

MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND FOR SUNDRY INDEPENDENT AGENCIES, BOARDS, COMMISSIONS, CORPORATIONS, AND OFFICES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, AND FOR OTHER PURPOSES

NOVEMBER 6, 2001.—Ordered to be printed

Mr. WALSH, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 2620]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2620) “making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes”, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, namely:

ferrees urge the Corporation to continue its efforts to meet the housing needs of these families. The conferees also direct the Corporation to increase its efforts in smaller metropolitan areas and rural areas where very serious housing problems exist.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

Appropriates \$25,003,000 for salaries and expenses as proposed by both the House and the Senate. The conferees agree to limit reception and representation expenses to \$750 instead of \$500 as proposed by the House and \$1,000 as proposed by the Senate.

TITLE IV—GENERAL PROVISIONS

Retains twenty general provisions proposed by both the House and the Senate and which were included in the fiscal year 2001 Act.

Modifies language proposed by the Senate prohibiting HUD from spending funds for any activity in excess of amounts described in the budget justification unless otherwise provided for in this Act or through a reprogramming of funds.

Retains language proposed by the House prohibiting EPA from using funds to implement the Registration Fee system codified in 40 CFR subpart U if the authority to collect fees authorized in FIFRA is extended for one year beyond September 30, 2001.

Retains language proposed by the House amending the Cerro Grande Fire Assistance Act to read “within 120 days after the Director issues the report required by subsection (n) in 2002 and 2003.”

Retains language proposed by the House prohibiting VA from using funds to implement the proposed requirement that military retirees must choose either VA’s or TRICARE’s health care system.

The conferees have included modified language related to a national primary drinking water standard for arsenic as published in the Federal Register on January 22, 2001, instead of language proposed by the House and the Senate. The language adopted by the conferees prohibits a delay in setting a new regulation other than that prescribed in the final rule of January 22, 2001, which includes an arsenic standard of 10 parts per billion (ppb).

In adopting this legislative provision, the conferees acknowledge that an arsenic standard of 10 ppb will likely pose significant financial costs on many small communities, and many of these communities may find it impossible, because of the financial burden, to be in compliance by 2006 as the rule requires. The conferees are concerned that, because of their complexity, the current waiver and exemption provisions found in sections 1415 and 1416 of the Safe Drinking Water Act, as amended, may not provide sufficient flexibility for the small communities to receive additional time to reach compliance. As a result, the conferees are very concerned that numerous small community water systems may not be in compliance by 2006, and that some very small communities may abandon their municipal systems in favor of untreated and unregulated private wells which could create significant other health risks for these communities. The conferees agree that the Congress and

the Administration must act swiftly to provide both the time and the means for many small communities to meet the new 10 ppb standard.

To this end, the conferees direct the Administrator of EPA to begin immediately to review the Agency's affordability criteria and how small system variance and exemption programs should be implemented for arsenic. In addition, the Administrator should recommend procedures to grant an extension of time in meeting the compliance requirement for small communities when a community can show to the satisfaction of the Administrator that being in compliance by 2006 poses an undue economic hardship on that community. In developing these procedures, the Administrator should consider those actions which can be taken administratively by the Agency and those which will require the enactment of legislation. The conferees do not intend to create loopholes in the Safe Drinking Water Act for compliance to a national arsenic standard. Rather, the conferees wish to emphasize that they expect the Agency to adopt without delay all appropriate available administrative actions permitted under existing law to facilitate reasonable extensions of time for compliance of these communities.

The Agency is directed to report to the Congress by March 1, 2002 on its review of the affordability criteria and the administrative actions undertaken or planned to be undertaken by the Agency, as well as potential funding mechanisms for small community compliance and other legislative actions, which, if taken by the Congress, would best achieve appropriate extensions of time for small communities while also guaranteeing maximum compliance.

Retains language proposed by the House establishing the Minority Emergency Preparedness Demonstration Program at FEMA.

Deletes language proposed by the House prohibiting the VA from implementing the "Plan for the Development of a 25-Year General Use Plan for Department of Veterans Affairs West Los Angeles Health Care Center." The conferees have instead included report language in medical care urging the development of a reasonable development plan which is suitable for the community and improves access to VA services.

Modifies language proposed by the House prohibiting funds to be used to implement or enforce the community service requirement of the United States Housing Act of 1937 except for residents of projects funded under HOPE VI.

Deletes language proposed by the House prohibiting funding of any person or entity convicted of the Buy American Act.

Retains language proposed by the Senate requiring HUD to submit a report by January 8, 2002, detailing obligations and expenditures of title II funds for technical assistance, training or management improvement activities.

Deletes language proposed by the Senate amending section 70113(f) of title 49.

Deletes language proposed by the Senate regarding playground equipment. The conferees have instead included report language under EPA and CPSC directing those agencies to submit reports regarding chromated copper arsenate-treated wood playground equipment.