

HR 2861

Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies
Appropriations Act, 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Economics and Public Finance

Introduced: Jul 24, 2003

Current Status: See also H. R. 2673.

Latest Action: See also H. R. 2673. (Jan 22, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/2861>

Sponsor

Name: Rep. Walsh, James T. [R-NY-25]

Party: Republican • **State:** NY • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Jul 25, 2003

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
108 HR 2673	Related document	Jan 23, 2004: Became Public Law No: 108-199.
108 S 1584	Related bill	Sep 5, 2003: Placed on Senate Legislative Calendar under General Orders. Calendar No. 273.
108 HRES 338	Procedurally related	Jul 25, 2003: Motion to reconsider laid on the table Agreed to without objection.

Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004 - Makes FY 2004 appropriations for the Departments of Veterans Affairs and of Housing and Urban Development and for sundry independent agencies.

Title I: Department of Veterans Affairs - Makes FY 2004 appropriations for the Department of Veterans Affairs for: (1) the Veterans Benefits Administration for veterans' compensation and pensions, readjustment benefits, veterans' insurance and indemnities, and veterans' housing, education, and vocational rehabilitation loan accounts, and Native American and homeless veterans; (2) the Veterans Health Administration for veterans' medical care, and medical and prosthetic research, and medical administration; and (3) departmental administration, including for the National Cemetery Administration, the Office of Inspector General, construction, and grants to States for construction of extended care facilities and cemeteries.

Sets forth authorized uses of, and limitations on, funds made available under this title.

(Sec. 111) Requires approval by the congressional appropriations committees of any new lease of real property by the Department of Veteran Affairs exceeding \$300,000.

(Sec. 112) Prohibits the use of funds under this title for hospitalization or treatment of certain veterans unless they disclose current, accurate third-party reimbursement and annual income information.

(Sec. 113) Prohibits the use of funds under this Act to: (1) establish medical emergency preparedness centers; or (2) increase the number of Assistant Secretaries of Veterans Affairs. (Such provisions were authorized by the Department of Veterans Affairs Emergency Preparedness Act of 2002.)

(Sec. 114) Deposits and transfers receipts that would otherwise be credited to the Veterans Extended Care Revolving Fund, the Medical Facilities Revolving Fund, the Special Therapeutic and Rehabilitation Fund, the Nursing Home Revolving Fund, the Veterans Health Services Improvement Fund, and the Parking Revolving Fund to the Medical Care Collections Fund and to the Medical Care account.

(Sec. 115) Permits proceeds from the Enhanced Use Leasing Activities to be used for planing and construction of major and minor projects.

(Sec. 116) Authorizes the Secretary of Veterans Affairs to enter into an enhanced-use lease with the Medical University Hospital Authority, a public authority of the State of South Carolina, for property at the Charleston Department of Veterans Affairs Medical Center, Charleston, South Carolina.

(Sec. 117) Directs the Secretary to make the North Chicago VA Medical Center available to the Navy to the maximum extent feasible.

(Sec. 118) Authorizes the Secretary to treat the Pioneer Homes in Alaska (located in Anchorage, Fairbanks, Juneau, Ketchikan, Palmer, and Sitka) as a State veterans home.

(Sec. 119) Sets forth findings respecting veterans' access to primary health care in rural areas and the CARES Commission.

(Sec. 120) Directs the Secretary to enter into an agreement with the Institute of Medicine of the National Academy of

Sciences to develop and evaluate epidemiological studies on Vietnam veterans in accordance with the recommendations of the 2003 National Academy of Sciences report entitled "Characterizing Exposure of Veterans to Agent Orange and Other Herbicides Used in Vietnam: Interim Findings and Recommendations."

(Sec. 121) Prohibits fund use to prevent the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their Networks.

Title II: Department of Housing and Urban Development - Makes FY 2004 appropriations for the Department of Housing and Urban Development (HUD) for: (1) public and Indian housing; (2) the Public Housing Capital and Operating Funds; (3) revitalization of severely distressed public housing (HOPE VI); (4) Native American housing block grants; (5) Indian and Native Hawaiian housing loan guarantees; (6) housing opportunities for persons with AIDS; (7) Office of Rural Housing and Economic Development; (8) community development fund; (9) community development loan guarantees; (10) brownfields redevelopment; (11) the HOME investment partnerships program; (12) homeless assistance grants; (13) housing for special populations; (14) flexible subsidy fund; (15) manufactured housing fees trust fund; (16) the Federal Housing Administration; (17) the Government National Mortgage Association; (18) housing policy development and research; (19) fair housing activities; (20) the Office of Lead Hazard Control; (21) management and administration; (22) the Office of Inspector General; (23) Working Capital Fund; and (24) the Office of Federal Housing Enterprise Oversight.

Cancels specified amounts from the urban development action program.

Rescinds specified amounts: (1) of recaptured rental housing assistance budget authority; and (2) from the consolidated fee fund.

(Sec. 201) Rescinds specified amounts from certain State- or locally-financed projects under the Stewart B. McKinney Homeless Assistance Amendments Act of 1988. Authorizes the use of certain amounts of non-rescinded funds for project refinancing.

(Sec. 202) Prohibits funds under this Act from being used during FY 2004 to investigate or prosecute under the Fair Housing Act any otherwise lawful activities aimed at achieving or preventing government or court action.

(Sec. 203) Directs the Secretary of Housing and Urban Development to make housing for persons with AIDS grants to any State that previously qualified but does not qualify in FY 2004 due to decreased AIDS cases in non-metropolitan areas of the State.

(Sec. 204) Requires HUD to grant awards on a competitive basis.

(Sec. 205) Makes HUD funds subject to the Government Corporation Control Act or other restrictions available, without regard to limitations on administrative expenses, for legal services and services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation.

(Sec. 206) Limits HUD spending to amounts set forth in congressionally-submitted budget estimates.

(Sec. 207) Authorizes HUD corporations and agencies subject to the Government Corporation Control Act to make necessary FY 2004 expenditures without regard to fiscal year limitations. Limits the use of collections of these corporations and agencies (with specified exceptions) to new loan or mortgage purchase commitments only to the extent expressly provided for in this Act, unless they are in support of other forms of assistance provided in this or prior

appropriations Acts.

(Sec. 208) Prohibits the obligation or expenditure by HUD of funds provided in this title for technical assistance, training, or management improvements unless HUD provides to the Committees on Appropriations a description of each proposed activity and detailed budget estimates of the costs associated with each program, project, or activity.

(Sec. 209) Directs the Secretary to maintain section 8 housing rental assistance in managing and disposing of multifamily properties that are occupied primarily by elderly or disabled families. Authorizes the Secretary, where such assistance is not feasible, to: (1) contract for project-based rental assistance with an owner or owners of other existing housing properties; or (2) provide other rental assistance.

(Sec. 210) Exempts Alaska, Iowa, and Mississippi from the requirement to have a public housing resident on the board of directors of a public housing authority or other administering body. Requires such authorities to establish an advisory board which shall have a specified number of resident members.

(Sec. 211) Amends the Housing Act of 1937 to extend the HOPE VI program through September 30, 2006.

(Sec. 212) Sets forth reporting requirements respecting: (1) unobligated and excess HUD funds; and (2) section 8 units.

(Sec. 214) Directs, beginning in FY 2004: (1) the Secretary to allocate from certain housing funds for persons with AIDS in Philadelphia, Pennsylvania (on behalf of the Philadelphia, PA-NJ Primary Metropolitan Statistical Area), to New Jersey based upon the number of AIDS cases reported in the New Jersey portion of such Area; and (2) New Jersey to use the allocation in such Area.

Requires: (1) the Secretary to allocate to Wake County, North Carolina, certain FY 2004 housing for persons with AIDS funds that would otherwise be allocated to Raleigh, North Carolina, on behalf of the Raleigh-Durham-Chapel Hill, North Carolina, Metropolitan Statistical Area; and (2) that the allocation be used in such Area.

(Sec. 215) Declares, with respect to FY 2004 assisted living facility section 8 rental payments, that a family residing in an assisted living facility in Oakland, Macomb, Wayne, or Washtenaw Counties, Michigan, may be required to pay rent in an amount exceeding 40 percent of its monthly adjusted gross income.

(Sec. 216) Amends the Housing and Community Development Act of 1992 to make supportive housing for persons with disabilities eligible for service coordinators.

(Sec. 217) Amends the National Housing Act revise the debenture interest calculation formula for certain mortgage insurance claims paid in cash.

(Sec. 218) Amends the McKinney-Vento Homeless Assistance Act to rename the Interagency Council on the Homeless as the United States Interagency Council on Homelessness.

(Sec. 219) Amends the National Housing Act to authorize specified mortgage alternatives for single family borrowers with impaired credit, which shall be Mutual Mortgage Insurance Fund obligations.

(Sec. 220) Amends the Social Security Act to provide for limited information sharing between the National Directory of New Hires and specified housing assistance programs in order to determine the employment and income of housing program participants.

(Sec. 221) Amends the United States Housing Act of 1937 to authorize loan guarantees for public housing agency project

rehabilitation.

(Sec. 222) Amends the McKinney-Vento Homeless Assistance Act to revise salary levels for the Interagency Council on Homelessness.

(Sec. 223) States that: (1) Hawaii may elect by July 31, 2004, to distribute community development block grant funds to units of general local government located in nonentitlement areas (Hawaii, Kauai, and Maui Counties); and (2) if Hawaii fails to make such election, the Secretary shall beginning in FY 2005 make grants to such units.

(Sec. 224) Directs the Secretary to issue a proposed rulemaking with respect to new requirements for the disposition of HUD-held multifamily housing projects, including dispositions made after a State or municipality has exercised its right of first refusal.

(Sec. 225) Amends the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002 to permit the Housing Authority of Baltimore City to use certain rehabilitation funds for demolition and new construction purposes.

(Sec. 226) Makes the same percentage of Native American housing assistance available to a FY 2004 grantee as was available to such grantee in FY 2003.

(Sec. 227) Amends the Denali Commission Act of 1998 to authorize the Commission to make grants and loans to public school districts serving remote incorporated cities and unincorporated communities in Alaska (including Alaska Native Villages) with a population of 6,500 or less for construction, purchase, lease, and rehabilitation of housing for teachers, school administrators, and other school staff (including members of their households).

(Sec. 228) Directs the Secretary to conduct negotiated rulemaking with interested parties respecting any changes to the Public Housing Operating Fund formula.

Title III: Independent Agencies - Makes FY 2004 appropriations for: (1) the American Battle Monuments Commission; (2) the Chemical Safety and Hazard Investigation Board; (3) the Department of the Treasury, Community Development Financial Institutions Fund Program Account; (4) the Consumer Product Safety Commission; (5) the Corporation for National and Community Service; (6) the U.S. Court of Appeals for Veterans Claims; (7) the Department of Defense-Civil for cemeterial expenses, Army; (8) the Department of Health and Human Services, National Institute of Environmental Health Sciences; (9) the Agency for Toxic Substances and Disease Registry; (10) the Environmental Protection Agency; (11) the Hazardous Substance Superfund, including transfers of funds; (12) the Executive Office of the President, Office of Science and Technology Policy, the Council on Environmental Quality, and the Office of Environmental Quality; (13) the Federal Deposit Insurance Corporation, Office of Inspector General; (14) the General Services Administration, Federal Citizen Information Center Fund; (15) the United States Interagency Council on Homelessness; (16) the National Aeronautics and Space Administration (NASA); (17) the National Credit Union Administration; (18) the National Science Foundation; (19) the Neighborhood Reinvestment Corporation; and (20) the Selective Service System.

Sets forth authorized uses of, and limitations on, funds made available under this title.

Title IV: General Provisions - Sets forth conditions and limitations on the obligation and expenditure of funds appropriated or made available under this Act.

(Sec. 409) Expresses the sense of Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(Sec. 415) Encourages all Departments and agencies funded under this Act, within the limits of existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

(Sec. 418) Expresses the sense of the Senate that: (1) housing vouchers are a critical resource in ensuring that American families can afford safe, decent, and adequate housing; (2) public housing agencies must retain the ability to use 100 percent of their authorized vouchers to help low-income families; and (3) HUD should take all necessary actions to encourage full voucher utilization, and should use all available resources to support full voucher funding for FY 2004.

(Sec. 419) Amends the Housing and Community Development Act of 1974 to increase State reimbursements for community development block grant technical and administrative costs in nonentitlement areas.

(Sec. 420) Amends the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants through FY 2006.

(Sec. 421) Expresses the sense of Congress that: (1) a U.S. citizen who was a prisoner of war or who was used by the regime of Saddam Hussein and by Iraq as a human shield during the First Gulf War should have the opportunity to have any claim for damages incurred by such citizen fully adjudicated in the appropriate U.S. district court; (2) any damage award should be fully enforced; and (3) the Attorney General should enter into negotiations with each such citizen, or the family of each such citizen, to develop a method of providing compensation for such damages, including using assets of the regime of Saddam Hussein held by the U.S. Government or any other appropriate sources.

(Sec. 422) States that none of the funds provided in this Act may be expended to apply, in a numerical estimate of the benefits of an agency action prepared pursuant to Executive Order 12866 or section 812 of the Clean Air Act, monetary values for adult premature mortality that differ based on the adult's age.

(Sec. 423) Directs the Secretary to extend the term of certain public housing/section 8 Moving to Work demonstration agreements.

(Sec. 424) Directs the General Accounting Office to conduct a study of the Moving to Work demonstration program.

(Sec. 425) Revises provisions respecting a certain National Academy of Sciences study.

(Sec. 426) Makes funds available for a specified grant under the Paul and Sheila Wellstone Center for Community Building Act.

Title V: Pesticide Products and Fees - Pesticide Registration Improvement Act of 2003 - (Sec. 501) Amends the Federal Insecticide, Fungicide, and Rodenticide Act to revise registration and maintenance fee requirements for pesticides.

Modifies certain timing requirements concerning the submission of product-specific data and other regulatory action.

Increases and then decreases the maximum amount of maintenance fees payable by registrants, including small businesses, through FY 2008.

Extends the EPA authority to collect maintenance, but not tolerance, fees through FY 2008. (Maintenance fees are assessed on already registered or reregistered pesticides; tolerance fees are assessed on pesticides used on food or animal feed which are subject to more stringent regulatory requirements.)

Directs the Administrator of EPA to assess and collect covered pesticide registration service fees for applications submitted from FY 2004 onward. (Registration fees would apply to new pesticide applications only.)

Sets forth the Administrator's responsibilities concerning the publication and revision of the schedule of registration service fees, including a mandatory increase by FY 2006.

Permits the waiver or reduction of these fees for minor uses or small businesses. Provides for partial fee refunds when an application is withdrawn or at the Administrator's discretion.

Establishes the Pesticide Registration Fund in the Treasury to collect registration fees. Limits the use of these funds to associated regulatory costs, except for limited earmarks for worker protection and the review of new inert ingredients.

Prohibits the assessment of registration fees if the amount appropriated for the Office of Pesticide Programs is less than the amount appropriated for that Office for FY 2002.

Provides for judicial review if the Administrator fails to make a determination on an application before the expiration of the applicable decision time review period.

Terminates the registration service fee after FY 2010, with a phase out occurring during the final two years.

(Sec. 502) Expresses the sense of the Senate that human dosing studies of pesticides raise ethical and health questions.

Actions Timeline

- **Jan 22, 2004:** See also H. R. 2673.
- **Nov 19, 2003:** Message on Senate action sent to the House.
- **Nov 18, 2003:** Considered by Senate. (consideration: CR S14993-15021)
- **Nov 18, 2003:** Passed/agreed to in Senate: Passed Senate with an amendment by Voice Vote.(text: CR S15001-15020)
- **Nov 18, 2003:** Passed Senate with an amendment by Voice Vote. (text: CR S15001-15020)
- **Nov 18, 2003:** Senate insists on its amendment, asks for a conference, appoints conferees Bond; Burns; Shelby; Craig; Domenici; DeWine; Hutchison; Stevens; Mikulski; Leahy; Harkin; Byrd; Johnson; Reid; Inouye.
- **Nov 17, 2003:** Considered by Senate. (consideration: CR S14932-14940)
- **Nov 12, 2003:** Considered by Senate. (consideration: CR S14464-14481, S14496-14504, S14506-14528)
- **Nov 11, 2003:** Motion to proceed to consideration of measure agreed to in Senate by Unanimous Consent.
- **Nov 11, 2003:** Measure laid before Senate by motion. (consideration: CR S14458)
- **Sep 2, 2003:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 267.
- **Aug 1, 2003:** Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Jul 28, 2003:** Received in the Senate.
- **Jul 25, 2003:** Rules Committee Resolution H. Res. 338 Reported to House. Rule provides for consideration of H.R. 2861 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. A specified amendment is in order.
- **Jul 25, 2003:** Rule H. Res. 338 passed House.
- **Jul 25, 2003:** ORDER OF PROCEDURE - Mr. Young of Florida asked unanimous consent to limit the amendments to be made in order to H.R. 2861 when under consideration in the Committee of the Whole according to a list presented to the desk. Agreed to without objection.
- **Jul 25, 2003:** Considered under the provisions of rule H. Res. 338. (consideration: CR H7655-7713; text of Title I as reported in House: CR H7669-7672; text of Title II as reported in House: CR H7672-7677; text of Title III as reported in House: CR H7677-7681; text of Title IV as reported in House: CR H7681-7682)
- **Jul 25, 2003:** Rule provides for consideration of H.R. 2861 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. A specified amendment is in order.
- **Jul 25, 2003:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 338 and Rule XXIII.
- **Jul 25, 2003:** The Speaker designated the Honorable John Shimkus to act as Chairman of the Committee.
- **Jul 25, 2003:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2861.
- **Jul 25, 2003:** DEBATE - The Committee of the Whole proceeded with 10 minutes of debate on the Smith (NJ) amendments en bloc pending reservation of a point of order.
- **Jul 25, 2003:** DEBATE - Pursuant to the previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Fattah amendment.
- **Jul 25, 2003:** DEBATE - The Committee of the Whole proceeded with 20 minutes of debate on the Smith (NJ) amendment.
- **Jul 25, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Smith (NJ) amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Smith (NJ) demanded a recorded vote and the Chair postponed further proceedings on the amendment until later in the legislative day.
- **Jul 25, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Stearns amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Stearns demanded a recorded vote and the Chair postponed further proceedings on the amendment until later in the legislative day.
- **Jul 25, 2003:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Allen amendment.
- **Jul 25, 2003:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Nadler amendment.
- **Jul 25, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Nadler amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Nadler

demanded a recorded vote and the Chair postponed further proceedings on the amendment until later in the legislative day.

- **Jul 25, 2003:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Markey amendment.
- **Jul 25, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Markey amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Markey demanded a recorded vote and the Chair postponed further proceedings on the amendment until later in the legislative day.
- **Jul 25, 2003:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Meeks (NY) amendment.
- **Jul 25, 2003:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Lee amendment.
- **Jul 25, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Lee amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Lee demanded a recorded vote and the Chair postponed further proceedings on the amendment until later in the legislative day.
- **Jul 25, 2003:** POINT OF ORDER RESERVED - The Committee of the Whole proceeded with 10 minutes of debate on the Edwards amendment pending reservation of a point of order.
- **Jul 25, 2003:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jul 25, 2003:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2861.
- **Jul 25, 2003:** The previous question was ordered pursuant to the rule.
- **Jul 25, 2003:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Jul 25, 2003:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 316 - 109 (Roll no. 456).
- **Jul 25, 2003:** On passage Passed by the Yeas and Nays: 316 - 109 (Roll no. 456).
- **Jul 25, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 24, 2003:** Introduced in House
- **Jul 24, 2003:** The House Committee on Appropriations reported an original measure, H. Rept. 108-235, by Mr. Walsh.
- **Jul 24, 2003:** The House Committee on Appropriations reported an original measure, H. Rept. 108-235, by Mr. Walsh.
- **Jul 24, 2003:** Placed on the Union Calendar, Calendar No. 129.