

H.R.4783 — 100th Congress (1987-1988)

House receded and concurred with amendment (09/09/1988)

(House receded and concurred in certain Senate amendments with amendments)

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1989 - Makes appropriations for FY 1989 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

Title I: Department of Labor - Department of Labor Appropriations Act, 1989 - Makes appropriations to the Department of Labor for FY 1989.

Makes appropriations for the Employment and Training Administration, for: (1) employment and training programs administration; (2) training and employment services; (3) community service employment for older Americans; (4) Federal unemployment benefits and allowances; (5) State unemployment insurance and employment service operations; and (6) advances to the Unemployment Trust Fund and other funds.

Requires that specified amounts of funds for training and employment services under the Job Training Partnership Act be used for programs and activities relating to: (1) Native Americans; (2) migrant and seasonal farmworkers; (3) veterans' employment; (4) the National Commission for Employment Policy; (5) the National Occupational Information Coordinating Committee; (6) service delivery areas with high concentrations of American Samoans; (7) continued acquisition, rehabilitation, and construction of six new Job Corps centers; and (8) other construction, rehabilitation, and acquisition of Job Corps centers. Permits a portion of 1988 capital funds to be used to maintain operations at existing Job Corps centers and current enrollment levels.

Requires that specified amounts of funds for training and employment services be used for: (1) trade adjustment program activities under the Trade Act of 1974; and (2) job training for the homeless under the Stewart B. McKinney Homeless Assistance Act.

Directs the Secretary of Labor, under provisions for training and employment services, to: (1) give priority to funding pilot, demonstration, research, development, and evaluation programs addressing the need for upgrading workers' job skills in a post-industrial economy; and (2) fund, from the available National Activities program funds, research and development projects using interactive laser-videodisc technology course materials specifically designed to upgrade workplace literacy.

Specifies the amount which may be expended from the Employment Security Administration account in the Unemployment Trust Fund for administrative expenses of the Targeted Jobs Tax Credit program.

Makes appropriations for Labor-Management Services, for salaries and expenses, with a specified amount for a pension plan data base.

Makes appropriations for the Pension Benefit Guaranty Corporation, for the Pension Benefit Guaranty Corporation Fund and other expenses.

Makes appropriations for the Employment Standards Administration, for: (1) salaries and expenses; (2) special benefits (including transfer of funds); and (3) the Black Lung Disability Trust Fund (including transfer of funds).

Makes appropriations for the Occupational Safety and Health Administration, for salaries and expenses.

Makes appropriations for the Mine Safety and Health Administration, for salaries and expenses.

Makes appropriations for the Bureau of Labor Statistics, for salaries and expenses.

Makes appropriations for Departmental Management, for: (1) salaries and expenses; (2) the Assistant Secretary for Veterans Employment and Training; and (3) the Office of the Inspector General.

H.R.4783 — 100th Congress (1987-1988)

Sets forth general provisions relating to such appropriations for the Department of Labor.

Prohibits appropriations under this Act from being used to grant variances, interim orders or letters of clarification to employers which will allow exposure of workers to chemicals or other workplace hazards in excess of existing Occupational Safety and Health Administration standards for the purpose of conducting experiments on workers health or safety.

Prohibits appropriations in this Act from being obligated or expended to close any Job Corps Center operating prior to July 1, 1989.

Title II: Department of Health and Human Services - Department of Health and Human Services Appropriations Act, 1989 - Makes appropriations for the Department of Health and Human Services (HHS) for FY 1989.

Makes appropriations for the Health Resources and Services Administration for health resources and services program operations under specified provisions of the Public Health Service Act, Federal Coal Mine Health and Safety Act, Social Security Act, and Health Care Quality Improvement Act of 1986. Earmarks specified amounts for: (1) the Gillis W. Long Hansen's Disease Center; (2) non-acute care facilities for AIDS patients; (3) an infant mortality initiative funded through the community health centers and migrant health centers. Requires that grants under the Excellence in Minority Health Education and Care Act be awarded competitively, and makes eligible to apply and compete for such grants any university which awards a graduate degree in the health professions and which has a majority enrollment of minority students. Requires that payment of the full estimated cost of Department of HHS administration or operation of an employee health program for any Federal department or agency be made by way of reimbursement or in advances to this appropriation. Makes appropriations to the Health Resources and Services Administration for the medical facilities guarantee and loan fund, and Federal interest subsidies for medical facilities, under specified provisions of the Public Health Service Act.

Makes appropriations for the Centers for Disease Control, for disease control, research, and training (including compensation for survivors of victims of the Tuskegee, Alabama, syphilis experiments of 1932 and funds to carry out the National Health and Nutrition Survey). Provides that certain Public Health Service employees more than half of whose salaries and benefits are paid by States or municipalities shall be treated as non-Federal employees for reporting purposes only. Sets forth special provisions for the construction and acquisition of certain facilities in Georgia of the Centers for Disease Control.

Makes appropriations for the National Institutes of Health, for: (1) the National Cancer Institute, (earmarking specified amounts for cancer prevention and control and for the Frederick Cancer Research Facility); (2) the National Heart, Lung, and Blood Institute; (3) the National Institute of Dental Research; (4) the National Institute of Diabetes, and Digestive and Kidney Diseases; (5) the National Institute of Neurological and Communicative Disorders and Stroke (earmarking a specified amount, in the Secretary's discretion and upon its establishment by law, for transfer to the National Institute on Deafness and Other Communication Disorders); (6) the National Institute of Allergy and Infectious Diseases; (7) the National Institute of General Medical Sciences; (8) the National Institute of Child Health and Human Development; (9) the National Eye Institute; (10) the National Institute of Environmental Health Services; (11) the National Institute on Aging; (12) the National Institute of Arthritis and Musculoskeletal and Skin Diseases; (13) research resources; (14) the National Center for Nursing Research; (15) the John E. Fogarty International Center, with a payment for the Gorgas Memorial Institute and Laboratory; (16) the National Library of Medicine; (17) the Office of the Director; and (18) buildings and facilities.

Requires that Acquired Immune Deficiency Syndrome (AIDS) education programs funded by the Centers for Disease Control and other education curricula funded under this Act dealing with sexual activity: (1) not be designed to promote or encourage, directly, intravenous drug abuse or sexual activity, homosexual or heterosexual; (2) be designed to reduce exposure to and transmission of the etiologic agent for AIDS by providing accurate information; and (3) provide information on the health risks of promiscuous sexual activity and intravenous drug abuse.

Makes appropriations to the Alcohol, Drug Abuse, and Mental Health Administration, for Public Health Service Act programs relating to mental health, drug abuse, alcohol abuse, alcoholism, and for programs under the Protection and Advocacy for Mentally Ill Individuals Act of 1986. Earmarks specified amounts of such funds for: (1) State comprehensive mental health services plans and research facilities renovation; and (2) renovation of intramural research facilities. Makes appropriations to the Alcohol, Drug Abuse, and Mental Health Administration for the Federal subsidy for Saint Elizabeths Hospital, in the District of Columbia.

H.R.4783 — 100th Congress (1987-1988)

Makes appropriations for the Office of Assistant Secretary for Health, for: (1) Public Health Service management (including funds for AIDS-related programs); (2) retirement pay and medical benefits for commissioned officers; and (3) the Vaccine Injury Compensation Trust Fund. Makes available for patient outcome assessment research specified amounts from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds. Makes available additional amounts under specified provisions of the Public Health Service Act for the National Medical Expenditure Survey.

Makes appropriations for the Health Care Financing Administration, for: (1) grants to States for Medicaid; (2) payments to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds; and (3) program management. Provides that a specified limited amount shall be transferred for such program management purposes from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds or any other trust fund for catastrophic coverage under the Medicare program. Earmarks a specified amount from such trust funds for contingency reserve funds for program management.

Makes appropriations for the Social Security Administration, for: (1) payments to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds; (2) special benefits for disabled coal miners; (3) the Supplemental Security Income Program; and (4) a limited amount of administrative expenses. Limits the amount of funds for automatic data processing and telecommunication activities.

Makes appropriations for the Family Support Administration, for: (1) family support payments to States or other non-Federal entities; (2) low-income home energy assistance; (3) the Community Services Block Grant Act and the Stewart B. McKinney Homeless Assistance Act; (4) program administration; (5) refugee and entrant assistance; and (6) a work incentive program for Aid to Families with Dependent Children recipients. Earmarks specified amounts of funds for the Community Services Block Grant Act and the Stewart B. McKinney Homeless Assistance Act for: (1) community economic development grants; (2) rural housing; (3) farmworker assistance; (3) the National Youth Sports Program; (4) technical assistance; (5) community partnership activities; and (6) the community food and nutrition program.

Makes appropriations for the Assistant Secretary for Human Development Services, for: (1) the Social Services Block Grant; (2) human development services; and (3) payments to States for foster care and adoption assistance. Includes under human development services programs for older Americans, Native Americans, developmental disabilities assistance, child abuse and family violence prevention, dependent care, Head Start, and child development centers and associate scholarships, runaway and homeless youth, children's justice, and adoption opportunities. Earmarks a specified amount of human development services funds to carry out the State Dependent Care Development Grants Act. Provides that appropriations to carry out the Comprehensive Child Development Program under the Omnibus Budget Reconciliation Act of 1981 shall be available notwithstanding specified provisions of that Act.

Makes appropriations for Departmental Management, for: (1) general departmental management; (2) the Office of the Inspector General; (3) the Office for Civil Rights; and (4) policy research (including a specified amount for the Institute for Research on Poverty).

Sets forth general provisions relating to such appropriations for the Department of Health and Human Services.

Prohibits funds contained in this Act from being used to perform abortions, except where the life of the mother would be endangered if the fetus were carried to term.

Directs the Secretary of Health and Human Services to assign not more than 60 Public Health Service employees to assist in child survival activities and to work in acquired immune deficiency syndrome (AIDS) programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund, or the World Health Organization.

Allows funds available in this title for activities related to AIDS to be transferred between appropriation accounts, upon the approval by the House and Senate Committees on Appropriations for a transfer request submitted by the Secretary of Health and Human Services.

Provides that funds for FY 1989 and thereafter for the National Institutes of Health shall be available for payment of nurses and allied health professionals using pay schedule options, benefits, and other authorities as provided for nurses of the Veterans Administration.

H.R.4783 — 100th Congress (1987-1988)

Requires a reduction of appropriations to NIH by a specified amount as a result of improved procurement practices.

Names a specified NIH building the Claude Denson Pepper Building.

Allows appropriations under this Act to be used to pay physicians' comparability allowances.

Prohibits funds under this Act or any other law from being used by NIH, any other Federal agency, or any recipient of Federal funds (including recipients located outside of the United States) for any project that entails the capture or procurement of chimpanzees obtained from the wild. Declares that, in enacting such prohibition, the Congress: (1) recognizes the national and international legal protection granted chimpanzees under the Endangered Species Act and the Convention of International Trade of Endangered Species, to which the United States is a signatory, and also the World Health Organization's Policy Statement on Use of Primates for Biomedical Purposes, all of which acknowledges the threatened or endangered status of the chimpanzee; and (2) acknowledges that substantial public monies are already being expended on a National Chimpanzee Breeding and Research Program in the United States.

Establishes a one-year moratorium on the assessment of penalties against States under Federal foster care programs. Prohibits funds under this Act, during the 12-month period beginning October 1, 1988, from being used to: (1) impose any reductions in payments, or to seek repayment from or withhold any payment to any State pursuant to specified provisions of the Social Security Act, as a result of a disallowance determination made in connection with a compliance review for any fiscal year preceding FY 1989, until all related judicial proceedings, including appeals, have been finally concluded; or (2) conduct further compliance reviews with respect to any State which is a party to such judicial proceeding until it has been finally concluded.

Title III: Department of Education - Department of Education Appropriations Act, 1989 - Makes appropriations for FY 1989 to the Department of Education for various programs under the following general categories: (1) compensatory education for the disadvantaged; (2) impact aid; (3) school improvement programs; (4) bilingual, immigrant, and refugee education; (5) education for the handicapped; (6) rehabilitation services and handicapped research; (7) vocational and adult education; (8) student financial assistance (including Pell grants supplemental educational opportunity grants, grants to States for loan demonstration project, and direct loans to student in institutions of higher education); (9) the Guaranteed Student Loan program; (10) higher education assistance (including programs for strengthening historically black colleges and other institutions, a Health and Human Resources Center at Voorhees College, a student literacy corps program, international business education centers, scholarship programs for teachers, merit students, and disadvantaged students, academic facilities programs, school-university partnerships, cooperative education, international education, teacher exchange study in foreign languages and area studies, and the Robert A. Taft Institute of Government); (11) college housing and academic facilities loans; (12) higher education facilities loans; (13) college housing loans; (14) education research and statistics (including the National Assessment of Educational Progress and a rural education program); and (15) libraries.

Relieves the State of Illinois of liability to repay specified payments under the Library Services and Construction Act which were disallowed because of the pioneering nature of its library programs.

Reappropriates specified funds under the rehabilitation Act of 1973 for an allotment to the State of Montana.

Relieves certain school districts of the liability to repay specified overpayments received through administrative offset under the impact aid program.

Requires that a specified minimum allotment be made to every State under compensatory education provisions.

Sets the maximum Pell Grant in the 1989-90 award year at \$2,300.

Authorizes student financial aid administrators to make necessary adjustments and use supplementary information in determining financial aid eligibility and amounts under specified programs.

Redefines annual adjusted family income under special circumstances.

Requires student aid recipients to have earned a high school diploma or its equivalent under specified circumstances.

H.R.4783 — 100th Congress (1987-1988)

Requires that specified amounts be reserved for the Ronald E. McNair Post-Baccalaureate Achievement Program.

Requires that specified amounts for the Patricia Roberts Harris Fellowships program be competitively awarded to a consortium of historically black colleges and doctoral degree-granting institutions to provide supplemental need-based financial aid to students and faculty from such colleges who are pursuing doctoral studies.

Requires special consideration for cooperative education program grants to be given to private urban higher education institutions, or combinations of such institutions, with minority student enrollment exceeding 66 percent of total enrollment and with plans to develop a universal cooperative education program applicable to all undergraduate major fields of study.

Makes additional amount available for the student literacy corps program and for international business education centers.

Prohibits new commitments for loans from being made for FY 1989 from a specified fund under the higher education facilities loans program.

Makes appropriations for the following special institutions: (1) the American Printing House for the Blind; (2) the National Technical Institute for the Deaf (NTID); (3) the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and Gallaudet University (partial support, and including continuing education activities, existing extension centers, and the National Center for Law and the Deaf); and (4) Howard University (partial support).

Reserves for an endowment program a specified amount of NTID funds. Prohibits NTID funds under this Act from being used to subsidize foreign students' tuition.

Makes appropriations for Departmental Management, for: (1) program administration; (2) the Office for Civil Rights; and (3) the Office of the Inspector General. Reserves part of such program administration funds for: (1) additional staff and expenses for increased on-site student aid program reviews; (2) the National Student Loan Data System; and (3) the National Summit Conference on Education of 1984.

Sets forth general provisions relating to such appropriations for the Department of Education.

Prohibits funds under this title from being used to force any school or school district which is desegregated to take any action to force the busing of students or the school's abolishment or the transfer of students to or from the school, on account of race, creed, or color, over the protest of the student's parents or as a condition precedent to obtaining otherwise available Federal funds.

Prohibits appropriations in this Act from being used for the transportation of students or teachers (or the purchase of equipment for such transportation) to overcome racial imbalance or carry out a racial desegregation plan in any school or school system.

Prohibits funds under this Act from being used, directly or indirectly, to require the transportation of any student to a school other than the school nearest the student's home (including any indirect requirement of student transportation to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools). Excludes from such prohibition: (1) transportation of students requiring special education to a school for such purpose; and (2) the establishment of magnet schools.

Prohibits funds under this Act from being used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

Title IV: Related Agencies - Makes appropriations for the following agencies: (1) ACTION; (2) the Corporation for Public Broadcasting; (3) the Federal Mediation and Conciliation Service; (4) the Federal Mine Safety and Health Review Commission; (5) the National Commission on Children; (6) the National Commission on Migrant Education; (7) the National Commission on Libraries and Information Science; (8) the National Commission on Migrant Education; (9) the National Council on the Handicapped; (10) the National Labor Relations Board; (11) the National Mediation Board; (12) the Occupational Safety and Health Review Commission; (13) the Physician Payment Review

H.R.4783 — 100th Congress (1987-1988)

Commission; (14) the Prospective Payment Assessment Commission; (15) the Railroad Retirement Board (for payments to the Dual Benefits Payments Account and to the railroad retirement accounts, with specified limitations on administrative expenses, the railroad unemployment insurance administration fund, and review activities); (16) the Soldiers' and Airmen's Home (for operation and maintenance, and for construction and renovation of the physical plant); (17) the United States Bipartisan Commission on Comprehensive Health Care; (18) the United States Institute of Peace; (19) the Commission on Railroad Retirement Reform; (20) the National Commission to Prevent Infant Mortality; and (21) the National Commission on Responsibilities for Financing Postsecondary Education.

Title V: General Provisions - Sets forth general provisions relating to appropriations under this Act.

Prohibits appropriations under this Act from being used to pay for any research, experimentation, or other activity involving human participants without their written, informed consent (or the consent of parents or legal guardian, where the participant is under 18), if such activity is determined to present a danger to their well-being.

Directs the National Institutes of Health, in administering funds made available under this Act for research relating to the treatment of AIDS, to ensure that all experimental drugs for the treatment of AIDS, particularly antivirals and immunomodulators, that have shown some effectiveness in treating individuals infected with the human immunodeficiency virus are tested in clinical trials as expeditiously as possible and with as many subjects as scientifically acceptable.

Requires that sums necessary for FY 1989 pay raises for programs funded by this Act be absorbed within the levels appropriated in this Act.

Prohibits the Secretary of Labor from using funds from this or any other Act to withdraw approval of the California State occupational safety and health plan, or to exercise exclusive Federal safety and health authority in the State of California, under the Occupational Safety and Health Act of 1970, until the California Supreme Court has rendered a decision in a specified case.

Requires that Federal departments, agencies, and instrumentalities obligate and expend from FY 1989 funds under this Act less on specified services than they did for such services during FY 1987. (15 percent less on: (1) consulting services involving management and professional services, special studies and analyses; (2) technical assistance; and (3) management review of program funded organizations. Five percent less on: (1) consulting services involving management and support services for research and development activities; (2) engineering development and operational systems development; (3) technical representatives; (4) training; (5) quality control, testing, and inspection services; (6) specialized medical services; and (7) public relations.) Requires that all resulting savings be used for the increase in rates of pay in such departments, agencies, and instrumentalities made under this Act. Requires the Director of the Office of Management and Budget to direct Federal departments, agencies, and instrumentalities to comply with specified budget provisions.

Requires all Federal grantees, when issuing documents describing projects or programs funded in whole or in part with Federal money, to state clearly: (1) the percentage of the total costs which will be financed with Federal money; and (2) the dollar amount of Federal funds.