstanding, unmet health  
14 needs and catalyzing economic development in the Mis-  
15 sissippi Delta.

16 (b) To be eligible to receive a grant under subsection  
17 (a), the Delta Health Alliance shall solicit and fund pro-  
18 posals from local governments, hospitals, health care clin-  
19 ics, academic institutions, and rural public health-related  
20 entities and organizations for research development, edu-  
21 cational programs, health care services, job training, and  
22 planning, construction, and equipment of public health-re-  
23 lated facilities in the Mississippi Delta region.

24 (c) With respect to the use of grant funds under this  
25 section for construction or major alteration of property,

1 the Federal interest in the property involved shall last for  
2 a period of 1 year following the completion of the project  
3 or until such time that the Federal Government is com-  
4 pensated for its proportionate interest in the property if  
5 the property use changes or the property is transferred  
6 or sold, whichever time period is less. At the conclusion  
7 of such period, the Notice of Federal Interest in such  
8 property shall be removed.

9 (d) There are authorized to be appropriated such  
10 sums as may be necessary to carry out this section in fis-  
11 cal year 2007 and in each of the five succeeding fiscal  
12 years.

13 SEC. 224. (a) For grant years beginning in 2006–  
14 2007, the Secretary of Health and Human Services may  
15 waive the requirements of, with respect to Louisiana, Mis-  
16 sissippi, Alabama, and Texas and any eligible metropolitan  
17 area in Louisiana, Mississippi, Alabama, and Texas, the  
18 following sections of the Public Health Service Act:

19 (1) Section 2611(b)(1) of such Act (42 U.S.C.  
20 300ff–21(b)(1)).

21 (2) Section 2617(b)(6)(E) of such Act (42  
22 U.S.C. 300ff–27(b)(6)(E)).

23 (3) Section 2617(d) of such Act (42 U.S.C.  
24 300ff–27(d)), except that such waiver shall apply so  
25 that the matching requirement is reduced to \$1 for

1 each \$4 of Federal funds provided under the grant  
2 involved.

3 (b) If the Secretary of Health and Human Services  
4 grants a waiver under subsection (b), the Secretary—

5 (1) may not prevent Louisiana, Mississippi,  
6 Alabama, and Texas or any eligible metropolitan  
7 area in Louisiana, Mississippi, Alabama, and Texas  
8 from receiving or utilizing, or both, funds granted or  
9 distributed, or both, pursuant to title XXVI of the  
10 Public Health Service Act (42 U.S.C. 300ff–11 et  
11 seq.) because of the failure of Louisiana, Mississippi,  
12 Alabama, and Texas or any eligible metropolitan  
13 area in Louisiana, Mississippi, Alabama, and Texas  
14 to comply with the requirements of the sections list-  
15 ed in paragraphs (1) through (3) of subsection (a);

16 (2) may not take action due to such noncompli-  
17 ance; and

18 (3) shall assess, evaluate, and review Louisiana,  
19 Mississippi, Alabama, and Texas or any eligible met-  
20 ropolitan area’s eligibility for funds under such title  
21 XXVI as if Louisiana, Mississippi, Alabama, and  
22 Texas or such eligible metropolitan area had fully  
23 complied with the requirements of the sections listed  
24 in paragraphs (1) through (3) of subsection (a).

1 (c) For grant years beginning in 2008, Louisiana,  
 2 Mississippi, Alabama, and Texas and any eligible metro-  
 3 politan area in Louisiana, Mississippi, Alabama, and  
 4 Texas shall comply with each of the applicable require-  
 5 ments under title XXVI of the Public Health Service Act  
 6 (42 U.S.C. 300ff–11 et seq.).

7 This title may be cited as the “Department of Health  
 8 and Human Services Appropriations Act, 2007”.

### 9 TITLE III

#### 10 DEPARTMENT OF EDUCATION

#### 11 EDUCATION FOR THE DISADVANTAGED

12 For carrying out title I of the Elementary and Sec-  
 13 ondary Education Act of 1965 (“ESEA”) and section  
 14 418A of the Higher Education Act of 1965,  
 15 \$14,447,189,000, of which \$6,897,673,000 shall become  
 16 available on July 1, 2007, and shall remain available  
 17 through September 30, 2008, and of which  
 18 \$7,383,301,000 shall become available on October 1,  
 19 2007, and shall remain available through September 30,  
 20 2008 for academic year 2007–2008: *Provided*, That  
 21 \$6,808,408,000 shall be for basic grants under section  
 22 1124: *Provided further*, That up to \$3,472,000 of these  
 23 funds shall be available to the Secretary of Education on  
 24 October 1, 2006, to obtain annually updated educational-  
 25 agency-level census poverty data from the Bureau of the

1 Census: *Provided further*, That \$1,365,031,000 shall be  
2 for concentration grants under section 1124A: *Provided*  
3 *further*, That \$2,269,843,000 shall be for targeted grants  
4 under section 1125: *Provided further*, That  
5 \$2,269,843,000 shall be for education finance incentive  
6 grants under section 1125A: *Provided further*, That  
7 \$9,330,000 shall be to carry out sections 1501 and 1503.

8 IMPACT AID

9 For carrying out programs of financial assistance to  
10 federally affected schools authorized by title VIII of the  
11 Elementary and Secondary Education Act of 1965,  
12 \$1,228,453,000, of which \$1,091,867,000 shall be for  
13 basic support payments under section 8003(b),  
14 \$49,466,000 shall be for payments for children with dis-  
15 abilities under section 8003(d), \$17,820,000 shall be for  
16 construction under section 8007(b), \$64,350,000 shall be  
17 for Federal property payments under section 8002, and  
18 \$4,950,000, to remain available until expended, shall be  
19 for facilities maintenance under section 8008: *Provided*,  
20 That for purposes of computing the amount of a payment  
21 for an eligible local educational agency under section  
22 8003(a) for school year 2006–2007, children enrolled in  
23 a school of such agency that would otherwise be eligible  
24 for payment under section 8003(a)(1)(B) of such Act, but  
25 due to the deployment of both parents or legal guardians,

1 or a parent or legal guardian having sole custody of such  
2 children, or due to the death of a military parent or legal  
3 guardian while on active duty (so long as such children  
4 reside on Federal property as described in section  
5 8003(a)(1)(B)), are no longer eligible under such section,  
6 shall be considered as eligible students under such section,  
7 provided such students remain in average daily attendance  
8 at a school in the same local educational agency they at-  
9 tended prior to their change in eligibility status.

10 SCHOOL IMPROVEMENT PROGRAMS

11 For carrying out school improvement activities au-  
12 thorized by title II, part B of title IV, subparts 6 and  
13 9 of part D of title V, parts A and B of title VI, and  
14 parts B and C of title VII of the Elementary and Sec-  
15 ondary Education Act of 1965 (“ESEA”); the McKinney-  
16 Vento Homeless Assistance Act; section 203 of the Edu-  
17 cational Technical Assistance Act of 2002; the Compact  
18 of Free Association Amendments Act of 2003; and the  
19 Civil Rights Act of 1964, \$5,029,943,000, of which  
20 \$3,399,207,000 shall become available on July 1, 2007,  
21 and remain available through September 30, 2008, and  
22 of which \$1,435,000,000 shall become available on Octo-  
23 ber 1, 2007, and shall remain available through September  
24 30, 2008, for academic year 2007–2008: *Provided*, That  
25 funds made available to carry out part B of title VII of

1 the ESEA may be used for construction, renovation and  
2 modernization of any elementary school, secondary school,  
3 or structure related to an elementary school or secondary  
4 school, run by the Department of Education of the State  
5 of Hawaii, that serves a predominantly Native Hawaiian  
6 student body: *Provided further*, That from the funds re-  
7 ferred to in the preceding proviso, not less than  
8 \$1,250,000 shall be for a grant to the Department of Edu-  
9 cation of the State of Hawaii for the activities described  
10 in such proviso, and \$1,250,000 shall be for a grant to  
11 the University of Hawaii School of Law for a Center of  
12 Excellence in Native Hawaiian law: *Provided further*, That  
13 funds made available to carry out part C of title VII of  
14 the ESEA may be used for construction: *Provided further*,  
15 That up to 100 percent of the funds available to a State  
16 educational agency under part D of title II of the ESEA  
17 may be used for subgrants described in section  
18 2412(a)(2)(B) of such act: *Provided further*, That  
19 \$407,563,000 shall be for State assessments and related  
20 activities authorized under sections 6111 and 6112 of the  
21 ESEA: *Provided further*, That \$56,257,000 shall be avail-  
22 able to carry out section 203 of the Educational Technical  
23 Assistance Act of 2002: *Provided further*, That  
24 \$31,177,000 shall be available to carry out part D of title  
25 V of the ESEA: *Provided further*, That no funds appro-

1 priated under this heading may be used to carry out sec-  
2 tion 5494 under the ESEA: *Provided further*, That  
3 \$18,824,000 shall be available to carry out the Supple-  
4 mental Education Grants program for the Federated  
5 States of Micronesia and for the Republic of the Marshall  
6 Islands: *Provided further*, That up to 5 percent of these  
7 amounts may be reserved by the Federated States of Mi-  
8 cronesia and the Republic of the Marshall Islands to ad-  
9 minister the Supplemental Education Grants programs  
10 and to obtain technical assistance, oversight and  
11 consultancy services in the administration of these grants  
12 and to reimburse the United States Departments of  
13 Labor, Health and Human Services, and Education for  
14 such services.

#### 15 INDIAN EDUCATION

16 For expenses necessary to carry out, to the extent  
17 not otherwise provided, title VII, part A of the Elementary  
18 and Secondary Education Act of 1965, \$118,690,000.

#### 19 INNOVATION AND IMPROVEMENT

20 For carrying out activities authorized by part G of  
21 title I, subpart 5 of part A and parts C and D of title  
22 II, parts B, C, and D of title V, and section 1504 of the  
23 Elementary and Secondary Education Act of 1965  
24 (“ESEA”), \$989,942,000, of which \$94,050,000 shall be-  
25 come available on July 1, 2007 and remain available until



1 September 30, 2008: *Provided*, That \$18,695,000 shall be  
2 available to carry out section 2151(c) of the ESEA, of  
3 which not less than \$10,695,000 shall be provided to the  
4 National Board for Professional Teaching Standards, and  
5 not less than \$8,000,000 shall be provided to the Amer-  
6 ican Board for the Certification of Teacher Excellence:  
7 *Provided further*, That from funds for subpart 4, part C  
8 of title II, up to 3 percent shall be available to the Sec-  
9 retary for technical assistance and dissemination of infor-  
10 mation: *Provided further*, That \$337,879,000 shall be  
11 available to carry out part D of title V of the ESEA: *Pro-*  
12 *vided further*, That \$73,189,000 of the funds for subpart  
13 1, part D of title V of the ESEA shall be available for  
14 the projects and in the amounts specified in the committee  
15 report of the Senate accompanying this Act: *Provided fur-*  
16 *ther*, That, \$99,000,000 of the funds for subpart 1 shall  
17 be for competitive grants to local educational agencies, in-  
18 cluding charter schools that are local educational agencies,  
19 or States, or partnerships of (1) a local educational agen-  
20 cy, a State, or both and (2) at least one non-profit organi-  
21 zation to develop and implement performance-based teach-  
22 er and principal compensation systems in high-need  
23 schools: *Provided further*, That such performance-based  
24 compensation systems must consider gains in student aca-  
25 demic achievement as well as classroom evaluations con-

1 ducted multiple times during each school year among  
2 other factors and provide educators with incentives to take  
3 on additional responsibilities and leadership roles: *Pro-*  
4 *vided further*, That five percent of such funds for competi-  
5 tive grants shall become available on October 1, 2006 for  
6 technical assistance, training, peer review of applications,  
7 program outreach and evaluation activities and that 95  
8 percent shall become available on July 1, 2007 and remain  
9 available through September 30, 2008 for competitive  
10 grants.

11       SAFE SCHOOLS AND CITIZENSHIP EDUCATION

12       For carrying out activities authorized by subpart 3  
13 of part C of title II, part A of title IV, and subparts 2,  
14 3 and 10 of part D of title V of the Elementary and Sec-  
15 ondary Education Act of 1965 (“ESEA”), \$653,204,000,  
16 of which \$310,000,000 shall become available on July 1,  
17 2007 and remain available through September 30, 2008:  
18 *Provided*, That of the amount available for subpart 2 of  
19 part A of title IV of the ESEA, \$850,000 shall be used  
20 to continue the National Recognition Awards program  
21 under the same guidelines outlined by section 120(f) of  
22 Public Law 105–244: *Provided further*, That  
23 \$310,000,000 shall be available for subpart 1 of part A  
24 of title IV and \$182,521,000 shall be available for subpart  
25 2 of part A of title IV, of which \$4,000,000, to remain

1 available until expended, shall be for the Project School  
2 Emergency Response to Violence program to provide edu-  
3 cation-related services to local educational agencies in  
4 which the learning environment has been disrupted due  
5 to a violent or traumatic crisis: *Provided further*, That  
6 \$131,572,000 shall be available to carry out part D of  
7 title V of the ESEA: *Provided further*, That of the funds  
8 available to carry out subpart 3 of part C of title II, up  
9 to \$12,072,000 may be used to carry out section 2345  
10 and \$3,018,000 shall be used by the Center for Civic Edu-  
11 cation to implement a comprehensive program to improve  
12 public knowledge, understanding, and support of the Con-  
13 gress and the State legislatures.

14                   ENGLISH LANGUAGE ACQUISITION

15         For carrying out part A of title III of the ESEA,  
16 \$669,007,000, which shall become available on July 1,  
17 2007, and shall remain available through September 30,  
18 2008, except that 6.5 percent of such amount shall be  
19 available on October 1, 2006 and shall remain available  
20 through September 30, 2008, to carry out activities under  
21 section 3111(c)(1)(C).

22                   SPECIAL EDUCATION

23         For carrying out the Individuals with Disabilities  
24 Education Act and the Special Olympics Sport and Em-  
25 powerment Act of 2004, \$11,610,367,000, of which

1 \$5,975,912,000 shall become available on July 1, 2007,  
2 and shall remain available through September 30, 2008,  
3 and of which \$5,424,200,000 shall become available on  
4 October 1, 2007, and shall remain available through Sep-  
5 tember 30, 2008, for academic year 2007–2008: *Provided*,  
6 That \$11,880,000 shall be for Recording for the Blind and  
7 Dyslexic, Inc., to support the development, production,  
8 and circulation of recorded educational materials: *Pro-*  
9 *vided further*, That \$1,485,000 shall be for the recipient  
10 of funds provided by Public Law 105–78 under section  
11 687(b)(2)(G) of the Act (as in effect prior to the enact-  
12 ment of the Individuals with Disabilities Education Im-  
13 provement Act of 2004) to provide information on diag-  
14 nosis, intervention, and teaching strategies for children  
15 with disabilities: *Provided further*, That the amount for  
16 section 611(b)(2) of the Act shall be equal to the lesser  
17 of the amount available for that activity during fiscal year  
18 2006, increased by the amount of inflation as specified  
19 in section 619(d)(2)(B) of the Act or the percentage in-  
20 crease in the funds appropriated under section 611(i) of  
21 the Act.

## 22 REHABILITATION SERVICES AND DISABILITY RESEARCH

23 For carrying out, to the extent not otherwise pro-  
24 vided, the Rehabilitation Act of 1973, the Assistive Tech-  
25 nology Act of 1998 (“the AT Act”), and the Helen Keller

1 National Center Act, \$3,248,312,000: *Provided*, That  
 2 \$30,452,000 shall be used for carrying out the AT Act,  
 3 including \$24,425,000 for State grants for assistive tech-  
 4 nology authorized under section 4 of the AT Act,  
 5 \$4,975,000 for State grants for protection and advocacy  
 6 under section 5 of the AT Act and \$1,052,000 for national  
 7 activities under section 6 of the AT Act: *Provided further*,  
 8 That \$5,800,000 of the funds for section 303 of the Reha-  
 9 bilitation Act of 1973 shall be available for the projects  
 10 and in the amounts specified in the committee report of  
 11 the Senate accompanying this Act.

12 SPECIAL INSTITUTIONS FOR PERSONS WITH  
 13 DISABILITIES

14 AMERICAN PRINTING HOUSE FOR THE BLIND

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

17 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

18 For the National Technical Institute for the Deaf  
 19 under titles I and II of the Education of the Deaf Act  
 20 of 1986 (20 U.S.C. 4301 et seq.), \$57,500,000: *Provided*,  
 21 That from the total amount available, the Institute may  
 22 at its discretion use funds for the endowment program as  
 23 authorized under section 207.

24 GALLAUDET UNIVERSITY

25 For the Kendall Demonstration Elementary School,  
 26 the Model Secondary School for the Deaf, and the partial

1 support of Gallaudet University under titles I and II of  
2 the Education of the Deaf Act of 1986 (20 U.S.C. 4301  
3 et seq.), \$110,500,000: *Provided*, That from the total  
4 amount available to the University, the University may at  
5 its discretion use funds for the endowment program as au-  
6 thorized under section 207.

7           VOCATIONAL AND ADULT EDUCATION

8           For carrying out, to the extent not otherwise pro-  
9 vided, the Carl D. Perkins Vocational and Technical Edu-  
10 cation Act of 1998, the Adult Education and Family Lit-  
11 eracy Act, and title VIII–D of the Higher Education  
12 Amendments of 1998, \$1,899,858,000, of which  
13 \$1,108,858,000 shall become available on July 1, 2007  
14 and shall remain available through September 30, 2008  
15 and of which \$791,000,000 shall become available on Oc-  
16 tober 1, 2007 and shall remain available through Sep-  
17 tember 30, 2008: *Provided*, That of the amount provided  
18 for Adult Education State Grants, \$67,896,000 shall be  
19 made available for integrated English literacy and civics  
20 education services to immigrants and other limited  
21 English proficient populations: *Provided further*, That of  
22 the amount reserved for integrated English literacy and  
23 civics education, notwithstanding section 211 of the Adult  
24 Education and Family Literacy Act, 65 percent shall be  
25 allocated to States based on a State’s absolute need as

1 determined by calculating each State's share of a 10-year  
2 average of the Immigration and Naturalization Service  
3 data for immigrants admitted for legal permanent resi-  
4 dence for the 10 most recent years, and 35 percent allo-  
5 cated to States that experienced growth as measured by  
6 the average of the 3 most recent years for which Immigra-  
7 tion and Naturalization Service data for immigrants ad-  
8 mitted for legal permanent residence are available, except  
9 that no State shall be allocated an amount less than  
10 \$60,000: *Provided further*, That of the amounts made  
11 available for the Adult Education and Family Literacy  
12 Act, \$9,005,000 shall be for national leadership activities  
13 under section 243 and \$6,572,000 shall be for the Na-  
14 tional Institute for Literacy under section 242: *Provided*  
15 *further*, That \$24,000,000 shall be for Youth Offender  
16 Grants.

#### 17 STUDENT FINANCIAL ASSISTANCE

18 For carrying out subparts 1, 3, and 4 of part A, part  
19 C and part E of title IV of the Higher Education Act of  
20 1965, as amended, \$14,488,458,000, which shall remain  
21 available through September 30, 2008.

22 The maximum Pell Grant for which a student shall  
23 be eligible during award year 2007–2008 shall be \$4,050.

## 1                   STUDENT AID ADMINISTRATION

2           For Federal administrative expenses to carry out part  
3 D of title I, and subparts 1, 3, and 4 of part A, and parts  
4 B, C, D and E of title IV of the Higher Education Act  
5 of 1965, as amended, \$713,720,000, to remain available  
6 until expended.

## 7                   HIGHER EDUCATION

8           For carrying out, to the extent not otherwise pro-  
9 vided, titles II, III, IV, V, VI, and VII of the Higher Edu-  
10 cation Act of 1965 (“HEA”), as amended, the Mutual  
11 Educational and Cultural Exchange Act of 1961, title VIII  
12 of the Higher Education Amendments of 1998, and sec-  
13 tion 117 of the Carl D. Perkins Vocational and Technical  
14 Education Act, \$2,003,192,000: *Provided*, That  
15 \$9,699,000, to remain available through September 30,  
16 2008, shall be available to fund fellowships for academic  
17 year 2008–2009 under part A, subpart 1 of title VII of  
18 the HEA, under the terms and conditions of part A, sub-  
19 part 1: *Provided further*, That notwithstanding any other  
20 provision of law or any regulation, the Secretary of Edu-  
21 cation shall not require the use of a restricted indirect cost  
22 rate for grants issued pursuant to section 117 of the Carl  
23 D. Perkins Vocational and Technical Education Act of  
24 1998: *Provided further*, That \$970,000 is for data collec-  
25 tion and evaluation activities for programs under the



1 HEA, including such activities needed to comply with the  
2 Government Performance and Results Act of 1993: *Pro-*  
3 *vided further*, That notwithstanding any other provision  
4 of law, funds made available in this Act to carry out title  
5 VI of the HEA and section 102(b)(6) of the Mutual Edu-  
6 cational and Cultural Exchange Act of 1961 may be used  
7 to support visits and study in foreign countries by individ-  
8 uals who are participating in advanced foreign language  
9 training and international studies in areas that are vital  
10 to United States national security and who plan to apply  
11 their language skills and knowledge of these countries in  
12 the fields of government, the professions, or international  
13 development: *Provided further*, That of the funds referred  
14 to in the preceding proviso up to 1 percent may be used  
15 for program evaluation, national outreach, and informa-  
16 tion dissemination activities: *Provided further*, That the  
17 funds provided for title II of the HEA shall be allocated  
18 notwithstanding section 210 of such Act: *Provided further*,  
19 That \$58,540,000 of the funds for part B of title VII of  
20 the Higher Education Act of 1965 shall be available for  
21 the projects and in the amounts specified in the committee  
22 report of the Senate accompanying this Act.

23

## HOWARD UNIVERSITY

24

For partial support of Howard University (20 U.S.C.  
25 121 et seq.), \$237,392,000, of which not less than

1 \$3,600,000 shall be for a matching endowment grant pur-  
 2 suant to the Howard University Endowment Act (Public  
 3 Law 98-480) and shall remain available until expended.

4 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS  
 5 PROGRAM ACCOUNT

6 For Federal administrative expenses to carry out ac-  
 7 tivities related to existing facility loans pursuant to section  
 8 121 of the Higher Education Act of 1965, as amended  
 9 \$486,000.

10 HISTORICALLY BLACK COLLEGE AND UNIVERSITY  
 11 CAPITAL FINANCING PROGRAM ACCOUNT

12 The aggregate principal amount of outstanding bonds  
 13 insured pursuant to section 344 of title III, part D of the  
 14 Higher Education Act of 1965, shall not exceed  
 15 \$357,000,000, and the cost, as defined in section 502 of  
 16 the Congressional Budget Act of 1974, of such bonds shall  
 17 not exceed zero.

18 For administrative expenses to carry out the Histori-  
 19 cally Black College and University Capital Financing Pro-  
 20 gram entered into pursuant to title III, part D of the  
 21 Higher Education Act of 1965, as amended, \$190,000.

22 INSTITUTE OF EDUCATION SCIENCES

23 For carrying out activities authorized by the Edu-  
 24 cation Sciences Reform Act of 2002, as amended, the Na-  
 25 tional Assessment of Educational Progress Authorization

1 Act, section 208 of the Educational Technical Assistance  
2 Act of 2002, and section 664 of the Individuals with Dis-  
3 abilities Education Act, \$535,916,000, of which  
4 \$282,292,000 shall be available until September 30, 2008.

5 DEPARTMENTAL MANAGEMENT

6 PROGRAM ADMINISTRATION

7 For carrying out, to the extent not otherwise pro-  
8 vided, the Department of Education Organization Act, in-  
9 cluding rental of conference rooms in the District of Co-  
10 lumbia and hire of three passenger motor vehicles,  
11 \$423,916,000, of which \$2,500,000, to remain available  
12 until expended, shall be for building alterations and re-  
13 lated expenses for the move of Department staff to the  
14 Mary E. Switzer building in Washington, DC.

15 OFFICE FOR CIVIL RIGHTS

16 For expenses necessary for the Office for Civil  
17 Rights, as authorized by section 203 of the Department  
18 of Education Organization Act, \$92,866,000.

19 OFFICE OF THE INSPECTOR GENERAL

20 For expenses necessary for the Office of the Inspector  
21 General, as authorized by section 212 of the Department  
22 of Education Organization Act, \$51,000,000.

23 GENERAL PROVISIONS

24 SEC. 301. No funds appropriated in this Act may be  
25 used for the transportation of students or teachers (or for  
26 the purchase of equipment for such transportation) in

1 order to overcome racial imbalance in any school or school  
2 system, or for the transportation of students or teachers  
3 (or for the purchase of equipment for such transportation)  
4 in order to carry out a plan of racial desegregation of any  
5 school or school system.

6 SEC. 302. None of the funds contained in this Act  
7 shall be used to require, directly or indirectly, the trans-  
8 portation of any student to a school other than the school  
9 which is nearest the student's home, except for a student  
10 requiring special education, to the school offering such  
11 special education, in order to comply with title VI of the  
12 Civil Rights Act of 1964. For the purpose of this section  
13 an indirect requirement of transportation of students in-  
14 cludes the transportation of students to carry out a plan  
15 involving the reorganization of the grade structure of  
16 schools, the pairing of schools, or the clustering of schools,  
17 or any combination of grade restructuring, pairing or clus-  
18 tering. The prohibition described in this section does not  
19 include the establishment of magnet schools.

20 SEC. 303. No funds appropriated in this Act may be  
21 used to prevent the implementation of programs of vol-  
22 untary prayer and meditation in the public schools.

23 (TRANSFER OF FUNDS)

24 SEC. 304. Not to exceed 1 percent of any discre-  
25 tionary funds (pursuant to the Balanced Budget and  
26 Emergency Deficit Control Act of 1985, as amended)

1 which are appropriated for the Department of Education  
2 in this Act may be transferred between appropriations, but  
3 no such appropriation shall be increased by more than 3  
4 percent by any such transfer: *Provided*, That the Appro-  
5 priations Committees of both Houses of Congress are noti-  
6 fied at least 15 days in advance of any transfer.

7       SEC. 305. ELIGIBILITY FOR IMPACT AID PAYMENT.

8 (a) LOCAL EDUCATIONAL AGENCIES.—Notwithstanding  
9 section 8013(9)(B) of the Elementary and Secondary  
10 Education Act of 1965 (20 U.S.C. 7713(9)(B)), North  
11 Chicago Community Unit School District 187, North  
12 Shore District 112, and Township High School District  
13 113 in Lake County, Illinois, and Glenview Public School  
14 District 34 and Glenbrook High School District 225 in  
15 Cook County, Illinois, shall be considered local educational  
16 agencies as such term is used in and for purposes of title  
17 VIII of such Act.

18 (b) COMPUTATION.—Notwithstanding any other pro-  
19 vision of law, federally connected children (as determined  
20 under section 8003(a) of the Elementary and Secondary  
21 Education Act of 1965 (20 U.S.C. 7703(a))) who are in  
22 attendance in the North Shore District 112, Township  
23 High School District 113, Glenview Public School District  
24 34, and Glenbrook High School District 225 described in  
25 subsection (a), shall be considered to be in attendance in

1 the North Chicago Community Unit School District 187  
 2 described in subsection (a) for purposes of computing the  
 3 amount that the North Chicago Community Unit School  
 4 District 187 is eligible to receive under subsection (b) or  
 5 (d) of such section if—

6           (1) such school districts have entered into an  
 7 agreement for such students to be so considered and  
 8 for the equitable apportionment among all such  
 9 school districts of any amount received by the North  
 10 Chicago Community Unit School District 187 under  
 11 such section; and

12           (2) any amount apportioned among all such  
 13 school districts pursuant to paragraph (1) is used by  
 14 such school districts only for the direct provision of  
 15 educational services.

16 This title may be cited as the “Department of Edu-  
 17 cation Appropriations Act, 2007”.

#### 18 TITLE IV

#### 19 RELATED AGENCIES

#### 20 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

#### 21 BLIND OR SEVERELY DISABLED

#### 22 SALARIES AND EXPENSES

23 For expenses necessary of the Committee for Pur-  
 24 chase From People Who Are Blind or Severely Disabled  
 25 established by Public Law 92–28; \$4,995,000.

1 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
 2 DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING  
 3 EXPENSES

4 For expenses necessary for the Corporation for Na-  
 5 tional and Community Service to carry out the provisions  
 6 of the Domestic Volunteer Service Act of 1973, as amend-  
 7 ed; \$313,058,000: *Provided*, That none of the funds made  
 8 available to the Corporation for National and Community  
 9 Service in this Act for activities authorized by section 122  
 10 of part C of title I and part E of title II of the Domestic  
 11 Volunteer Service Act of 1973 shall be used to provide  
 12 stipends or other monetary incentives to volunteers or vol-  
 13 unteer leaders whose incomes exceed 125 percent of the  
 14 national poverty level.

15 NATIONAL AND COMMUNITY SERVICE PROGRAMS,  
 16 OPERATING EXPENSES  
 17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses for the Corporation for Na-  
 19 tional and Community Service (the “Corporation”) in car-  
 20 rying out programs, activities, and initiatives under the  
 21 National and Community Service Act of 1990 (the “Act”) (42 U.S.C. 12501 et seq.); \$488,214,000, to remain avail-  
 22 able until September 30, 2008: *Provided*, That not more  
 23 than \$258,959,000 of the amount provided under this  
 24 heading shall be available for grants under the National  
 25 Service Trust Program authorized under subtitle C of title  
 26

1 I of the Act (42 U.S.C. 12571 et seq.) (relating to activi-  
2 ties of the AmeriCorps program), including grants to orga-  
3 nizations operating projects under the AmeriCorps Edu-  
4 cation Awards Program (without regard to the require-  
5 ments of sections 121(d) and (e), section 131(e), section  
6 132, and sections 140(a), (d), and (e) of the Act): *Pro-*  
7 *vided further*, That not less than \$124,720,000 of the  
8 amount provided under this heading, to remain available  
9 without fiscal year limitation, shall be transferred to the  
10 National Service Trust for educational awards authorized  
11 under subtitle D of title I of the Act (42 U.S.C. 12601):  
12 *Provided further*, That in addition to amounts otherwise  
13 provided to the National Service Trust under the second  
14 proviso, the Corporation may transfer funds from the  
15 amount provided under the first proviso, to the National  
16 Service Trust authorized under subtitle D of title I of the  
17 Act (42 U.S.C. 12601) upon determination that such  
18 transfer is necessary to support the activities of national  
19 service participants and after notice is transmitted to Con-  
20 gress: *Provided further*, That, for fiscal year 2007 and  
21 thereafter, in addition to amounts otherwise provided to  
22 the National Service Trust under the second proviso, at  
23 no later than the end of the fifth fiscal year after the fiscal  
24 year for which funds are appropriated or otherwise made  
25 available, unobligated balances of appropriations available



1 for grants under the National Service Trust Program  
2 under subtitle C of title I of the Act (42 U.S.C. 12571  
3 et seq.) during such fiscal year may be transferred to the  
4 National Service Trust after notice is transmitted to Con-  
5 gress, if such funds are initially obligated before the expi-  
6 ration of their period of availability as provided in this  
7 Act: *Provided further*, That of the amount provided under  
8 this heading for grants under the National Service Trust  
9 program authorized under subtitle C of title I of the Act,  
10 not more than \$55,000,000 may be used to administer,  
11 reimburse, or support any national service program au-  
12 thorized under section 129(d)(2) of such Act (42 U.S.C.  
13 12581(d)(2)): *Provided further*, That not more than  
14 \$12,324,000 shall be available for quality and innovation  
15 activities authorized under subtitle H of title I of the Act  
16 (42 U.S.C. 12853 et seq.): *Provided further*, That notwith-  
17 standing subtitle H of title I of the Act (42 U.S.C. 12853),  
18 none of the funds provided under the previous proviso  
19 shall be used to support salaries and related expenses (in-  
20 cluding travel) attributable to Corporation employees: *Pro-*  
21 *vided further*, That to the maximum extent feasible, funds  
22 appropriated under subtitle C of title I of the Act shall  
23 be provided in a manner that is consistent with the rec-  
24 ommendations of peer review panels in order to ensure  
25 that priority is given to programs that demonstrate qual-

1 ity, innovation, replicability, and sustainability: *Provided*  
2 *further*, That \$26,730,000 of the funds made available  
3 under this heading shall be available for the Civilian Com-  
4 munity Corps authorized under subtitle E of title I of the  
5 Act (42 U.S.C. 12611 et seq.): *Provided further*, That  
6 \$34,155,000 shall be available for school-based and com-  
7 munity-based service-learning programs authorized under  
8 subtitle B of title I of the Act (42 U.S.C. 12521 et seq.):  
9 *Provided further*, That \$3,960,000 shall be available for  
10 audits and other evaluations authorized under section 179  
11 of the Act (42 U.S.C. 12639): *Provided further*, That  
12 \$9,900,000 of the funds made available under this head-  
13 ing shall be made available for the Points of Light Foun-  
14 dation for activities authorized under title III of the Act  
15 (42 U.S.C. 12661 et seq.), of which not more than  
16 \$2,500,000 may be used to support an endowment fund,  
17 the corpus of which shall remain intact and the interest  
18 income from which shall be used to support activities de-  
19 scribed in title III of the Act, provided that the Founda-  
20 tion may invest the corpus and income in federally insured  
21 bank savings accounts or comparable interest bearing ac-  
22 counts, certificates of deposit, money market funds, mu-  
23 tual funds, obligations of the United States, and other  
24 market instruments and securities but not in real estate  
25 investments: *Provided further*, That no funds shall be

1 available for national service programs run by Federal  
2 agencies authorized under section 121(b) of such Act (42  
3 U.S.C. 12571(b)): *Provided further*, That \$4,950,000 of  
4 the funds made available under this heading shall be made  
5 available to America's Promise—The Alliance for Youth,  
6 Inc.: *Provided further*, That to the maximum extent prac-  
7 ticable, the Corporation shall increase significantly the  
8 level of matching funds and in-kind contributions provided  
9 by the private sector, and shall reduce the total Federal  
10 costs per participant in all programs: *Provided further*,  
11 That notwithstanding section 501(a)(4) of the Act, of the  
12 funds provided under this heading, not more than  
13 \$12,516,000 shall be made available to provide assistance  
14 to State commissions on national and community service  
15 under section 126(a) of the Act: *Provided further*, That  
16 the Corporation may use up to 1 percent of program grant  
17 funds made available under this heading to defray its costs  
18 of conducting grant application reviews, including the use  
19 of outside peer reviewers.

20 SALARIES AND EXPENSES

21 For necessary expenses of administration as provided  
22 under section 501(a)(4) of the National and Community  
23 Service Act of 1990 (42 U.S.C. 12501 et seq.) and under  
24 section 504(a) of the Domestic Volunteer Service Act of  
25 1973, including payment of salaries, authorized travel,  
26 hire of passenger motor vehicles, the rental of conference

1 rooms in the District of Columbia, the employment of ex-  
2 perts and consultants authorized under 5 U.S.C. 3109,  
3 and not to exceed \$2,500 for official reception and rep-  
4 resentation expenses; \$70,315,000.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector  
7 General in carrying out the Inspector General Act of 1978,  
8 as amended; \$4,950,000, to remain available until Sep-  
9 tember 30, 2007.

10 ADMINISTRATIVE PROVISIONS

11 Notwithstanding any other provision of law, the term  
12 “qualified student loan” with respect to national service  
13 education awards shall mean any loan determined by an  
14 institution of higher education to be necessary to cover  
15 a student’s cost of attendance at such institution and  
16 made, insured, or guaranteed directly to a student by a  
17 State agency, in addition to other meanings under section  
18 148(b)(7) of the National and Community Service Act.

19 Notwithstanding any other provision of law, funds  
20 made available under section 129(d)(5)(B) of the National  
21 and Community Service Act to assist entities in placing  
22 applicants who are individuals with disabilities may be  
23 provided to any entity that receives a grant under section  
24 121 of the Act.

25 The Inspector General of the Corporation for Na-  
26 tional and Community Service shall conduct random au-

1 dits of the grantees that administer activities under the  
2 AmeriCorps programs and shall levy sanctions in accord-  
3 ance with standard Inspector General audit resolution pro-  
4 cedures which include, but are not limited to, debarment  
5 of any grantee (or successor in interest or any entity with  
6 substantially the same person or persons in control) that  
7 has been determined to have committed any substantial  
8 violations of the requirements of the AmeriCorps pro-  
9 grams, including any grantee that has been determined  
10 to have violated the prohibition of using Federal funds to  
11 lobby the Congress: *Provided*, That the Inspector General  
12 shall obtain reimbursements in the amount of any misused  
13 funds from any grantee that has been determined to have  
14 committed any substantial violations of the requirements  
15 of the AmeriCorps programs.

16 For fiscal year 2007, the Corporation shall make any  
17 significant changes to program requirements or policy only  
18 through public notice and comment rulemaking. For fiscal  
19 year 2007, during any grant selection process, no officer  
20 or employee of the Corporation shall knowingly disclose  
21 any covered grant selection information regarding such se-  
22 lection, directly or indirectly, to any person other than an  
23 officer or employee of the Corporation that is authorized  
24 by the Corporation to receive such information.

## 1 CORPORATION FOR PUBLIC BROADCASTING

2 For payment to the Corporation for Public Broad-  
3 casting, as authorized by the Communications Act of  
4 1934, an amount which shall be available within limita-  
5 tions specified by that Act, for the fiscal year 2009;  
6 \$400,000,000: *Provided*, That no funds made available to  
7 the Corporation for Public Broadcasting by this Act shall  
8 be used to pay for receptions, parties, or similar forms  
9 of entertainment for Government officials or employees:  
10 *Provided further*, That none of the funds contained in this  
11 paragraph shall be available or used to aid or support any  
12 program or activity from which any person is excluded,  
13 or is denied benefits, or is discriminated against, on the  
14 basis of race, color, national origin, religion, or sex: *Pro-*  
15 *vided further*, That for fiscal year 2007, in addition to the  
16 amounts provided above; \$29,700,000 shall be for costs  
17 related to digital program production, development, and  
18 distribution, associated with the transition of public broad-  
19 casting to digital broadcasting, to be awarded as deter-  
20 mined by the Corporation in consultation with public radio  
21 and television licensees or permittees, or their designated  
22 representatives: *Provided further*, That for fiscal year  
23 2007, in addition to the amounts provided above;  
24 \$36,000,000 shall be for the costs associated with replace-  
25 ment and upgrade of the public television interconnection

1 system: *Provided further*, That none of the funds made  
2 available to the Corporation for Public Broadcasting by  
3 this Act, Public Law 108–199 or Public Law 108–7, shall  
4 be used to support the Television Future Fund or any  
5 similar purpose.

6 FEDERAL MEDIATION AND CONCILIATION SERVICE

7 SALARIES AND EXPENSES

8 For expenses necessary for the Federal Mediation  
9 and Conciliation Service to carry out the functions vested  
10 in it by the Labor Management Relations Act, 1947 (29  
11 U.S.C. 171–180, 182–183), including hire of passenger  
12 motor vehicles; for expenses necessary for the Labor-Man-  
13 agement Cooperation Act of 1978 (29 U.S.C. 175a); and  
14 for expenses necessary for the Service to carry out the  
15 functions vested in it by the Civil Service Reform Act,  
16 Public Law 95–454 (5 U.S.C. chapter 71); \$42,842,000,  
17 including \$400,000, to remain available through Sep-  
18 tember 30, 2008, for activities authorized by the Labor-  
19 Management Cooperation Act of 1978 (29 U.S.C. 175a):  
20 *Provided*, That notwithstanding 31 U.S.C. 3302, fees  
21 charged, up to full-cost recovery, for special training ac-  
22 tivities and other conflict resolution services and technical  
23 assistance, including those provided to foreign govern-  
24 ments and international organizations, and for arbitration  
25 services shall be credited to and merged with this account,

1 and shall remain available until expended: *Provided fur-*  
2 *ther*, That fees for arbitration services shall be available  
3 only for education, training, and professional development  
4 of the agency workforce: *Provided further*, That the Direc-  
5 tor of the Service is authorized to accept and use on behalf  
6 of the United States gifts of services and real, personal,  
7 or other property in the aid of any projects or functions  
8 within the Director's jurisdiction.

9 FEDERAL MINE SAFETY AND HEALTH REVIEW

10 COMMISSION

11 SALARIES AND EXPENSES

12 For expenses necessary for the Federal Mine Safety  
13 and Health Review Commission (30 U.S.C. 801 et seq.);  
14 \$7,731,000.

15 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

16 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

17 AND ADMINISTRATION

18 For carrying out the Museum and Library Services  
19 Act of 1996, and the National Museum of African Amer-  
20 ican History and Culture Act; \$260,075,000, to remain  
21 available until September 30, 2008: *Provided*, That of the  
22 amount provided, \$100,000 shall be awarded to Academy  
23 of Natural Sciences, Philadelphia, Pennsylvania to pro-  
24 mote natural science research; \$100,000 shall be awarded  
25 to African American Cultural Center, Pittsburgh, Penn-



1 sylvania for exhibit design and development; \$250,000  
2 shall be awarded to Alaska Native Heritage Center, An-  
3 chorage, Alaska in conjunction with Koahnic Broadcasting  
4 Corporation for an Elders Oral History Project; \$300,000  
5 shall be awarded to Autry National Center of the Amer-  
6 ican West, Los Angeles, California for the Native Amer-  
7 ican Learning Lab; \$150,000 shall be awarded to Bangor  
8 Public Library Association, Bangor, Pennsylvania for edu-  
9 cational programming and outreach; \$150,000 shall be  
10 awarded to Bishop Museum in Honolulu, Hawaii to en-  
11 hance library services; \$200,000 shall be awarded to Bos-  
12 ton Children's Museum, Boston, Massachusetts for the de-  
13 velopment of exhibitions; \$200,000 shall be awarded to  
14 Carnegie Museum of Natural History, Pittsburgh, Penn-  
15 sylvania to upgrade environmental conditions of collection  
16 and exhibit development; \$400,000 shall be awarded to  
17 Cedar Rapids Symphony Orchestra, Cedar Rapids, Iowa  
18 to support the Residency program; \$100,000 shall be  
19 awarded to Children's Museum of Richmond, Richmond,  
20 Virginia for exhibit design and development; \$250,000  
21 shall be awarded to City of Dallas, Texas to the expand  
22 outreach and programming efforts of the Women's Mu-  
23 seum; \$100,000 shall be awarded to City of Portsmouth  
24 Department of Museums, Portsmouth, Virginia for exhibit  
25 and program upgrades; \$150,000 shall be awarded to

1 County of Amador, California for the Library Literacy  
2 Project; \$500,000 shall be awarded to Currier Museum  
3 of Art, Manchester, New Hampshire, for expansion of cul-  
4 tural and educational facilities; \$250,000 shall be awarded  
5 to Delaware Art Museum, Wilmington, Delaware for out-  
6 reach to schools; \$350,000 shall be awarded to Des  
7 Moines Art Center, Iowa for exhibits; \$400,000 shall be  
8 awarded to Figge Foundation, Davenport, Iowa, exhibits,  
9 education programs, community outreach, and/or oper-  
10 ations; \$100,000 shall be awarded to Fredericksburg Area  
11 Museum and Cultural Center, Fredericksburg, Virginia to  
12 support exhibit design and expansion; \$100,000 shall be  
13 awarded to Free Library of Philadelphia, Philadelphia,  
14 Pennsylvania for technology upgrades and care and pres-  
15 ervation of collection; \$100,000 shall be awarded to High  
16 Desert Museum, Bend, Oregon for exhibit design and de-  
17 velopment; \$150,000 shall be awarded to Holbrook Public  
18 Library, Holbrook, Massachusetts for the development of  
19 exhibits; \$250,000 shall be awarded to Iowa Radio Read-  
20 ing Information Service (IRRIS), to expand services;  
21 \$200,000 shall be awarded to Knoxville Zoo, Knoxville,  
22 Tennessee for technology upgrades and educational out-  
23 reach; \$250,000 shall be awarded to Lakeview Museum,  
24 Peoria, Illinois, for exhibits, equipment and technology for  
25 the museum outreach program; \$100,000 shall be award-

1 ed to Mercer University, Macon, Georgia for technology  
2 upgrades and care and preservation of their collection;  
3 \$250,000 shall be awarded to Municipality of Penn Hills,  
4 Penn Hills, Pennsylvania for the Penn Hills Public Li-  
5 brary for care and preservation of their collection;  
6 \$250,000 shall be awarded to Museum of Afro-American  
7 History, Boston, Massachusetts for the development of  
8 youth educational programs; \$500,000 shall be awarded  
9 to Museum of Utah Art & History, Salt Lake City, Utah  
10 for exhibit development and technology upgrades;  
11 \$500,000 shall be awarded to New York Botanical Gar-  
12 den, Bronx, New York for the Virtual Herbarium;  
13 \$600,000 shall be awarded to Orem City Public Library,  
14 Orem, Utah for technology upgrades and care of their col-  
15 lection; \$400,000 shall be awarded to Putnam Museum  
16 of History and Natural Science, Davenport, Iowa for ex-  
17 hibits and community outreach; \$175,000 shall be award-  
18 ed to Rhode Island Historical Society, Providence, for  
19 cataloguing and on-line public access project; \$100,000  
20 shall be awarded to Saint Vincent College, Latrobe, Penn-  
21 sylvania to preserve materials at the Fred Rogers Center;  
22 \$50,000 shall be awarded to Salem Public Library, Ham-  
23 lin, Pennsylvania for technology upgrades and equipment;  
24 \$300,000 shall be awarded to Skirball Cultural Center,  
25 Los Angeles, California to develop educational outreach

1 programs; \$250,000 shall be awarded to State of Vermont  
2 Department of Libraries, Montpelier, Vermont to support  
3 a mobile library literacy program in Vermont; \$250,000  
4 shall be awarded to Texas Historical Commission, Austin,  
5 Texas for educational programming, outreach, and exhibit  
6 development; \$250,000 shall be awarded to University of  
7 Alaska Fairbanks for the continuation of the Alaska Dig-  
8 ital Archives project; \$500,000 shall be awarded to Uni-  
9 versity of Vermont of Burlington, Vermont to undertake  
10 a digitization project for the preservation of Vermont cul-  
11 tural heritage materials; \$100,000 shall be awarded to  
12 Virginia Aquarium & Marine Science Center Foundation,  
13 Inc., Virginia Beach, Virginia to expand educational pro-  
14 grams; \$100,000 shall be awarded to Virginia Holocaust  
15 Museum, Richmond, Virginia for exhibit development,  
16 technology upgrades, educational outreach, and care of  
17 collection; \$100,000 shall be awarded to Virginia Living  
18 Museum, Newport News, Virginia to expand educational  
19 programs; \$200,000 shall be awarded to Western Folklife  
20 Center, Elko, Nevada to develop exhibits and conduct out-  
21 reach to education programs.

22           MEDICARE PAYMENT ADVISORY COMMISSION  
23                           SALARIES AND EXPENSES

24           For expenses necessary to carry out section 1805 of  
25 the Social Security Act; \$10,457,000, to be transferred to

1 this appropriation from the Federal Hospital Insurance  
2 and the Federal Supplementary Medical Insurance Trust  
3 Funds.

4 NATIONAL COMMISSION ON LIBRARIES AND  
5 INFORMATION SCIENCE  
6 SALARIES AND EXPENSES

7 For necessary expenses for the National Commission  
8 on Libraries and Information Science, established by the  
9 Act of July 20, 1970 (Public Law 91–345, as amended);  
10 \$983,000.

11 NATIONAL COUNCIL ON DISABILITY  
12 SALARIES AND EXPENSES

13 For expenses necessary for the National Council on  
14 Disability as authorized by title IV of the Rehabilitation  
15 Act of 1973, as amended; \$3,180,000.

16 NATIONAL LABOR RELATIONS BOARD  
17 SALARIES AND EXPENSES

18 For expenses necessary for the National Labor Rela-  
19 tions Board to carry out the functions vested in it by the  
20 Labor-Management Relations Act, 1947, as amended (29  
21 U.S.C. 141–167), and other laws; \$249,789,000: *Pro-*  
22 *vided*, That no part of this appropriation shall be available  
23 to organize or assist in organizing agricultural laborers or  
24 used in connection with investigations, hearings, direc-  
25 tives, or orders concerning bargaining units composed of

1 agricultural laborers as referred to in section 2(3) of the  
2 Act of July 5, 1935 (29 U.S.C. 152), and as amended  
3 by the Labor-Management Relations Act, 1947, as amend-  
4 ed, and as defined in section 3(f) of the Act of June 25,  
5 1938 (29 U.S.C. 203), and including in said definition em-  
6 ployees engaged in the maintenance and operation of  
7 ditches, canals, reservoirs, and waterways when main-  
8 tained or operated on a mutual, nonprofit basis and at  
9 least 95 percent of the water stored or supplied thereby  
10 is used for farming purposes.

11 NATIONAL MEDIATION BOARD

12 SALARIES AND EXPENSES

13 For expenses necessary to carry out the provisions  
14 of the Railway Labor Act, as amended (45 U.S.C. 151-  
15 188), including emergency boards appointed by the Presi-  
16 dent; \$12,500,000.

17 OCCUPATIONAL SAFETY AND HEALTH REVIEW

18 COMMISSION

19 SALARIES AND EXPENSES

20 For expenses necessary for the Occupational Safety  
21 and Health Review Commission (29 U.S.C. 661);  
22 \$10,346,000.

## 1 RAILROAD RETIREMENT BOARD

## 2 DUAL BENEFITS PAYMENTS ACCOUNT

3 For payment to the Dual Benefits Payments Ac-  
4 count, authorized under section 15(d) of the Railroad Re-  
5 tirement Act of 1974; \$88,000,000, which shall include  
6 amounts becoming available in fiscal year 2007 pursuant  
7 to section 224(e)(1)(B) of Public Law 98-76; and in addi-  
8 tion, an amount, not to exceed 2 percent of the amount  
9 provided herein, shall be available proportional to the  
10 amount by which the product of recipients and the average  
11 benefit received exceeds the amount available for payment  
12 of vested dual benefits: *Provided*, That the total amount  
13 provided herein shall be credited in 12 approximately  
14 equal amounts on the first day of each month in the fiscal  
15 year.

16 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT  
17 ACCOUNTS

18 For payment to the accounts established in the  
19 Treasury for the payment of benefits under the Railroad  
20 Retirement Act for interest earned on unnegotiated  
21 checks; \$150,000, to remain available through September  
22 30, 2008, which shall be the maximum amount available  
23 for payment pursuant to section 417 of Public Law 98-  
24 76.

## 1                   LIMITATION ON ADMINISTRATION

2           For necessary expenses for the Railroad Retirement  
3 Board for administration of the Railroad Retirement Act  
4 and the Railroad Unemployment Insurance Act;  
5 \$103,518,000, to be derived in such amounts as deter-  
6 mined by the Board from the railroad retirement accounts  
7 and from moneys credited to the railroad unemployment  
8 insurance administration fund.

## 9                   LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

10          For expenses necessary for the Office of Inspector  
11 General for audit, investigatory and review activities, as  
12 authorized by the Inspector General Act of 1978, as  
13 amended, not more than \$7,606,000, to be derived from  
14 the railroad retirement accounts and railroad unemploy-  
15 ment insurance account: *Provided*, That none of the funds  
16 made available in any other paragraph of this Act may  
17 be transferred to the Office; used to carry out any such  
18 transfer; used to provide any office space, equipment, of-  
19 fice supplies, communications facilities or services, mainte-  
20 nance services, or administrative services for the Office;  
21 used to pay any salary, benefit, or award for any personnel  
22 of the Office; used to pay any other operating expense of  
23 the Office; or used to reimburse the Office for any service  
24 provided, or expense incurred, by the Office: *Provided fur-*  
25 *ther*, That funds made available under the heading in this  
26 Act, or subsequent Departments of Labor, Health and



1 Human Services, and Education, and Related Agencies  
2 Appropriations Acts, may be used for any audit, investiga-  
3 tion, or review of the Medicare Program.

4 SOCIAL SECURITY ADMINISTRATION

5 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

6 For payment to the Federal Old-Age and Survivors  
7 Insurance and the Federal Disability Insurance trust  
8 funds, as provided under sections 201(m), 217(g), 228(g),  
9 and 1131(b)(2) of the Social Security Act; \$27,756,000.

10 SUPPLEMENTAL SECURITY INCOME PROGRAM

11 For carrying out titles XI and XVI of the Social Se-  
12 curity Act, section 401 of Public Law 92–603, section 212  
13 of Public Law 93–66, as amended, and section 405 of  
14 Public Law 95–216, including payment to the Social Secu-  
15 rity trust funds for administrative expenses incurred pur-  
16 suant to section 201(g)(1) of the Social Security Act;  
17 \$29,023,000,000, to remain available until expended: *Pro-*  
18 *vided*, That any portion of the funds provided to a State  
19 in the current fiscal year and not obligated by the State  
20 during that year shall be returned to the Treasury.

21 For making, after June 15 of the current fiscal year,  
22 benefit payments to individuals under title XVI of the So-  
23 cial Security Act, for unanticipated costs incurred for the  
24 current fiscal year, such sums as may be necessary.

25 For making benefit payments under title XVI of the  
26 Social Security Act for the first quarter of fiscal year

1 2008; \$16,810,000,000, to remain available until ex-  
2 pended.

3           LIMITATION ON ADMINISTRATIVE EXPENSES

4           For necessary expenses, including the hire of two pas-  
5 senger motor vehicles, and not to exceed \$15,000 for offi-  
6 cial reception and representation expenses, not more than  
7 \$8,975,000,000 may be expended, as authorized by sec-  
8 tion 201(g)(1) of the Social Security Act, from any one  
9 or all of the trust funds referred to therein: *Provided*, That  
10 not less than \$2,000,000 shall be for the Social Security  
11 Advisory Board: *Provided further*, That unobligated bal-  
12 ances of funds provided under this paragraph at the end  
13 of fiscal year 2007 not needed for fiscal year 2007 shall  
14 remain available until expended to invest in the Social Se-  
15 curity Administration information technology and tele-  
16 communications hardware and software infrastructure, in-  
17 cluding related equipment and non-payroll administrative  
18 expenses associated solely with this information technology  
19 and telecommunications infrastructure: *Provided further*,  
20 That reimbursement to the trust funds under this heading  
21 for expenditures for official time for employees of the So-  
22 cial Security Administration pursuant to section 7131 of  
23 title 5, United States Code, and for facilities or support  
24 services for labor organizations pursuant to policies, regu-  
25 lations, or procedures referred to in section 7135(b) of  
26 such title shall be made by the Secretary of the Treasury,

1 with interest, from amounts in the general fund not other-  
2 wise appropriated, as soon as possible after such expendi-  
3 tures are made.

4 In addition; \$117,000,000 to be derived from admin-  
5 istration fees in excess of \$5.00 per supplementary pay-  
6 ment collected pursuant to section 1616(d) of the Social  
7 Security Act or section 212(b)(3) of Public Law 93-66,  
8 which shall remain available until expended. To the extent  
9 that the amounts collected pursuant to such section  
10 1616(d) or 212(b)(3) in fiscal year 2007 exceed  
11 \$117,000,000, the amounts shall be available in fiscal year  
12 2008 only to the extent provided in advance in appropria-  
13 tions Acts.

14 In addition, up to \$1,000,000 to be derived from fees  
15 collected pursuant to section 303(c) of the Social Security  
16 Protection Act (Public Law 108-203), which shall remain  
17 available until expended.

18 OFFICE OF INSPECTOR GENERAL  
19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses necessary for the Office of Inspector  
21 General in carrying out the provisions of the Inspector  
22 General Act of 1978, as amended; \$25,740,000, together  
23 with not to exceed \$65,736,000, to be transferred and ex-  
24 pended as authorized by section 201(g)(1) of the Social  
25 Security Act from the Federal Old-Age and Survivors In-

1 insurance Trust Fund and the Federal Disability Insurance  
2 Trust Fund.

3 In addition, an amount not to exceed 3 percent of  
4 the total provided in this appropriation may be transferred  
5 from the “Limitation on Administrative Expenses”, Social  
6 Security Administration, to be merged with this account,  
7 to be available for the time and purposes for which this  
8 account is available: *Provided*, That notice of such trans-  
9 fers shall be transmitted promptly to the Committees on  
10 Appropriations of the House and Senate.

## 11 TITLE V

### 12 GENERAL PROVISIONS

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

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

23 SEC. 503. (a) No part of any appropriation contained  
24 in this Act shall be used, other than for normal and recog-  
25 nized executive-legislative relationships, for publicity or

1 propaganda purposes, for the preparation, distribution, or  
2 use of any kit, pamphlet, booklet, publication, radio, tele-  
3 vision, or video presentation designed to support or defeat  
4 legislation pending before the Congress or any State legis-  
5 lature, except in presentation to the Congress or any State  
6 legislature itself.

7 (b) No part of any appropriation contained in this  
8 Act shall be used to pay the salary or expenses of any  
9 grant or contract recipient, or agent acting for such recipi-  
10 ent, related to any activity designed to influence legislation  
11 or appropriations pending before the Congress or any  
12 State legislature.

13 SEC. 504. The Secretaries of Labor and Education  
14 are authorized to make available not to exceed \$28,000  
15 and \$20,000, respectively, from funds available for sala-  
16 ries and expenses under titles I and III, respectively, for  
17 official reception and representation expenses; the Direc-  
18 tor of the Federal Mediation and Conciliation Service is  
19 authorized to make available for official reception and rep-  
20 resentation expenses not to exceed \$5,000 from the funds  
21 available for "Salaries and expenses, Federal Mediation  
22 and Conciliation Service"; and the Chairman of the Na-  
23 tional Mediation Board is authorized to make available for  
24 official reception and representation expenses not to ex-

1 ceed \$5,000 from funds available for “Salaries and ex-  
2 penses, National Mediation Board”.

3 SEC. 505. Notwithstanding any other provision of  
4 this Act, no funds appropriated in this Act shall be used  
5 to carry out any program of distributing sterile needles  
6 or syringes for the hypodermic injection of any illegal  
7 drug.

8 SEC. 506. When issuing statements, press releases,  
9 requests for proposals, bid solicitations and other docu-  
10 ments describing projects or programs funded in whole or  
11 in part with Federal money, all grantees receiving Federal  
12 funds included in this Act, including but not limited to  
13 State and local governments and recipients of Federal re-  
14 search grants, shall clearly state—

15 (1) the percentage of the total costs of the pro-  
16 gram or project which will be financed with Federal  
17 money;

18 (2) the dollar amount of Federal funds for the  
19 project or program; and

20 (3) percentage and dollar amount of the total  
21 costs of the project or program that will be financed  
22 by non-governmental sources.

23 SEC. 507. (a) None of the funds appropriated in this  
24 Act, and none of the funds in any trust fund to which

1 funds are appropriated in this Act, shall be expended for  
2 any abortion.

3 (b) None of the funds appropriated in this Act, and  
4 none of the funds in any trust fund to which funds are  
5 appropriated in this Act, shall be expended for health ben-  
6 efits coverage that includes coverage of abortion.

7 (c) The term “health benefits coverage” means the  
8 package of services covered by a managed care provider  
9 or organization pursuant to a contract or other arrange-  
10 ment.

11 SEC. 508. (a) The limitations established in the pre-  
12 ceding section shall not apply to an abortion—

13 (1) if the pregnancy is the result of an act of  
14 rape or incest; or

15 (2) in the case where a woman suffers from a  
16 physical disorder, physical injury, or physical illness,  
17 including a life-endangering physical condition  
18 caused by or arising from the pregnancy itself, that  
19 would, as certified by a physician, place the woman  
20 in danger of death unless an abortion is performed.

21 (b) Nothing in the preceding section shall be con-  
22 strued as prohibiting the expenditure by a State, locality,  
23 entity, or private person of State, local, or private funds  
24 (other than a State’s or locality’s contribution of Medicaid  
25 matching funds).

1           (c) Nothing in the preceding section shall be con-  
2   strued as restricting the ability of any managed care pro-  
3   vider from offering abortion coverage or the ability of a  
4   State or locality to contract separately with such a pro-  
5   vider for such coverage with State funds (other than a  
6   State’s or locality’s contribution of Medicaid matching  
7   funds).

8           (d)(1) None of the funds made available in this Act  
9   may be made available to a Federal agency or program,  
10   or to a State or local government, if such agency, program,  
11   or government subjects any institutional or individual  
12   health care entity to discrimination on the basis that the  
13   health care entity does not provide, pay for, provide cov-  
14   erage of, or refer for abortions.

15          (2) In this subsection, the term “health care entity”  
16   includes an individual physician or other health care pro-  
17   fessional, a hospital, a provider-sponsored organization, a  
18   health maintenance organization, a health insurance plan,  
19   or any other kind of health care facility, organization, or  
20   plan.

21          SEC. 509. (a) None of the funds made available in  
22   this Act may be used for—

23                (1) the creation of a human embryo or embryos  
24   for research purposes; or



1           (2) research in which a human embryo or em-  
2           bryos are destroyed, discarded, or knowingly sub-  
3           jected to risk of injury or death greater than that  
4           allowed for research on fetuses in utero under 45  
5           CFR 46.204(b) and section 498(b) of the Public  
6           Health Service Act (42 U.S.C. 289g(b)).

7           (b) For purposes of this section, the term “human  
8           embryo or embryos” includes any organism, not protected  
9           as a human subject under 45 CFR 46 as of the date of  
10          the enactment of this Act, that is derived by fertilization,  
11          parthenogenesis, cloning, or any other means from one or  
12          more human gametes or human diploid cells.

13          SEC. 510. (a) None of the funds made available in  
14          this Act may be used for any activity that promotes the  
15          legalization of any drug or other substance included in  
16          schedule I of the schedules of controlled substances estab-  
17          lished by section 202 of the Controlled Substances Act (21  
18          U.S.C. 812) except for normal and recognized executive-  
19          legislative communications.

20          (b) The limitation in subsection (a) shall not apply  
21          when there is significant medical evidence of a therapeutic  
22          advantage to the use of such drug or other substance or  
23          that federally sponsored clinical trials are being conducted  
24          to determine therapeutic advantage.

1       SEC. 511. None of the funds made available in this  
2 Act may be used to promulgate or adopt any final stand-  
3 ard under section 1173(b) of the Social Security Act (42  
4 U.S.C. 1320d–2(b)) providing for, or providing for the as-  
5 signment of, a unique health identifier for an individual  
6 (except in an individual’s capacity as an employer or a  
7 health care provider), until legislation is enacted specifi-  
8 cally approving the standard.

9       SEC. 512. None of the funds made available in this  
10 Act may be obligated or expended to enter into or renew  
11 a contract with an entity if—

12           (1) such entity is otherwise a contractor with  
13 the United States and is subject to the requirement  
14 in section 4212(d) of title 38, United States Code,  
15 regarding submission of an annual report to the Sec-  
16 retary of Labor concerning employment of certain  
17 veterans; and

18           (2) such entity has not submitted a report as  
19 required by that section for the most recent year for  
20 which such requirement was applicable to such enti-  
21 ty.

22       SEC. 513. None of the funds made available in this  
23 Act may be transferred to any department, agency, or in-  
24 strumentality of the United States Government, except

1 pursuant to a transfer made by, or transfer authority pro-  
2 vided in, this Act or any other appropriation Act.

3       SEC. 514. None of the funds made available by this  
4 Act to carry out the Library Services and Technology Act  
5 may be made available to any library covered by para-  
6 graph (1) of section 224(f) of such Act (20 U.S.C.  
7 9134(f)), as amended by the Children's Internet Protec-  
8 tions Act, unless such library has made the certifications  
9 required by paragraph (4) of such section.

10       SEC. 515. None of the funds made available by this  
11 Act to carry out part D of title II of the Elementary and  
12 Secondary Education Act of 1965 may be made available  
13 to any elementary or secondary school covered by para-  
14 graph (1) of section 2441(a) of such Act (20 U.S.C.  
15 6777(a)), as amended by the Children's Internet Protec-  
16 tions Act and the No Child Left Behind Act, unless the  
17 local educational agency with responsibility for such cov-  
18 ered school has made the certifications required by para-  
19 graph (2) of such section.

20       SEC. 516. None of the funds appropriated in this Act  
21 may be used to enter into an arrangement under section  
22 7(b)(4) of the Railroad Retirement Act of 1974 (45 U.S.C.  
23 231f(b)(4)) with a nongovernmental financial institution  
24 to serve as disbursing agent for benefits payable under  
25 the Railroad Retirement Act of 1974.

1        SEC. 517. (a) None of the funds provided under this  
2 Act, or provided under previous appropriations Acts to the  
3 agencies funded by this Act that remain available for obli-  
4 gation or expenditure in fiscal year 2007, or provided from  
5 any accounts in the Treasury of the United States derived  
6 by the collection of fees available to the agencies funded  
7 by this Act, shall be available for obligation or expenditure  
8 through a reprogramming of funds that—

9            (1) creates new programs;

10           (2) eliminates a program, project, or activity;

11           (3) increases funds or personnel by any means  
12 for any project or activity for which funds have been  
13 denied or restricted;

14           (4) relocates an office or employees;

15           (5) reorganizes or renames offices;

16           (6) reorganizes programs or activities; or

17           (7) contracts out or privatizes any functions or  
18 activities presently performed by Federal employees;

19 unless the Appropriations Committees of both Houses of  
20 Congress are notified 15 days in advance of such re-  
21 programming or of an announcement of intent relating to  
22 such reprogramming, whichever occurs earlier.

23        (b) None of the funds provided under this Act, or  
24 provided under previous appropriations Acts to the agen-  
25 cies funded by this Act that remain available for obligation

1 or expenditure in fiscal year 2007, or provided from any  
2 accounts in the Treasury of the United States derived by  
3 the collection of fees available to the agencies funded by  
4 this Act, shall be available for obligation or expenditure  
5 through a reprogramming of funds in excess of \$500,000  
6 or 10 percent, whichever is less, that—

7           (1) augments existing programs, projects (in-  
8           cluding construction projects), or activities;

9           (2) reduces by 10 percent funding for any exist-  
10          ing program, project, or activity, or numbers of per-  
11          sonnel by 10 percent as approved by Congress; or

12          (3) results from any general savings from a re-  
13          duction in personnel which would result in a change  
14          in existing programs, activities, or projects as ap-  
15          proved by Congress;

16 unless the Appropriations Committees of both Houses of  
17 Congress are notified 15 days in advance of such re-  
18 programming or of an announcement of intent relating to  
19 such reprogramming, whichever occurs earlier.

20          SEC. 518. (a) None of the funds made available in  
21 this Act may be used to request that a candidate for ap-  
22 pointment to a Federal scientific advisory committee dis-  
23 close the political affiliation or voting history of the can-  
24 didate or the position that the candidate holds with re-

1 spect to political issues not directly related to and nec-  
2 essary for the work of the committee involved.

3 (b) None of the funds made available in this Act may  
4 be used to disseminate scientific information that is delib-  
5 erately false or misleading.

6 This Act may be cited as the “Departments of Labor,  
7 Health and Human Services, and Education, and Related  
8 Agencies Appropriations Act, 2007”.



Calendar No. 526

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 3708**

[Report No. 109-287]

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## **A BILL**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2007, and for other purposes.

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JULY 20, 2006

Read twice and placed on the calendar