

105TH CONGRESS  
1ST SESSION

# H. R. 1469

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IN THE HOUSE OF REPRESENTATIVES

MAY 16, 1997

Ordered to be printed with the amendments of the Senate numbered

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## AN ACT

Making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, 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 **(1)** That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for re-  
5 covery from natural disasters, and for overseas peacekeep-  
6 ing efforts, including those in Bosnia, for the fiscal year  
7 ending September 30, 1997, and for other purposes,  
8 namely:

1 TITLE I  
2 EMERGENCY SUPPLEMENTAL APPROPRIATIONS  
3 FOR RECOVERY FROM NATURAL DISASTERS  
4 CHAPTER 1  
5 DEPARTMENT OF AGRICULTURE  
6 FARM SERVICE AGENCY  
7 EMERGENCY CONSERVATION PROGRAM

8 For an additional amount for “Emergency Conserva-  
9 tion Program” for expenses, including livestock carcass re-  
10 moval, resulting from flooding and other natural disasters,  
11 \$65,000,000, to remain available until expended: *Pro-*  
12 *vided,* That the entire amount shall be available only to  
13 the extent an official budget request for \$65,000,000, that  
14 includes designation of the entire amount of the request  
15 as an emergency requirement as defined in the Balanced  
16 Budget and Emergency Deficit Control Act of 1985, as  
17 amended, is transmitted by the President to the Congress:  
18 *Provided further,* That the entire amount is designated by  
19 Congress as an emergency requirement pursuant to sec-  
20 tion 251(b)(2)(D)(i) of such Act.

21 TREE ASSISTANCE PROGRAM

22 For assistance to small orchardists to replace or reha-  
23 bilitate trees and vineyards damaged by weather and relat-  
24 ed conditions, \$9,000,000, to remain available until ex-  
25 pended: *Provided,* That the entire amount shall be avail-  
26 able only to the extent an official budget request for

1 \$9,000,000, that includes designation of the entire  
2 amount of the request as an emergency requirement as  
3 defined in the Balanced Budget and Emergency Deficit  
4 Control Act of 1985, as amended, is transmitted by the  
5 President to the Congress: *Provided further*, That the en-  
6 tire amount is designated by Congress as an emergency  
7 requirement pursuant to section 251(b)(2)(D)(i) of such  
8 Act.

9 NATURAL RESOURCES CONSERVATION SERVICE  
10 WATERSHED AND FLOOD PREVENTION OPERATIONS

11 For an additional amount for “Watershed and Flood  
12 Prevention Operations” to repair damages to the water-  
13 ways and watersheds resulting from flooding and other  
14 natural disasters, \$150,700,000, to remain available until  
15 expended: *Provided*, That the entire amount shall be avail-  
16 able only to the extent an official budget request for  
17 \$150,700,000, that includes designation of the entire  
18 amount of the request as an emergency requirement as  
19 defined in the Balanced Budget and Emergency Deficit  
20 Control Act of 1985, as amended, is transmitted by the  
21 President to the Congress: *Provided further*, That the en-  
22 tire amount is designated by Congress as an emergency  
23 requirement pursuant to section 251(b)(2)(D)(i) of such  
24 Act: *Provided further*, That if the Secretary determines  
25 that the cost of land and farm structures restoration ex-

1 ceeds the fair market value of an affected cropland; the  
 2 Secretary may use sufficient amounts, not to exceed  
 3 \$10,000,000, from funds provided under this heading to  
 4 accept bids from willing sellers to provide floodplain ease-  
 5 ments for such cropland inundated by floods: *Provided fur-*  
 6 *ther,* That none of the funds provided under this heading  
 7 shall be used for the salmon memorandum of understand-  
 8 ing.

### 9 RURAL HOUSING SERVICE

#### 10 RURAL HOUSING INSURANCE FUND PROGRAM

11 Notwithstanding section 520 of the Housing Act of  
 12 1949, as amended, (42 U.S.C. 1490) the College Station  
 13 area of Pulaski County, Arkansas shall be eligible for  
 14 loans and grants available through the Rural Housing  
 15 Service.

### 16 FOOD AND CONSUMER SERVICE

#### 17 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR

#### 18 WOMEN, INFANTS, AND CHILDREN (WIC)

19 For an additional amount for the Special Supple-  
 20 mental Nutrition Program for Women, Infants, and Chil-  
 21 dren (WIC) as authorized by section 17 of the Child Nu-  
 22 trition Act of 1966, as amended (42 U.S.C. et seq.),  
 23 \$38,000,000 (increased by \$38,000,000), to remain avail-  
 24 able through September 30, 1998: *Provided,* That the Sec-  
 25 retary shall allocate such funds through the existing for-

1 mula or, notwithstanding sections 17(g), (h), or (i) of such  
2 Act and the regulations promulgated thereunder, such  
3 other means as the Secretary deems necessary.

4 CHAPTER 2

5 DEPARTMENT OF COMMERCE

6 ECONOMIC DEVELOPMENT ADMINISTRATION

7 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

8 For an additional amount for “Economic Develop-  
9 ment Assistance Programs” for emergency infrastructure  
10 expenses and the capitalization of revolving loan funds re-  
11 lated to recent flooding and other natural disasters,  
12 \$49,700,000, to remain available until expended, of which  
13 not to exceed \$2,000,000 may be available for administra-  
14 tive expenses and may be transferred to and merged with  
15 the appropriations for “Salaries and Expenses”: *Provided,*  
16 That the entire amount is designated by Congress as an  
17 emergency requirement pursuant to section  
18 251(b)(2)(D)(i) of the Balanced Budget and Emergency  
19 Deficit Control Act of 1985, as amended: *Provided further,*  
20 That the entire amount shall be available only to the ex-  
21 tent an official budget request, for a specific dollar  
22 amount, that includes designation of the entire amount of  
23 the request as an emergency requirement as defined in  
24 the Balanced Budget and Emergency Deficit Control Act  
25 of 1985, as amended, is transmitted to Congress.

1 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY  
 2 INDUSTRIAL TECHNOLOGY SERVICES

3 Of the amount provided under this heading in Public  
 4 Law 104-208 for the Advanced Technology Program, not  
 5 to exceed \$35,000,000 shall be available for the award of  
 6 new grants.

7 NATIONAL OCEANIC AND ATMOSPHERIC  
 8 ADMINISTRATION  
 9 CONSTRUCTION

10 For an additional amount for “Construction” for  
 11 emergency expenses resulting from flooding and other nat-  
 12 ural disasters, \$10,800,000, to remain available until ex-  
 13 pended: *Provided*, That the entire amount is designated  
 14 by Congress as an emergency requirement pursuant to  
 15 section 251(b)(2)(D)(i) of the Balanced Budget and  
 16 Emergency Deficit Control Act of 1985, as amended.

17 CHAPTER 3  
 18 DEPARTMENT OF DEFENSE—CIVIL  
 19 DEPARTMENT OF THE ARMY  
 20 CORPS OF ENGINEERS—CIVIL

21 FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,  
 22 ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MIS-  
 23 SISSIPPI, MISSOURI, AND TENNESSEE

24 For an additional amount for “Flood Control, Mis-  
 25 sissippi River and Tributaries, Arkansas, Illinois, Ken-

1 tucky, Louisiana, Mississippi, Missouri, and Tennessee”  
2 for emergency expenses due to flooding and other natural  
3 disasters, \$20,000,000, to remain available until ex-  
4 pended: *Provided*, That the entire amount is designated  
5 by Congress as an emergency requirement pursuant to  
6 section 251(b)(2)(D)(i) of the Balanced Budget and  
7 Emergency Deficit Control Act of 1985, as amended.

8 OPERATION AND MAINTENANCE, GENERAL

9 For an additional amount for “Operation and Main-  
10 tenance, General” for emergency expenses due to flooding  
11 and other natural disasters, \$150,000,000, to remain  
12 available until expended: *Provided*, That of the total  
13 amount appropriated, the amount for eligible navigation  
14 projects which may be derived from the Harbor Mainte-  
15 nance Trust Fund pursuant to Public Law 99-662, shall  
16 be derived from that fund: *Provided further*, That the en-  
17 tire amount is designated by Congress as an emergency  
18 requirement pursuant to section 251(b)(2)(D)(i) of the  
19 Balanced Budget and Emergency Deficit Control Act of  
20 1985, as amended.

21 FLOOD CONTROL AND COASTAL EMERGENCIES

22 For an additional amount for “Flood Control and  
23 Coastal Emergencies” due to flooding and other natural  
24 disasters, \$415,000,000, to remain available until ex-  
25 pended: *Provided*, That the entire amount is designated  
26 by Congress as an emergency requirement pursuant to

1 section 251(b)(2)(D)(i) of the Balanced Budget and  
 2 Emergency Deficit Control Act of 1985, as amended.

3 DEPARTMENT OF THE INTERIOR

4 BUREAU OF RECLAMATION

5 OPERATION AND MAINTENANCE

6 For an additional amount for “Operation and Main-  
 7 tenance”, \$7,355,000, to remain available until expended,  
 8 to repair damage caused by floods and other natural disas-  
 9 ters: *Provided*, That of the total appropriated, the amount  
 10 for program activities that can be financed by the Rec-  
 11 lamation Fund shall be derived from that fund: *Provided*  
 12 *further*, That the entire amount is designated by Congress  
 13 as an emergency requirement pursuant to section  
 14 251(b)(2)(D)(i) of the Balanced Budget and Emergency  
 15 Deficit Control Act of 1985, as amended.

16 GENERAL PROVISIONS, CHAPTER 3

17 SEC. 301. Beginning in fiscal year 1997 and there-  
 18 after, the United States members and the alternate mem-  
 19 bers appointed under the Susquehanna River Basin Com-  
 20 pact (Public Law 91-575), and the Delaware River Basin  
 21 Compact (Public Law 87-328), shall be officers of the  
 22 U.S. Army Corps of Engineers, who hold Presidential ap-  
 23 pointments as Regular Army officers with Senate con-  
 24 firmation, and who shall serve without additional com-  
 25 pensation.





1 Grant Lands”, made available as supplemental appropria-  
2 tions in Public Law 104-134: *Provided*, That the entire  
3 amount is designated by Congress as an emergency re-  
4 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-  
5 anced Budget and Emergency Deficit Control Act of 1985,  
6 as amended.

7 UNITED STATES FISH AND WILDLIFE SERVICE  
8 RESOURCE MANAGEMENT

9 For an additional amount for resource management,  
10 \$2,250,000, to remain available until September 30, 1998,  
11 for technical assistance and fish replacement made nec-  
12 essary by floods and other natural disasters: *Provided*,  
13 That the entire amount is designated by Congress as an  
14 emergency requirement pursuant to section  
15 251(b)(2)(D)(i) of the Balanced Budget and Emergency  
16 Deficit Control Act of 1985, as amended.

17 CONSTRUCTION

18 For an additional amount for construction,  
19 \$81,000,000, to remain available until expended, to repair  
20 damage caused by floods and other natural disasters: *Pro-*  
21 *vided*, That the entire amount is designated by Congress  
22 as an emergency requirement pursuant to section  
23 251(b)(2)(D)(i) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985, as amended.

## 1 LAND ACQUISITION

2 For an additional amount for land acquisition,  
3 \$15,000,000, to remain available until expended, for the  
4 cost-effective emergency acquisition of land and water  
5 rights necessitated by floods and other natural disasters:  
6 *Provided*, That the entire amount is designated by Con-  
7 gress as an emergency requirement pursuant to section  
8 251(b)(2)(D)(i) of the Balanced Budget and Emergency  
9 Deficit Control Act of 1985, as amended.

## 10 NATIONAL PARK SERVICE

## 11 CONSTRUCTION

12 For an additional amount for construction for emer-  
13 gency expenses resulting from flooding and other natural  
14 disasters, \$186,912,000, to remain available until ex-  
15 pended: *Provided*, That the entire amount is designated  
16 by Congress as an emergency requirement pursuant to  
17 section 251(b)(2)(D)(i) of the Balanced Budget and  
18 Emergency Deficit Control Act of 1985, as amended: *Pro-*  
19 *vided further*, That of this amount, \$30,000,000 shall be  
20 available only to the extent an official budget request for  
21 a specific dollar amount, that includes designation of the  
22 entire amount of the request as an emergency requirement  
23 as defined in such Act, is transmitted by the President  
24 to Congress, and upon certification by the Secretary of  
25 the Interior to the President that a specific amount of

1 such funds is required for (1) repair or replacement of  
2 concession use facilities at Yosemite National Park if the  
3 Secretary determines, after consulting with the Director  
4 of the Office of Management and Budget, that the repair  
5 or replacement of those facilities cannot be postponed until  
6 completion of an agreement with the Yosemite Conces-  
7 sions Services Corporation or any responsible third party  
8 to satisfy its repair or replacement obligations for the fa-  
9 cilities, or (2) the Federal portion, if any, of the costs of  
10 repair or replacement of such concession use facilities:  
11 *Provided further,* That nothing herein should be construed  
12 as impairing in any way the rights of the United States  
13 against the Yosemite Concession Services Corporation or  
14 any other party or as relieving the Corporation or any  
15 other party of its obligations to the United States: *Pro-*  
16 *vided further,* That prior to any final agreement by the  
17 Secretary with the Corporation or any other party con-  
18 cerning its obligation to repair or replace concession use  
19 facilities, the Solicitor of the Department of the Interior  
20 shall certify that the agreement fully satisfies the obliga-  
21 tions of the Corporation or third party: *Provided further,*  
22 That nothing herein, or any payments, repairs, or replace-  
23 ments made by the Corporation or a third party in fulfill-  
24 ment of the Corporation's obligations to the United States  
25 to repair and replace damaged facilities, shall create any

1 possessory interest for the Corporation or such third party  
2 in such repaired or replaced facilities: *Provided further,*  
3 That any payments made to the United States by the Cor-  
4 poration or a third party for repair or replacement of con-  
5 ession use facilities shall be deposited in the General  
6 Fund of the Treasury or, where facilities are repaired or  
7 replaced by the Corporation or any other third party, an  
8 equal amount of appropriations shall be rescinded.

9 For an additional amount for construction,  
10 \$10,000,000, to remain available until expended, to make  
11 repairs, construct facilities, and provide visitor transpor-  
12 tation and for related purposes at Yosemite National  
13 Park.

14 UNITED STATES GEOLOGICAL SURVEY

15 SURVEYS, INVESTIGATIONS, AND RESEARCH

16 For an additional amount for surveys, investigations,  
17 and research, \$4,290,000, to remain available until Sep-  
18 tember 30, 1998, to repair or replace damaged equipment  
19 and facilities caused by floods and other natural disasters:  
20 *Provided,* That the entire amount is designated by Con-  
21 gress as an emergency requirement pursuant to section  
22 251(b)(2)(D)(i) of the Balanced Budget and Emergency  
23 Deficit Control Act of 1985, as amended.

## 1 BUREAU OF INDIAN AFFAIRS

## 2 OPERATION OF INDIAN PROGRAMS

3 For an additional amount for operation of Indian  
4 programs, \$11,100,000, to remain available until Septem-  
5 ber 30, 1998, for emergency response activities, including  
6 emergency school operations, heating costs, emergency  
7 welfare assistance, and to repair and replace facilities and  
8 resources damaged by snow, floods, and other natural dis-  
9 asters: *Provided*, That the entire amount is designated by  
10 Congress as an emergency requirement pursuant to sec-  
11 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-  
12 gency Deficit Control Act of 1985, as amended.

## 13 CONSTRUCTION

14 For an additional amount for construction,  
15 \$5,554,000, to remain available until expended, to make  
16 repairs caused by floods and other natural disasters: *Pro-*  
17 *vided*, That the entire amount is designated by Congress  
18 as an emergency requirement pursuant to section  
19 251(b)(2)(D)(i) of the Balanced Budget and Emergency  
20 Deficit Control Act of 1985, as amended.

## 21 DEPARTMENT OF AGRICULTURE

## 22 FOREST SERVICE

## 23 NATIONAL FOREST SYSTEM

24 For an additional amount for National forest system  
25 for emergency expenses resulting from flooding and other

1 natural disasters, ~~\$37,107,000~~, to remain available until  
2 expended: *Provided*, That the entire amount is designated  
3 by Congress as an emergency requirement pursuant to  
4 section 251(b)(2)(D)(i) of the Balanced Budget and  
5 Emergency Deficit Control Act of 1985, as amended.

6 RECONSTRUCTION AND CONSTRUCTION

7 For an additional amount for reconstruction and con-  
8 struction for emergency expenses resulting from flooding  
9 and other natural disasters, ~~\$32,334,000~~, to remain avail-  
10 able until expended: *Provided*, That the entire amount is  
11 designated by Congress as an emergency requirement pur-  
12 suant to section 251(b)(2)(D)(i) of the Balanced Budget  
13 and Emergency Deficit Control Act of 1985, as amended.

14 DEPARTMENT OF HEALTH AND HUMAN  
15 SERVICES

16 INDIAN HEALTH SERVICE

17 INDIAN HEALTH SERVICES

18 For an additional amount for Indian health services  
19 for emergency expenses resulting from flooding and other  
20 natural disasters, ~~\$1,000,000~~, to remain available until ex-  
21 pended: *Provided*, That the entire amount is designated  
22 by Congress as an emergency requirement pursuant to  
23 section 251(b)(2)(D)(i) of the Balanced Budget and  
24 Emergency Deficit Control Act of 1985, as amended.

INDIAN HEALTH FACILITIES

1  
2       For an additional amount for Indian health facilities  
3 for emergency expenses resulting from flooding and other  
4 natural disasters, \$2,000,000, to remain available until ex-  
5 pended: *Provided*, That the entire amount is designated  
6 by Congress as an emergency requirement pursuant to  
7 section 251(b)(2)(D)(i) of the Balanced Budget and  
8 Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISION, CHAPTER 4

9  
10       SEC. 401. Section 101(e) of Public Law 104-134 is  
11 amended as follows: Under the heading “Title III—Gen-  
12 eral Provisions” amend sections 315(c)(1)(A) and  
13 315(c)(1)(B) by striking in each of those sections “104  
14 percent” and inserting in lieu thereof “100 percent”; by  
15 striking in each of those sections “1995” and inserting  
16 in lieu thereof “1994”; and by striking in each of those  
17 sections “and thereafter annually adjusted upward by 4  
18 percent,”.

19       SAN CARLOS APACHE TRIBE WATER RIGHTS SETTLEMENT

20       SEC. 402. (a) EXTENSION.—Section 3711(b)(1) of  
21 the San Carlos Apache Tribe Water Rights Settlement Act  
22 of 1992 (106 Stat. 4752) is amended by striking “June  
23 30, 1997” and inserting “March 31, 1999”.

24       (b) EXTENSION FOR RIVER SYSTEM GENERAL ADJU-  
25 DICATION.—Section 3711 of such Act is amended by add-  
26 ing at the end the following new subsection:



1       “(c) ~~EXTENSION FOR RIVER SYSTEM GENERAL AD-~~  
2 ~~JUDICATION.—If, at any time prior to March 31, 1999,~~  
3 ~~the Secretary notifies the Committee on Indian Affairs of~~  
4 ~~the United States Senate or the Committee on Resources~~  
5 ~~in the United States House of Representatives that the~~  
6 ~~Settlement Agreement, as executed by the Secretary, has~~  
7 ~~been submitted to the Superior Court of the State of Ari-~~  
8 ~~zona in and for Maricopa County for consideration and~~  
9 ~~approval as part of the General Adjudication of the Gila~~  
10 ~~River System and Source, the March 31, 1999, referred~~  
11 ~~to in subsection (b)(1) shall be deemed to be changed to~~  
12 ~~December 31, 1999.”.~~

13       (e) ~~COUNTIES.—Section 3706(b)(3) of such Act is~~  
14 ~~amended by inserting “Gila, Graham, Greenlee,” after~~  
15 ~~“Maricopa,”.~~

16       (d) ~~PARTIES TO AGREEMENT.—Section 3703(2) of~~  
17 ~~such Act is amended by adding at the end the following~~  
18 ~~new sentence: “The Gila Valley Irrigation District and the~~  
19 ~~Franklin Irrigation District shall be added as parties to~~  
20 ~~the Agreement, but only so long as none of the aforemen-~~  
21 ~~tioned parties objects to adding the Gila Valley Irrigation~~  
22 ~~and/or the Franklin Irrigation District as parties to the~~  
23 ~~Agreement.”.~~

1 (e) CONDITIONS.—Section 3711 of such Act, as  
2 amended by subsection (b) of this Act, is further amended  
3 by adding at the end the following new subsections:

4 “(d) CONDITIONS.—(1) IN GENERAL.—The June 30,  
5 1997, deadline has been extended based on the following  
6 conditions. The provisions and agreements set forth or re-  
7 ferred to in paragraph (2), (3), and (4) below shall be  
8 enforceable against the United States, and the conditions  
9 and agreements set forth or referred to in paragraphs (3)  
10 and (4) shall be enforceable against the Tribe, in United  
11 States District Court, and the immunity of the United  
12 States and the Tribe for such purposes is hereby waived.

13 “(2) INTERIM PERIOD.—Prior to March 31, 1999, or  
14 the execution of a final Agreement under paragraph (3)  
15 below, whichever comes first, the following conditions shall  
16 apply:

17 “(A) As of July 23, 1997, Phelps Dodge shall  
18 vacate the reservation and no longer rely upon per-  
19 mit #2000089, dated July 25, 1944, except as pro-  
20 vided in subparagraph (F) and the Tribe will stay  
21 any further prosecution of any claims or suits filed  
22 by the Tribe in any court with respect to the Black  
23 River facilities or the flowage of water on Eagle  
24 Creek. The United States, with the permission of the  
25 Tribe, shall enter and operate the Black River pump

1 station, outbuildings, the pipeline, related facilities,  
2 and certain caretaker quarters (hereinafter referred  
3 to collectively as the 'Black River facilities').

4       “(B) As of July 23, 1997, the United States,  
5 through the Bureau of Reclamation, shall operate  
6 and maintain the Black River facilities. The United  
7 States and Phelps Dodge shall enter into a contract  
8 for delivery of water pursuant to subparagraph (C),  
9 below. Water for delivery to Phelps Dodge from the  
10 Black River shall not exceed an annual average of  
11 40 acre feet per day, or 14,000 acre feet per year.  
12 All diversions from Black River to Phelps Dodge  
13 shall be junior to the Tribe's right to divert and use  
14 of 7300 acre feet per year for the San Carlos  
15 Apache Tribe, and no such diversion for Phelps  
16 Dodge shall cause the flow of Black River to fall  
17 below 20 cubic feet per second. The United States  
18 shall account for the costs for operating and main-  
19 taining the Black River facilities, and Phelps Dodge  
20 shall reimburse the United States for such costs.  
21 Phelps Dodge shall pay to the United States, for de-  
22 livery to the Tribe, the sum of \$20,000 per month,  
23 with an annual CPI adjustment, for purposes of  
24 compensating the Tribe for United States use and  
25 occupancy of the Black River facilities. Phelps

1 Dodge shall cooperate with the United States in ef-  
2 fectuating an orderly transfer of the operations of  
3 the Black River facilities from Phelps Dodge to the  
4 United States.

5 “(C) Notwithstanding any other provision of  
6 law, that contract referred to in subparagraph (B)  
7 between the United States and Phelps Dodge provid-  
8 ing for the diversion of water from the Black River  
9 into the Black River facilities, and the delivery of  
10 such water to Phelps Dodge at that location where  
11 the channel of Eagle Creek last exits the reservation  
12 for use in the Morenci mine complex and the towns  
13 of Clifton and Morenci and at no other location is  
14 ratified and confirmed. The United States/Phelps  
15 Dodge contract shall have no bearing on potential  
16 claims by the United States, Phelps Dodge or the  
17 Tribe regarding any aspect of the Black River facili-  
18 ties in the event that a final agreement is not  
19 reached among the parties under paragraph (3)  
20 below.

21 “(D) The power line right-of-way over the  
22 Tribe’s Reservation which currently is held by  
23 Phelps Dodge shall remain in place. During the in-  
24 terim period, Phelps Dodge shall provide power to  
25 the United States for operation of the pump station

1 and related facilities without charge, and Phelps  
2 Dodge shall pay a monthly right-of-way fee to the  
3 Tribe of \$5000 per month, with an annual CPI ad-  
4 justment.

5 “(E) Any questions regarding the water claims  
6 associated with Phelps Dodge’s use of the Eagle  
7 Creek wellfield, its diversions of surface water from  
8 Eagle Creek, the San Francisco River, Chase Creek,  
9 and/or its use of other water supplies are not ad-  
10 dressed in this title. No provision in this subsection  
11 shall affect or be construed to affect any claims by  
12 the Tribe, the United States, or Phelps Dodge to  
13 groundwater or surface water.

14 “(F) If a final agreement is not reached by  
15 March 31, 1999, the terms set forth in subpara-  
16 graphs (A) through (E) shall no longer apply. Under  
17 such circumstances, the occupancy of the Black  
18 River facilities shall revert to Phelps Dodge on  
19 March 31, 1999, and the Tribe and/or Phelps Dodge  
20 shall be free to prosecute litigation regarding the va-  
21 lidity of Phelps Dodge use of the Black River facili-  
22 ties. In any such event, the Tribe, the United States,  
23 and Phelps Dodge shall have the same rights with  
24 respect to the Black River facilities as each had  
25 prior to the enactment of this subsection and noth-

1       ing in this subsection shall be construed as altering  
2       or affecting such rights nor shall anything herein be  
3       admissible or otherwise relevant for the purpose of  
4       determining any of their respective rights.

5       “(3) FINAL AGREEMENT.—The United States,  
6 Phelps Dodge, and the Tribe intend to enter into a Final  
7 Agreement on or before March 31, 1999, which Agreement  
8 shall include the following terms:

9               “(A) The United States shall hold the Black  
10       River facilities in trust for the Tribe, without cost to  
11       the Tribe or the United States.

12              “(B) Responsibility for operation of the Black  
13       River facilities shall be transferred from the United  
14       States to the Tribe. The United States shall train  
15       Tribal members during the Interim Period, and the  
16       responsibility to operate the Black River facilities  
17       shall be transferred upon satisfaction of two condi-  
18       tions: (i) entry of the Final Agreement described in  
19       this subsection; and (ii) a finding by the United  
20       States that the Tribe has completed necessary train-  
21       ing and is qualified to operate the Black River facili-  
22       ties.

23              “(C) Power lines currently operated by Phelps  
24       Dodge on the Tribe’s Reservation, and the right of  
25       way associated with such power lines, shall be sur-

1 rendered by Phelps Dodge to the Tribe, without cost  
2 to the Tribe. Concurrently with the transfer of the  
3 power lines and the right of way, Phelps Dodge shall  
4 construct a switch station at the boundary of the  
5 reservation at which the Tribe may switch power on  
6 or off and shall deliver ownership and control of  
7 such switch station to the Tribe. Subsequent to the  
8 transfer of the power lines and the right of way and  
9 the delivery of ownership and control of the switch  
10 station to the Tribe, Phelps Dodge shall have no fur-  
11 ther obligation or liability of any nature with respect  
12 to the ownership, operation or maintenance of the  
13 power lines, the right of way or the switch station.

14       “(D) The Tribe and Phelps Dodge intend to  
15 enter into a contract covering the lease and delivery  
16 of CAP water from the Tribe to Phelps Dodge on  
17 the terms recommended by the United States, the  
18 trustee for the Tribe. Water for delivery to Phelps  
19 Dodge from the Black River shall not exceed an an-  
20 nual average of 40 acre feet per day, or 14,000 acre  
21 feet per year. All diversions from Black River to  
22 Phelps Dodge shall be junior to the Tribe’s right to  
23 divert and use of 7300 acre feet per year for the  
24 San Carlos Apache Tribe, and no such diversions for  
25 Phelps Dodge shall cause the flow of Black River to

1 fall below 20 cubic feet per second. It is intended  
2 that the water subject to the contract shall be CAP  
3 water that is controlled by the Tribe. The Tribe and/  
4 or the United States intend to enter into an ex-  
5 change agreement with the Salt River Project which  
6 will deliver CAP water to the Salt River Project in  
7 return for the diversion of water from the Black  
8 River into the Black River facilities. The lease and  
9 delivery contract between Phelps Dodge and the  
10 Tribe is intended to be based on a long-term lease  
11 of CAP water at prevailing market rates for munici-  
12 pal and industrial uses of CAP water. The parties  
13 will discuss the potential imposition of capital costs  
14 as part of the contract. It is intended that the con-  
15 tract price shall include operation, maintenance and  
16 replacement (OM&R) charges associated with the  
17 leased CAP water, and it is intended that the con-  
18 tract will take into account reasonable charges asso-  
19 ciated with the Tribe's operations and maintenance  
20 of the Black River facilities, and a credit for power  
21 provided for such facilities. It is intended that the  
22 water delivered under this contract will be utilized in  
23 the Morenci mine complex and the towns of Clifton  
24 and Morenci, and for no other purpose.



1           “(E) Any questions regarding the water claims  
2           associated with Phelps Dodge’s use of the Eagle  
3           Creek wellfield, its diversions of surface water from  
4           lower Eagle Creek, the San Francisco River, Chase  
5           Creek, and/or its use of other groundwater supplies  
6           are not addressed by this title. No provision in this  
7           subsection shall affect or be construed to affect any  
8           claims by the Tribe, the United States, or Phelps  
9           Dodge to groundwater or surface water.

10          “(4) EAGLE CREEK.—From the effective date of this  
11         subsection, the Tribe covenants not to impede, restrict, or  
12         sue the United States regarding, the passage of water  
13         from the Black River facilities into those portions of the  
14         channels of Willow Creek and Eagle Creek which flow  
15         through the Tribe’s lands. The Tribe covenants not to im-  
16         pede, restrict, or sue Phelps Dodge regarding, the passage  
17         of historic maximum flows, less transportation losses, from  
18         the existing Phelps Dodge Upper Eagle Creek Wellfield,  
19         except that (i) Phelps Dodge shall pay to the United  
20         States, for delivery to the Tribe, \$5000 per month, with  
21         an annual CPI adjustment, to account the passage of such  
22         flows; and (ii) the Tribe and the United States reserve  
23         the right to challenge Phelps Dodge’s claims regarding the  
24         pumping of groundwater from the upper Eagle Creek  
25         wellfield, in accordance with paragraphs (2)(E) and (3)(E)



1                   FEDERAL AVIATION ADMINISTRATION  
2                   FACILITIES AND EQUIPMENT  
3                   (AIRPORT AND AIRWAY TRUST FUND)

4           For additional necessary expenses for “Facilities and  
5 Equipment”, \$40,000,000, to be derived from the Airport  
6 and Airway Trust Fund and to remain available until ex-  
7 pended: *Provided*, That these funds shall only be available  
8 for non-competitive contracts or cooperative agreements  
9 with air carriers and airport authorities, which provide for  
10 the Federal Aviation Administration to purchase and as-  
11 sist in installation of advanced security equipment for the  
12 use of such entities.

13                   FEDERAL HIGHWAY ADMINISTRATION  
14                   FEDERAL-AID HIGHWAYS  
15                   EMERGENCY RELIEF PROGRAM  
16                   (HIGHWAY TRUST FUND)

17           For an additional amount for the Emergency Relief  
18 Program for emergency expenses resulting from flooding  
19 and other natural disasters, as authorized by 23 U.S.C.  
20 125, \$650,000,000, to be derived from the Highway Trust  
21 Fund and to remain available until expended, of which  
22 \$374,000,000 shall be available only to the extent an offi-  
23 cial budget request for a specific dollar amount, that in-  
24 cludes designation of the entire amount of the request as  
25 an emergency requirement as defined in the Balanced

1 Budget and Emergency Deficit Control Act of 1985, as  
 2 amended, is transmitted by the President to the Congress:  
 3 *Provided*, That the entire amount is designated by the  
 4 Congress as an emergency requirement pursuant to sec-  
 5 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-  
 6 gency Deficit Control Act of 1985, as amended: *Provided*  
 7 *further*, That ~~23~~ U.S.C. 125(b)(1) shall not apply to  
 8 projects resulting from the December 1996 and January  
 9 1997 flooding in the western States: *Provided further*,  
 10 That notwithstanding any other provision of law, a project  
 11 to repair or reconstruct any portion of a Federal-aid pri-  
 12 mary route in San Mateo County, California, which was  
 13 destroyed as a result of a combination of storms in the  
 14 winter of 1982–1983 and a mountain slide which, until  
 15 its destruction, had served as the only reasonable access  
 16 between two cities and as the designated emergency evacu-  
 17 ation route of one such cities shall be eligible for assist-  
 18 ance under this head.

19 FEDERAL-AID HIGHWAYS

20 (HIGHWAY TRUST FUND)

21 The limitation under this heading in Public Law  
 22 104–205 is increased by \$318,077,043: *Provided*, That  
 23 notwithstanding any other provision of law, such addi-  
 24 tional authority shall be distributed to ensure that States  
 25 receive amounts that they would have received had the

1 Highway Trust Fund fiscal year 1995 income statement  
2 not been revised on December 24, 1996.

3 FEDERAL RAILROAD ADMINISTRATION

4 EMERGENCY RAILROAD REHABILITATION AND REPAIR

5 For necessary expenses to repair and rebuild freight  
6 rail lines of regional and short line railroads damaged as  
7 a result of the floods in the northern plains States in the  
8 spring of 1997, \$10,000,000, to be awarded subject to the  
9 discretion of the Secretary on a case-by-case basis: *Pro-*  
10 *vided*, That funds provided under this head shall be avail-  
11 able for rehabilitation of railroad rights-of-way which are  
12 part of the general railroad system of transportation, and  
13 primarily used by railroads to move freight traffic: *Pro-*  
14 *vided further*, That railroad rights-of-way owned by class  
15 I railroads, passenger railroads, or by tourist, scenic, or  
16 historic railroads are not eligible for funding under this  
17 section: *Provided further*, That these funds shall be avail-  
18 able only to the extent an official budget request, for a  
19 specific dollar amount, that includes designation of the en-  
20 tire amount as an emergency requirement as defined in  
21 the Balanced Budget and Emergency Deficit Control Act  
22 of 1985, as amended, is transmitted by the President to  
23 the Congress: *Provided further*, That the entire amount  
24 is designated by Congress as an emergency requirement  
25 pursuant to section 251(b)(2)(D)(i) of the Balanced

1 Budget and Emergency Deficit Control Act of 1985, as  
2 amended: *Provided further*, That all funds made available  
3 under this head are to remain available until September  
4 30, 1997.

5 RELATED AGENCY

6 NATIONAL TRANSPORTATION SAFETY BOARD

7 SALARIES AND EXPENSES

8 For an additional amount for “Salaries and Ex-  
9 penses”, for emergency expenses resulting from the crash-  
10 es of TWA Flight 800 and ValuJet 592, and for assistance  
11 to families of victims of aviation accidents as authorized  
12 by Public Law 105-265, \$23,300,000, of which  
13 \$4,877,000 shall remain available until expended: *Pro-*  
14 *vided*, That these funds shall be available only to the ex-  
15 tent an official budget request, for a specific dollar  
16 amount, that includes designation of the entire amount as  
17 an emergency requirement as defined in the Balanced  
18 Budget and Emergency Deficit Control Act of 1985, as  
19 amended, is transmitted by the President to the Congress:  
20 *Provided further*, That the entire amount is designated by  
21 Congress as an emergency requirement pursuant to sec-  
22 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-  
23 gency Deficit Control Act of 1985, as amended: *Provided*  
24 *further*, That notwithstanding any other provision of law,  
25 up to \$10,330,000 shall be provided by the National

1 Transportation Safety Board to the Department of the  
2 Navy as reimbursement for costs incurred in connection  
3 with recovery of wreckage from TWA Flight 800 and shall  
4 be credited to the appropriation contained in the Omnibus  
5 Consolidated Appropriations Act, 1997, which is available  
6 for the same purpose as the appropriation originally  
7 charged for the expense for which the reimbursements are  
8 received, to be merged with, and to be available for the  
9 same purpose as the appropriation to which such reim-  
10 bursements are credited: *Provided further*, That notwith-  
11 standing any other provision of law, of the amount pro-  
12 vided \$3,100,000 shall be made available to Metropolitan  
13 Dade County, Florida as reimbursement for costs incurred  
14 in connection with the crash of ValuJet Flight 592: *Pro-*  
15 *vided further*, That, notwithstanding any other provision  
16 of law, of the unobligated balances under this heading  
17 from amounts made available in this or any other Act for  
18 fiscal year 1997 or any prior fiscal year, \$300,000 shall  
19 be made available to Monroe County, Michigan, as reim-  
20 bursement for costs incurred in connection with the crash  
21 of Comair Flight 3272.

22                   GENERAL PROVISIONS, CHAPTER 5

23           SEC. 501. In title I of Public Law 104-205, under  
24 the heading "Federal Transit Administration, Discre-  
25 tionary Grants", strike "\$661,000,000 for the DeKalb





## 1 COUNTER-TERRORISM AND DRUG LAW

## 2 ENFORCEMENT

## 3 DEPARTMENT OF THE TREASURY

## 4 UNITED STATES CUSTOMS SERVICE

## 5 SALARIES AND EXPENSES

6 Of the funds made available under this heading in  
7 Public Law 104-208, \$16,000,000 shall be available until  
8 September 30, 1998 to develop further the Automated  
9 Targeting System.

## 10 GENERAL PROVISION, CHAPTER 6

11 SEC. 601. CLARIFYING CONGRESSIONAL INTENT RE-  
12 SPECTING PROCUREMENT OF DISTINCTIVE CURRENCY  
13 PAPER.—In fiscal year 1997 and thereafter—

14 (1) for the purposes of section 622(a) of Public  
15 Law 100-202, a corporation or other entity shall be  
16 not deemed to be owned or controlled by persons not  
17 citizens of the United States, if—

18 (A) that corporation or entity is created  
19 under the laws of the United States or any one  
20 of its States or other territories and posses-  
21 sions; and

22 (B) more than 50 percent of that corpora-  
23 tion or entity is held by United States citizens;  
24 and



1 the processing for which was suspended, deferred or inter-  
2 rupted for a period of nine months or more because of  
3 differing interpretations, by the Secretary of Housing and  
4 Urban Development and an owner, concerning the timing  
5 of the ability of an uninsured section 236 property to pre-  
6 pay, or by the Secretary and a State rent regulatory agen-  
7 cy concerning the effect of a presumptively applicable  
8 State rent control law or regulation on the determination  
9 of preservation value under section 213 of such Act, if the  
10 owner of such project filed a notice of intent to extend  
11 the low-income affordability restrictions of the housing on  
12 or before August 23, 1993, and the Secretary approved  
13 the plan of action on or before July 25, 1996.

14 DRUG ELIMINATION GRANTS FOR LOW-INCOME

15 HOUSING

16 (INCLUDING TRANSFER OF FUNDS)

17 For an additional amount for “Drug Elimination  
18 Grants for Low-Income Housing” for activities authorized  
19 under 42 U.S.C. 11921–25, \$30,200,000, to remain avail-  
20 able until expended, and to be derived by transfer from  
21 the Homeownership and Opportunity for People Every-  
22 where Grants account.

## 1 COMMUNITY PLANNING AND DEVELOPMENT

## 2 COMMUNITY DEVELOPMENT BLOCK GRANTS FUND

3 For an additional amount for “Community develop-  
4 ment block grants fund” as authorized under title I of the  
5 Housing and Community Development Act of 1974,  
6 \$500,000,000, to remain available until September 30,  
7 2000, for use only for buy-outs, relocation, long-term re-  
8 covery, and mitigation in communities affected by the  
9 flooding in the upper Midwest and other disasters in fiscal  
10 year 1997 and such natural disasters designated 30 days  
11 prior to the start of fiscal year 1997: *Provided*, That in  
12 administering these amounts, the Secretary may waive, or  
13 specify alternative requirements for, any provision of any  
14 statute or regulation that the Secretary administers in  
15 connection with the obligation by the Secretary or the use  
16 by the recipient of these funds, except for statutory re-  
17 quirements related to civil rights, fair housing and non-  
18 discrimination, the environment, and labor standards,  
19 upon a finding that such waiver is required to facilitate  
20 the use of such funds, and would not be inconsistent with  
21 the overall purpose of the statute: *Provided further*, That  
22 the Secretary of Housing and Urban Development shall  
23 publish a notice in the Federal Register governing the use  
24 of community development block grant funds in conjunc-  
25 tion with any program administered by the Director of the

1 Federal Emergency Management Agency for buyouts for  
2 structures in disaster areas: *Provided further,* That for any  
3 funds under this head used for buyouts in conjunction  
4 with any program administered by the Director of the  
5 Federal Emergency Management Agency, each State or  
6 unit of general local government requesting funds from the  
7 Secretary of Housing and Urban Development for buyouts  
8 shall submit a plan to the Secretary which must be ap-  
9 proved by the Secretary as consistent with the require-  
10 ments of this program: *Provided further,* That the Sec-  
11 retary of Housing and Urban Development and the Direc-  
12 tor of the Federal Emergency Management Agency shall  
13 submit quarterly reports to the House and Senate Com-  
14 mittees on Appropriations on all disbursement and use of  
15 funds for or associated with buyouts: *Provided further,*  
16 That, hereafter, for any amounts made available under  
17 this head and for any amounts made available for any fis-  
18 cal year under title I of the Housing and Community De-  
19 velopment Act of 1974 that are used in communities af-  
20 fected by the flooding and disasters referred to in this  
21 head for activities to address the damage resulting from  
22 such flooding and disasters, the Secretary of Housing and  
23 Urban Development shall waive the requirement under  
24 such title that the activities benefit persons of low- and  
25 moderate-income and the requirements that grantees and

1 units of general local government hold public hearings:  
2 *Provided further,* That, hereafter, for any amounts made  
3 available for any fiscal year under the HOME Investment  
4 Partnerships Act that are used in communities affected  
5 by the flooding and disasters referred to in this head to  
6 assist housing used as temporary housing for families af-  
7 fected by such flooding and disasters, the Secretary of  
8 Housing and Urban Development shall waive (during the  
9 period, and to the extent, that such housing is used for  
10 such temporary housing) the requirements that the hous-  
11 ing meet the income targeting requirements under section  
12 214 of such Act, the requirements that the housing qualify  
13 as affordable housing under section 215 of such Act, and  
14 the requirements for documentation regarding family in-  
15 come and housing status and shall permit families to self-  
16 certify such information: *Provided further,* That the Sec-  
17 retary of Housing and Urban Development may make a  
18 grant from the amount provided under this head to restore  
19 electrical and natural gas service to areas damaged by the  
20 flooding and natural disasters: *Provided further,* That the  
21 entire amount made available under this head is des-  
22 ignated by the Congress as an emergency requirement  
23 pursuant to section 251(b)(2)(D)(i) of the Balanced  
24 Budget and Emergency Deficit Control Act of 1985, as  
25 amended.

1                                   INDEPENDENT AGENCIES  
2                           ENVIRONMENTAL PROTECTION AGENCY  
3                                   BUILDINGS AND FACILITIES

4           From the amounts appropriated under this heading  
5 in prior appropriation Acts for the Center for Ecology Re-  
6 search and Training (CERT), the Environmental Protec-  
7 tion Agency (EPA) shall, after the closing of the period  
8 for filing CERT-related claims pursuant to the Uniform  
9 Relocation Assistance and Real Property Acquisition Poli-  
10 cies Act of 1970 (42 U.S.C. 4601 et seq.), obligate the  
11 maximum amount of funds necessary to settle all out-  
12 standing CERT-related claims against the EPA pursuant  
13 to such Act. To the extent that unobligated balances then  
14 remain from such amounts previously appropriated, the  
15 EPA is authorized beginning in fiscal year 1997 to make  
16 grants to the City of Bay City, Michigan, for the purpose  
17 of EPA-approved environmental remediation and rehabili-  
18 tation of publicly owned real property included in the  
19 boundaries of the CERT project.

20                           FEDERAL EMERGENCY MANAGEMENT AGENCY  
21                                   DISASTER RELIEF

22           For an additional amount for “Disaster Relief”,  
23 \$3,567,677,000 (reduced by \$500,000,000) to remain  
24 available until expended: *Provided*, That \$2,387,677,000  
25 shall become available for obligation on September 30,

1 1997: *Provided further*, That the entire amount is des-  
 2 ignated by Congress as an emergency requirement pursu-  
 3 ant to section 251(b)(2)(D)(i) of the Balanced Budget and  
 4 Emergency Deficit Control Act of 1985, as amended.

5 SALARIES AND EXPENSES

6 For an additional amount for “Salaries and Ex-  
 7 penses”, \$5,000,000.

8 NATIONAL FLOOD INSURANCE FUND

9 In the case only of new contracts for flood insurance  
 10 coverage under the National Flood Insurance Act of 1968  
 11 entered into during the period beginning on January 1,  
 12 1997, and ending on June 30, 1997, and any modifica-  
 13 tions to coverage under existing contracts made during  
 14 such period, section 1306(c)(1) of such Act (42 U.S.C.  
 15 4013(c)(1)) shall be applied by substituting “15-day pe-  
 16 riod” for “30-day period”.

17 CHAPTER 8

18 OFFSETS AND RESCISSIONS

19 DEPARTMENT OF AGRICULTURE

20 OFFICE OF THE SECRETARY

21 FUND FOR RURAL AMERICA

22 Of the funds provided on January 1, 1997 for section  
 23 793 of Public Law 104–127, Fund for Rural America, not  
 24 more than \$80,000,000 shall be available: *Provided*, That  
 25 in addition to activities described in subsections (e)(1) and  
 26 (e)(2) of section 793, the Secretary may use these funds



1 for the Special Supplemental Nutrition Program for  
2 Women, Infants, and Children (WIC).

3 ~~NATURAL RESOURCES CONSERVATION SERVICE~~

4 ~~WETLANDS RESERVE PROGRAM~~

5 Of the funds made available in Public Law 104-37  
6 for the Wetlands Reserve Program, \$19,000,000 may not  
7 be obligated: *Provided*, That none of the funds made avail-  
8 able in Public Law 104-37 for this account may be obli-  
9 gated after September 30, 1997.

10 ~~FOOD AND CONSUMER SERVICE~~

11 ~~THE EMERGENCY FOOD ASSISTANCE PROGRAM~~

12 Notwithstanding section 27(a) of the Food Stamp  
13 Act, the amount specified for allocation under such section  
14 for fiscal year 1997 shall be \$80,000,000.

15 ~~FOREIGN AGRICULTURAL SERVICE~~

16 ~~EXPORT CREDIT~~

17 None of the funds made available in the Agriculture,  
18 Rural Development, Food and Drug Administration, and  
19 Related Agencies Appropriations Act, 1997, Public Law  
20 104-180, may be used to pay the salaries and expenses  
21 of personnel to carry out a combined program for export  
22 credit guarantees, supplier credit guarantees, and emerg-  
23 ing democracies facilities guarantees at a level which ex-  
24 ceeds \$3,500,000,000.

## 1 EXPORT ENHANCEMENT PROGRAM

2 None of the funds appropriated or otherwise made  
3 available in Public Law 104-180 shall be used to pay the  
4 salaries and expenses of personnel to carry out an export  
5 enhancement program if the aggregate amount of funds  
6 and/or commodities under such program exceeds  
7 \$10,000,000.

## 8 DEPARTMENT OF JUSTICE

## 9 GENERAL ADMINISTRATION

## 10 WORKING CAPITAL FUND

## 11 (RESCISSION)

12 Of the unobligated balances available under this  
13 heading, \$6,400,000 are rescinded.

## 14 LEGAL ACTIVITIES

## 15 ASSETS FORFEITURE FUND

## 16 (RESCISSION)

17 Of the amounts made available to the Attorney Gen-  
18 eral on October 1, 1996, from surplus balances declared  
19 in prior years pursuant to 28 U.S.C. 524(e), authority to  
20 obligate \$3,000,000 of such funds in fiscal year 1997 is  
21 rescinded.

1           IMMIGRATION AND NATURALIZATION SERVICE

2                           CONSTRUCTION

3                           (RESCISSION)

4           Of the unobligated balances under this heading from  
5 amounts made available in Public Law 103-317,  
6 \$1,000,000 are rescinded.

7                           DEPARTMENT OF COMMERCE

8           NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

9                           INDUSTRIAL TECHNOLOGY SERVICES

10                          (RESCISSION)

11           Of the unobligated balances available under this  
12 heading for the Advanced Technology Program,  
13 \$7,000,000 are rescinded.

14                          NATIONAL OCEANIC AND ATMOSPHERIC

15                           ADMINISTRATION

16                          FLEET MODERNIZATION, SHIPBUILDING AND

17                           CONVERSION

18                          (RESCISSION)

19           Of the unobligated balances available under this  
20 heading, \$2,000,000 are rescinded.

21                          RELATED AGENCIES

22                          FEDERAL COMMUNICATIONS COMMISSION

23                           SALARIES AND EXPENSES

24                          (RESCISSION)

25           Of the unobligated balances available under this  
26 heading, \$1,000,000 are rescinded.

## 1                   OUNCE OF PREVENTION COUNCIL

2                                   (RESCISSION)

3           Of the amounts made available under this heading  
4 in Public Law 104-208, \$1,000,000 are rescinded.

## 5                   DEPARTMENT OF ENERGY

## 6                                   ENERGY PROGRAMS

7           ENERGY SUPPLY, RESEARCH AND DEVELOPMENT

8                                   ACTIVITIES

9                                   (RESCISSION)

10          Of the funds made available under this heading in  
11 Public Law 104-206 and prior years' Energy and Water  
12 Development Appropriations Acts, \$22,532,000 are re-  
13 scinded.

## 14                   DEPARTMENT OF ENERGY

## 15                                   CLEAN COAL TECHNOLOGY

16                                   (RESCISSION)

17          Of the funds made available under this heading for  
18 obligation in fiscal year 1997 or prior years, \$17,000,000  
19 are rescinded: *Provided*, That funds made available in pre-  
20 vious appropriations Acts shall be available for any ongo-  
21 ing project regardless of the separate request for proposal  
22 under which the project was selected.

## 23                   STRATEGIC PETROLEUM RESERVE

24                                   (RESCISSION)

25          Of the funds made available under this heading in  
26 previous appropriations Acts, \$11,000,000 are rescinded.

## 1 GENERAL SERVICES ADMINISTRATION

## 2 FEDERAL BUILDINGS FUND

3 (~~LIMITATIONS ON AVAILABILITY OF REVENUE~~)4 (~~RESCISSION~~)

5 Of the funds made available under this heading for  
6 “Repairs and Alterations, Basic Repairs and Alterations,”  
7 in Public Law 104-208, \$1,400,000 is rescinded: *Pro-*  
8 *vided*, That these funds shall be reduced from the amounts  
9 made available for the renovation of the Agricultural Re-  
10 search Service Laboratory in Ames, Iowa.

## 11 EXPENSES, PRESIDENTIAL TRANSITION

12 (~~RESCISSION~~)

13 Of the funds made available under this heading in  
14 Public Law 104-208, \$5,600,000 are rescinded.

## 15 DEPARTMENT OF HOUSING AND URBAN

## 16 DEVELOPMENT

## 17 HOUSING PROGRAMS

18 ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

19 (~~RESCISSION~~)

20 Of the amounts recaptured under this heading during  
21 fiscal year 1997 and prior years, with the exception of the  
22 recaptures specified in section 214 of Public Law 104-  
23 204, \$3,823,440,000 are rescinded: *Provided*, That of this  
24 amount, the Secretary of Housing and Urban Develop-  
25 ment shall recapture \$3,573,440,000 in amounts here-  
26 tofore made available to housing agencies for tenant-based

1 assistance under the section 8 existing housing certificate  
2 and housing voucher programs (42 U.S.C. 1437f and  
3 1437f(o) respectively): *Provided further*, That the fore-  
4 going recaptures shall be from amounts in the annual con-  
5 tributions contract (ACC) reserve accounts established  
6 and maintained by HUD.

7 INDEPENDENT AGENCIES

8 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

9 NATIONAL AERONAUTICAL FACILITIES

10 (RESCISSION)

11 Of the funds made available under this heading in  
12 the Departments of Veterans Affairs and Housing and  
13 Urban Development, and Independent Agencies Appro-  
14 priations Act, 1995 (Public Law 103-327), \$38,000,000  
15 is rescinded.

16 COMMISSION ON THE ADVANCEMENT OF FEDERAL LAW

17 ENFORCEMENT

18 For an additional amount for the operations of the  
19 Commission on the Advancement of Federal Law Enforce-  
20 ment, \$2,000,000, to remain available until expended.

1 TITLE H  
2 EMERGENCY SUPPLEMENTAL APPROPRIATIONS  
3 FOR PEACEKEEPING  
4 CHAPTER 1  
5 DEPARTMENT OF DEFENSE—MILITARY  
6 MILITARY PERSONNEL

7 MILITARY PERSONNEL, ARMY

8 For an additional amount for “Military Personnel,  
9 Army”, \$306,800,000: *Provided*, That such amount is des-  
10 ignated by Congress as an emergency requirement pursu-  
11 ant to section 251(b)(2)(D)(i) of the Balanced Budget and  
12 Emergency Deficit Control Act of 1985, as amended.

13 MILITARY PERSONNEL, NAVY

14 For an additional amount for “Military Personnel,  
15 Navy”, \$7,900,000: *Provided*, That such amount is des-  
16 ignated by Congress as an emergency requirement pursu-  
17 ant to section 251(b)(2)(D)(i) of the Balanced Budget and  
18 Emergency Deficit Control Act of 1985, as amended.

19 MILITARY PERSONNEL, MARINE CORPS

20 For an additional amount for “Military Personnel,  
21 Marine Corps”, \$300,000: *Provided*, That such amount is  
22 designated by Congress as an emergency requirement pur-  
23 suant to section 251(b)(2)(D)(i) of the Balanced Budget  
24 and Emergency Deficit Control Act of 1985, as amended.

## 1                   MILITARY PERSONNEL, AIR FORCE

2           For an additional amount for “Military Personnel,  
3 Air Force”, \$29,100,000: *Provided*, That such amount is  
4 designated by Congress as an emergency requirement pur-  
5 suant to section 251(b)(2)(D)(i) of the Balanced Budget  
6 and Emergency Deficit Control Act of 1985, as amended.

## 7                   OPERATION AND MAINTENANCE

## 8           OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

## 9                   (INCLUDING TRANSFER OF FUNDS)

10          For an additional amount for “Overseas Contingency  
11 Operations Transfer Fund”, \$1,566,300,000: *Provided*,  
12 That the Secretary of Defense may transfer these funds  
13 only to operation and maintenance and DoD working cap-  
14 ital fund accounts: *Provided further*, That the funds trans-  
15 ferred shall be merged with and shall be available for the  
16 same purposes and for the same time period, as the appro-  
17 priation to which transferred: *Provided further*, That the  
18 transfer authority provided in this paragraph is in addi-  
19 tion to any other transfer authority available to the De-  
20 partment of Defense: *Provided further*, That such amount  
21 is designated by Congress as an emergency requirement  
22 pursuant to section 251(b)(2)(D)(i) of the Balanced  
23 Budget and Emergency Deficit Control Act of 1985, as  
24 amended.



## 1 OPLAN 34A/35 P.O.W. PAYMENTS

2 For payments to individuals under section 657 of  
3 Public Law 104-201, \$20,000,000, to remain available  
4 until expended.

## 5 REVOLVING AND MANAGEMENT FUNDS

## 6 RESERVE MOBILIZATION INCOME INSURANCE FUND

7 For an additional amount for the Reserve Mobiliza-  
8 tion Income Insurance Fund, \$72,000,000, to remain  
9 available until expended: *Provided*, That the entire amount  
10 is designated by Congress as an emergency requirement  
11 pursuant to section 251(b)(2)(D)(i) of the Balanced  
12 Budget and Emergency Deficit Control Act of 1985, as  
13 amended.

## 14 GENERAL PROVISIONS, CHAPTER 1

15 SEC. 2101. No part of any appropriation contained  
16 in this title shall remain available for obligation beyond  
17 the current fiscal year, unless expressly so provided herein.

## 18 (TRANSFER OF FUNDS)

19 SEC. 2102. The Secretary of the Navy shall transfer  
20 up to \$23,000,000 to "Operation and Maintenance, Ma-  
21 rine Corps" from the following accounts in the specified  
22 amounts, to be available only for repairing damage caused  
23 by hurricanes, flooding, and other natural disasters during  
24 1996 and 1997 to real property and facilities at Marine  
25 Corps facilities (including Camp Lejeune, North Carolina;

1 Cherry Point, North Carolina; and the Mountain Warfare  
2 Training Center, Bridgeport, California):

3 ~~“Military Personnel, Marine Corps”,~~  
4 ~~\$4,000,000;~~

5 ~~“Operation and Maintenance, Marine Corps”,~~  
6 ~~\$11,000,000;~~

7 ~~“Procurement of Ammunition, Navy and Ma-~~  
8 ~~rine Corps, 1996/1998”, \$4,000,000; and~~

9 ~~“Procurement, Marine Corps, 1996/1998”,~~  
10 ~~\$4,000,000.~~

11 ~~SEC. 2103.~~ In addition to the amounts appropriated  
12 in title VI of the Department of Defense Appropriations  
13 Act, 1997 (as contained in section 101(b) of Public Law  
14 104–208), under the heading “Defense Health Program”,  
15 \$21,000,000 is hereby appropriated and made available  
16 only for the provision of direct patient care at military  
17 treatment facilities.

18 ~~SEC. 2104.~~ In addition to the amounts appropriated  
19 in title II of the Department of Defense Appropriations  
20 Act, 1997 (as contained in section 101(b) of Public Law  
21 104–208), under the heading “Operation and Mainte-  
22 nance, Defense-Wide”, \$10,000,000 is hereby appro-  
23 priated and made available only for force protection and  
24 counter-terrorism initiatives.

1        SEC. 2105. Without prior and specific written ap-  
2        proval from the Appropriations Committees of Congress,  
3        none of the funds appropriated in this or any other Act  
4        for any fiscal year may be used to compensate military  
5        personnel or civilian employees who (1) are newly assigned  
6        to or newly employed by the Office of the Assistant Sec-  
7        retary of the Navy (Financial Management and Control-  
8        ler) on or after May 1, 1997, (2) occupy positions in the  
9        Department of the Navy's Financial Management/Comp-  
10       troller organization on May 1, 1997 and who are subse-  
11       quently reassigned to another organization in the Navy for  
12       the purpose of compensation yet who otherwise continue  
13       to be directed by or report to the Department of the Navy  
14       Financial Management/Comptroller organization, or (3)  
15       are temporarily assigned from other Department of De-  
16       fense organizations to the Department of the Navy Finan-  
17       cial Management/Comptroller organization on or after  
18       May 1, 1997: *Provided*, That the preceding limitations  
19       shall also apply to funds for compensation of military per-  
20       sonnel or civilian employees in the organization of the  
21       Deputy Chief of Naval Operations (Resources, Warfare  
22       Requirements, and Assessments) whose primary function  
23       is budgeting or financial management: *Provided further*,  
24       That none of the funds in this or any other Act for any  
25       fiscal year may be used to reprogram funds within any

1 Navy appropriation (other than Military Construction and  
2 Military Family Housing) under the authority of Depart-  
3 ment of Defense Financial Management Regulation with-  
4 out prior written approval from the Appropriations Com-  
5 mittees of Congress.

6 CHAPTER 2

7 GENERAL PROVISIONS

8 (RESCISSIONS)

9 SEC. 2201. Of the funds provided in the Department  
10 of Defense Appropriations Act, 1997 (as contained in sec-  
11 tion 101(b) of Public Law 104-208), amounts are hereby  
12 rescinded from the following accounts in the specified  
13 amounts to reflect savings from revised economic assump-  
14 tions (with each such reduction to be applied proportion-  
15 ally to each budget activity, activity group, and subactivity  
16 group within each such account):

17 "Operation and Maintenance, Army",  
18 \$19,000,000;

19 "Operation and Maintenance, Navy",  
20 \$24,000,000;

21 "Operation and Maintenance, Air Force",  
22 \$18,000,000;

23 "Operation and Maintenance, Defense-Wide",  
24 \$8,000,000;

1           “Operation and Maintenance, Army Reserve”,  
2           \$1,000,000;  
3           “Operation and Maintenance, Navy Reserve”,  
4           \$1,000,000;  
5           “Operation and Maintenance, Air Force Re-  
6           serve”, \$1,000,000;  
7           “Operation and Maintenance, Army National  
8           Guard”, \$2,000,000;  
9           “Operation and Maintenance, Air National  
10          Guard”, \$3,000,000;  
11          “Drug Interdiction and Counter-Drug Activi-  
12          ties, Defense”, \$2,000,000;  
13          “Environmental Restoration, Army”, \$250,000;  
14          “Environmental Restoration, Navy”, \$250,000;  
15          “Environmental Restoration, Air Force”,  
16          \$250,000;  
17          “Environmental Restoration, Formerly Used  
18          Defense Sites”, \$250,000;  
19          “Former Soviet Union Threat Reduction”,  
20          \$2,000,000;  
21          “Defense Health Program”, \$10,000,000;  
22          “Aircraft Procurement, Army”, \$8,000,000;  
23          “Missile Procurement, Army”, \$2,000,000;  
24          “Procurement of Weapons and Tracked Combat  
25          Vehicles, Army”, \$5,000,000;

1           ~~“Procurement of Ammunition, Army”,~~  
2           ~~\$1,000,000;~~  
3           ~~“Other Procurement, Army”, \$15,000,000;~~  
4           ~~“Aircraft Procurement, Navy”, \$28,000,000;~~  
5           ~~“Weapons Procurement, Navy”, \$6,000,000;~~  
6           ~~“Shipbuilding and Conversion, Navy”,~~  
7           ~~\$33,000,000;~~  
8           ~~“Other Procurement, Navy”, \$8,000,000;~~  
9           ~~“Aircraft Procurement, Air Force”,~~  
10          ~~\$20,000,000;~~  
11          ~~“Missile Procurement, Air Force”,~~  
12          ~~\$11,000,000;~~  
13          ~~“Other Procurement, Air Force”, \$7,000,000;~~  
14          ~~“Procurement, Defense-Wide”, \$5,000,000;~~  
15          ~~“National Guard and Reserve Equipment”,~~  
16          ~~\$8,000,000;~~  
17          ~~“Chemical Agents and Munitions Destruction,~~  
18          ~~Defense”, \$2,000,000;~~  
19          ~~“Research, Development, Test and Evaluation,~~  
20          ~~Army”, \$10,000,000;~~  
21          ~~“Research, Development, Test and Evaluation,~~  
22          ~~Navy”, \$9,000,000;~~  
23          ~~“Research, Development, Test and Evaluation,~~  
24          ~~Air Force”, \$22,000,000; and~~



1 end of the current fiscal year are hereby rescinded from  
2 the following accounts in the specified amounts:

3           ~~“Aircraft Procurement, Army, 1995/1997”,~~  
4           ~~\$1,085,000;~~

5           ~~“Missile Procurement, Army, 1995/1997”,~~  
6           ~~\$2,707,000;~~

7           ~~“Procurement of Weapons and Tracked Combat~~  
8           ~~Vehicles, Army, 1995/1997”, \$2,296,000;~~

9           ~~“Procurement of Ammunition, Army, 1995/~~  
10           ~~1997”, \$3,236,000;~~

11           ~~“Other Procurement, Army, 1995/1997”,~~  
12           ~~\$2,502,000;~~

13           ~~“Aircraft Procurement, Navy, 1995/1997”,~~  
14           ~~\$34,000,000;~~

15           ~~“Weapons Procurement, Navy, 1995/1997”,~~  
16           ~~\$16,000,000;~~

17           ~~“Procurement of Ammunition, Navy and Ma-~~  
18           ~~rine Corps, 1995/1997”, \$812,000;~~

19           ~~“Shipbuilding and Conversion, Navy, 1993/~~  
20           ~~1997”, \$10,000,000;~~

21           ~~“Other Procurement, Navy, 1995/1997”,~~  
22           ~~\$4,237,000;~~

23           ~~“Procurement, Marine Corps, 1995/1997”,~~  
24           ~~\$1,207,000;~~



1           ~~“Aircraft Procurement, Air Force, 1995/1997”,~~  
2           ~~\$33,650,000;~~  
3           ~~“Missile Procurement, Air Force, 1995/1997”,~~  
4           ~~\$7,195,000;~~  
5           ~~“Other Procurement, Air Force, 1995/1997”,~~  
6           ~~\$3,659,000;~~  
7           ~~“Procurement, Defense-Wide, 1995/1997”,~~  
8           ~~\$12,881,000;~~  
9           ~~“National Guard and Reserve Equipment,~~  
10          ~~1995/1997”, \$5,029,000;~~  
11          ~~“Chemical Agents and Munitions Destruction,~~  
12          ~~Defense, 1995/1997”, \$456,000;~~  
13          ~~“Chemical Agents and Munitions Destruction,~~  
14          ~~Defense, 1996/1997”, \$652,000;~~  
15          ~~“Research, Development, Test and Evaluation,~~  
16          ~~Army, 1996/1997”, \$4,366,000;~~  
17          ~~“Research, Development, Test and Evaluation,~~  
18          ~~Navy, 1996/1997”, \$14,978,000;~~  
19          ~~“Research, Development, Test and Evaluation,~~  
20          ~~Air Force, 1996/1997”, \$28,396,000;~~  
21          ~~“Research, Development, Test and Evaluation,~~  
22          ~~Defense-Wide, 1996/1997”, \$55,973,000;~~  
23          ~~“Developmental Test and Evaluation, Defense,~~  
24          ~~1996/1997”, \$890,000; and~~



1           ~~“Procurement of Ammunition, Air Force, 1996/~~  
2           ~~1998”, \$21,100,000;~~

3           ~~“Procurement, Defense-Wide, 1996/1998”,~~  
4           ~~\$34,800,000;~~

5           ~~“Research, Development, Test and Evaluation,~~  
6           ~~Navy, 1996/1997”, \$4,500,000;~~

7           ~~“Research, Development, Test and Evaluation,~~  
8           ~~Air Force, 1996/1997”, \$2,000,000;~~

9           ~~“Research, Development, Test and Evaluation,~~  
10          ~~Defense-Wide, 1996/1997”, \$71,200,000;~~

11          ~~“Developmental Test and Evaluation, Defense,~~  
12          ~~1996/1997”, \$12,200,000;~~

13          ~~“Chemical Agents and Munitions Destruction,~~  
14          ~~Defense, 1996/1998”, \$22,000,000;~~

15          ~~“National Guard Personnel, Air Force”,~~  
16          ~~\$7,600,000;~~

17          ~~“Operation and Maintenance, Army”,~~  
18          ~~\$17,000,000;~~

19          ~~“Operation and Maintenance, Defense-Wide”,~~  
20          ~~\$10,000,000;~~

21          ~~“Procurement of Ammunition, Army, 1997/~~  
22          ~~1999”, \$10,000,000;~~

23          ~~“Other Procurement, Army, 1997/1999”,~~  
24          ~~\$6,000,000;~~





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TITLE III

GENERAL PROVISIONS—THIS ACT

SEC. 3001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

ASSISTANCE TO UKRAINE

SEC. 3002. (a) The President may waive any of the earmarks contained in subsections (k) and (l) under the heading “Assistance for the New Independent States of the Former Soviet Union” contained in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as included in Public Law 104–208, if he determines, and so reports to the Committees on Appropriations that the Government of Ukraine—

(1) is not making significant progress toward economic reform and the elimination of corruption;

(2) is not permitting American firms and individuals to operate in Ukraine according to generally accepted business principles; or

(3) is not effectively assisting American firms and individuals in their efforts to enforce commercial contracts and resist extortion and other corrupt demands.

BUY-AMERICAN REQUIREMENTS

SEC. 3003. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may

1 be expended by an entity unless the entity agrees that in  
2 expending the funds the entity will comply with the Buy  
3 American Act (41 U.S.C. 10a–10e).

4 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-  
5 ING NOTICE.—

6 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT  
7 AND PRODUCTS.—In the case of any equipment or  
8 product that may be authorized to be purchased  
9 with financial assistance provided using funds made  
10 available in this Act, it is the sense of the Congress  
11 that entities receiving the assistance should, in ex-  
12 pending the assistance, purchase only American-  
13 made equipment and products.

14 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—  
15 In providing financial assistance using funds made  
16 available in this Act, the head of each Federal agen-  
17 cy shall provide to each recipient of the assistance  
18 a notice describing the statement made in paragraph  
19 (1) by the Congress.

20 (c) PROHIBITION OF CONTRACTS WITH PERSONS  
21 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

22 If it has been finally determined by a court or Federal  
23 agency that any person intentionally affixed a label bear-  
24 ing a “Made in America” inscription, or any inscription  
25 with the same meaning, to any product sold in or shipped





1 limitation for fiscal year 1997 that are not necessary to  
 2 pay such State's allowable claims for such fiscal year.

3 Section 403(k)(3)(F) of the Social Security Act (as  
 4 in effect on October 1, 1996) is amended by adding after  
 5 the “,” the following: “reduced by an amount equal to the  
 6 total of those funds that are within each State's limitation  
 7 for fiscal year 1997 that are not necessary to pay such  
 8 State's allowable claims for such fiscal year (except that  
 9 such amount for such year shall be deemed to be  
 10 \$1,000,000,000 for the purpose of determining the  
 11 amount of the payment under subsection (1) to which each  
 12 State is entitled),”.

13 SEC. 3006. (a) Chapter 63 of title 5, United States  
 14 Code, is amended by adding after subchapter V the follow-  
 15 ing:

16 “SUBCHAPTER VI—LEAVE TRANSFER IN  
 17 DISASTERS AND EMERGENCIES

18 “§ 6391. **Authority for leave transfer program in dis-**  
 19 **asters and emergencies**

20 “(a) For the purpose of this section—

21 “(1) ‘employee’ means an employee as defined  
 22 in section 6331(1); and

23 “(2) ‘agency’ means an Executive agency.

24 “(b) In the event of a major disaster or emergency,  
 25 as declared by the President, that results in severe adverse

1 effects for a substantial number of employees, the Presi-  
2 dent may direct the Office of Personnel Management to  
3 establish an emergency leave transfer program under  
4 which any employee in any agency may donate unused an-  
5 nual leave for transfer to employees of the same or other  
6 agencies who are adversely affected by such disaster or  
7 emergency.

8       “(e) The Office shall establish appropriate require-  
9 ments for the operation of the emergency leave transfer  
10 program under subsection (b), including appropriate limi-  
11 tations on the donation and use of annual leave under the  
12 program. An employee may receive and use leave under  
13 the program without regard to any requirement that any  
14 annual leave and sick leave to a leave recipient’s credit  
15 must be exhausted before any transferred annual leave  
16 may be used.

17       “(d) A leave bank established under subchapter IV  
18 may, to the extent provided in regulations prescribed by  
19 the Office, donate annual leave to the emergency leave  
20 transfer program established under subsection (b).

21       “(e) Except to the extent that the Office may pre-  
22 scribe by regulation, nothing in section 7351 shall apply  
23 to any solicitation, donation, or acceptance of leave under  
24 this section.



1           (2) A 1995 survey of college freshmen found  
2           that concern about college affordability was the  
3           highest it has been in the last 30 years.

4           (3) Paying for a college education now ranks as  
5           one of the most costly investments for American  
6           families.

7   **SEC. 4002. ESTABLISHMENT OF NATIONAL COMMISSION ON**  
8                           **THE COST OF HIGHER EDUCATION.**

9           There is established a Commission to be known as  
10 the “National Commission on the Cost of Higher Edu-  
11 cation” (hereafter in this title referred to as the “Commis-  
12 sion”).

13 **SEC. 4003. MEMBERSHIP OF COMMISSION.**

14           (a) **APPOINTMENT.**—The Commission shall be com-  
15 posed of 7 members as follows:

16           (1) Two individuals shall be appointed by the  
17           Speaker of the House.

18           (2) One individual shall be appointed by the Mi-  
19           nority Leader of the House.

20           (3) Two individuals shall be appointed by the  
21           Majority Leader of the Senate.

22           (4) One individual shall be appointed by the Mi-  
23           nority Leader of the Senate.

24           (5) One individual shall be appointed by the  
25           Secretary of Education.

1           (b) **ADDITIONAL QUALIFICATIONS.**—Each of the in-  
2           dividuals appointed under subsection (a) shall be an indi-  
3           vidual with expertise and experience in higher education  
4           finance (including the financing of State institutions of  
5           higher education), Federal financial aid programs, edu-  
6           cation economics research, public or private higher edu-  
7           cation administration, or business executives who have  
8           managed successful cost reduction programs.

9           (c) **CHAIRPERSON AND VICE CHAIRPERSON.**—The  
10          members of the Commission shall elect a Chairman and  
11          a Vice Chairperson. In the absence of the Chairperson,  
12          the Vice Chairperson will assume the duties of the Chair-  
13          person.

14          (d) **QUORUM.**—A majority of the members of the  
15          Commission shall constitute a quorum for the transaction  
16          of business.

17          (e) **APPOINTMENTS.**—All appointments under sub-  
18          section (a) shall be made within 30 days after the date  
19          of enactment of this Act. In the event that an officer au-  
20          thorized to make an appointment under subsection (a) has  
21          not made such appointment within such 30 days, the ap-  
22          pointment may be made for such officer as follows:

23                       (1) the Chairman of the Committee on Edu-  
24                       cation and the Workforce may act under such sub-

1 section for the Speaker of the House of Representa-  
2 tives;

3 ~~(2) the Ranking Minority Member of the Com-~~  
4 ~~mittee on Education and the Workforce may act~~  
5 ~~under such subsection for the Minority Leader of~~  
6 ~~the House of Representatives;~~

7 ~~(3) the Chairman of the Committee on Labor~~  
8 ~~and Human Resources may act under such sub-~~  
9 ~~section for the Majority Leader of the Senate; and~~

10 ~~(4) the Ranking Minority Member of the Com-~~  
11 ~~mittee on Labor and Human Resources may act~~  
12 ~~under such subsection for the Minority Leader of~~  
13 ~~the Senate.~~

14 ~~(f) VOTING.—Each member of the Commission shall~~  
15 ~~be entitled to one vote, which shall be equal to the vote~~  
16 ~~of every other member of the Commission.~~

17 ~~(g) VACANCIES.—Any vacancy on the Commission~~  
18 ~~shall not affect its powers, but shall be filled in the manner~~  
19 ~~in which the original appointment was made.~~

20 ~~(h) PROHIBITION OF ADDITIONAL PAY.—Members of~~  
21 ~~the Commission shall receive no additional pay, allow-~~  
22 ~~ances, or benefits by reason of their service on the Com-~~  
23 ~~mission. Members appointed from among private citizens~~  
24 ~~of the United States may be allowed travel expenses, in-~~  
25 ~~cluding per diem, in lieu of subsistence, as authorized by~~

1 law for persons serving intermittently in the government  
2 service to the extent funds are available for such expenses.

3 (i) ~~INITIAL MEETING.~~—The initial meeting of the  
4 Commission shall occur within 40 days after the date of  
5 enactment of this Act.

6 **SEC. 4004. FUNCTIONS OF COMMISSION.**

7 (a) ~~SPECIFIC FINDINGS AND RECOMMENDATIONS.~~—  
8 The Commission shall study and make findings and spe-  
9 cific recommendations regarding the following:

10 (1) The increase in tuition compared with other  
11 commodities and services.

12 (2) Innovative methods of reducing or stabiliz-  
13 ing tuition.

14 (3) Trends in college and university administra-  
15 tive costs, including administrative staffing, ratio of  
16 administrative staff to instructors, ratio of adminis-  
17 trative staff to students, remuneration of adminis-  
18 trative staff, and remuneration of college and univer-  
19 sity presidents or chancellors.

20 (4) Trends in (A) faculty workload and remu-  
21 neration (including the use of adjunct faculty), (B)  
22 faculty-to-student ratios, (C) number of hours spent  
23 in the classroom by faculty, and (D) tenure prac-  
24 tices, and the impact of such trends on tuition.

1           (5) Trends in (A) the construction and renova-  
2           tion of academic and other collegiate facilities, and  
3           (B) the modernization of facilities to access and uti-  
4           lize new technologies, and the impact of such trends  
5           on tuition.

6           (6) The extent to which increases in institu-  
7           tional financial aid and tuition discounting have af-  
8           fected tuition increases, including the demographics  
9           of students receiving such aid, the extent to which  
10          such aid is provided to students with limited need in  
11          order to attract such students to particular institu-  
12          tions or major fields of study, and the extent to  
13          which Federal financial aid, including loan aid, has  
14          been used to offset such increases.

15          (7) The extent to which Federal, State, and  
16          local laws, regulations, or other mandates contribute  
17          to increasing tuition, and recommendations on re-  
18          ducing those mandates.

19          (8) The establishment of a mechanism for a  
20          more timely and widespread distribution of data on  
21          tuition trends and other costs of operating colleges  
22          and universities.

23          (9) The extent to which student financial aid  
24          programs have contributed to changes in tuition.



1           ~~(10)~~ Trends in State fiscal policies that have af-  
2           fected college costs.

3           ~~(11)~~ The adequacy of existing Federal and  
4           State financial aid programs in meeting the costs of  
5           attending colleges and universities.

6           ~~(12)~~ Other related topics determined to be ap-  
7           propriate by the Commission.

8           ~~(b)~~ FINAL REPORT.—

9           ~~(1)~~ IN GENERAL.—Subject to paragraph ~~(2)~~,  
10          the Commission shall submit to the President and to  
11          the Congress, not later than 120 days after the date  
12          of the first meeting of the Commission, a report  
13          which shall contain a detailed statement of the find-  
14          ings and conclusions of the Commission, including  
15          the Commission's recommendations for administra-  
16          tive and legislative action that the Commission con-  
17          siders advisable.

18          ~~(2)~~ MAJORITY VOTE REQUIRED FOR REC-  
19          COMMENDATIONS.—Any recommendation described in  
20          paragraph ~~(1)~~ shall be made by the Commission to  
21          the President and to the Congress only if such rec-  
22          ommendation is adopted by a majority vote of the  
23          members of the Commission who are present and  
24          voting.

1           (3) EVALUATION OF DIFFERENT CIR-  
2           CUMSTANCES.—In making any findings under sub-  
3           section (a) of this section, the Commission shall take  
4           into account differences between public and private  
5           colleges and universities, the length of the academic  
6           program, the size of the institution's student popu-  
7           lation, and the availability of the institution's re-  
8           sources, including the size of the institution's endow-  
9           ment.

10 **SEC. 4005. POWERS OF COMMISSION.**

11           (a) HEARINGS.—The Commission may, for the pur-  
12           pose of carrying out this title, hold such hearings and sit  
13           and act at such times and places, as the Commission may  
14           find advisable.

15           (b) RULES AND REGULATIONS.—The Commission  
16           may adopt such rules and regulations as may be necessary  
17           to establish the Commission's procedures and to govern  
18           the manner of the Commission's operations, organization,  
19           and personnel.

20           (c) ASSISTANCE FROM FEDERAL AGENCIES.—

21           (1) INFORMATION.—The Commission may re-  
22           quest from the head of any Federal agency or in-  
23           strumentality such information as the Commission  
24           may require for the purpose of this title. Each such  
25           agency or instrumentality shall, to the extent per-

1       mitted by law and subject to the exceptions set forth  
2       in section 552 of title 5, United States Code (com-  
3       monly referred to as the Freedom of Information  
4       Act); furnish such information to the Commission;  
5       upon request made by the Chairperson of the Com-  
6       mission.

7               (2) FACILITIES AND SERVICES; PERSONNEL DE-  
8       TAIL AUTHORIZED.—Upon request of the Chair-  
9       person of the Commission; the head of any Federal  
10      agency or instrumentality shall, to the extent pos-  
11      sible and subject to the discretion of such head—

12              (A) make any of the facilities and services  
13              of such agency or instrumentality available to  
14              the Commission; and

15              (B) detail any of the personnel of such  
16              agency or instrumentality to the Commission;  
17              on a nonreimbursable basis; to assist the Com-  
18              mission in carrying out the Commission's duties  
19              under this title.

20              (d) MAI LS.—The Commission may use the United  
21      States mails in the same manner and under the same con-  
22      ditions as other Federal agencies.

23              (e) CONTRACTING.—The Commission; to such extent  
24      and in such amounts as are provided in appropriation  
25      Acts; may enter into contracts with State agencies; private

1 firms, institutions, and individuals for the purpose of con-  
2 ducting research or surveys necessary to enable the Com-  
3 mission to discharge the Commission's duties under this  
4 title.

5 (f) STAFF.—Subject to such rules and regulations as  
6 may be adopted by the Commission, and to such extent  
7 and in such amounts as are provided in appropriation  
8 Acts, the Chairperson of the Commission shall have the  
9 power to appoint, terminate, and fix the compensation  
10 (without regard to the provisions of title 5, United States  
11 Code, governing appointments in the competitive service,  
12 and without regard to the provisions of chapter 51 and  
13 subchapter III of chapter 53 of such title, or of any other  
14 provision, or of any other provision of law, relating to the  
15 number, classification, and General Schedule rates) of an  
16 Executive Director, and of such additional staff as the  
17 Chairperson deems advisable to assist the Commission, at  
18 rates not to exceed a rate equal to the maximum rate for  
19 level IV of the Executive Schedule under section 5332 of  
20 such title.

21 **SEC. 4006. FUNDING OF COMMISSION.**

22 (a) APPROPRIATION.—There is appropriated, out of  
23 any money in the Treasury not otherwise appropriated,  
24 for fiscal year 1997 for carrying out this title, \$650,000,  
25 to remain available until expended, or until one year after

1 the termination of the Commission pursuant to section  
2 4007, whichever occurs first.

3 (b) ~~RESCISSION.~~—Of the funds made available for  
4 “~~DEPARTMENT OF EDUCATION—Federal Family~~  
5 ~~Education Loan Program Account~~” in the Departments  
6 of Labor, Health and Human Services, and Education,  
7 and Related Agencies Appropriations Act, 1997 (as con-  
8 tained in section 101(e) of division A of Public Law 104-  
9 208), \$849,000 is rescinded.

10 **SEC. 4007. TERMINATION OF COMMISSION.**

11 The Commission shall cease to exist on the date that  
12 is 60 days after the date on which the Commission is re-  
13 quired to submit its final report in accordance with section  
14 4004(b).

15 **TITLE V—PREVENTION OF GOVERNMENT**

16 **SHUTDOWN**

17 **SHORT TITLE**

18 **SEC. 5001.** This title may be cited as the “Govern-  
19 ment Shutdown Prevention Act”.

20 **CONTINUING FUNDING**

21 **SEC. 5002.** (a) If any regular appropriation bill for  
22 fiscal year 1998 does not become law prior to the begin-  
23 ning of fiscal year 1998 or a joint resolution making con-  
24 tinuing appropriations is not in effect, there is appro-  
25 priated, out of any moneys in the Treasury not otherwise  
26 appropriated, and out of applicable corporate or other rev-

1 enues, receipts, and funds, such sums as may be necessary  
 2 to continue any program, project, or activity for which  
 3 funds were provided in fiscal year 1997.

4 (b) Appropriations and funds made available, and au-  
 5 thority granted, for a program, project, or activity for fis-  
 6 cal year 1998 pursuant to this title shall be at 100 per  
 7 cent of the rate of operations that was provided for the  
 8 program, project, or activity in fiscal year 1997 in the cor-  
 9 responding regular appropriation Act for fiscal year 1997.

10 (c) Appropriations and funds made available, and au-  
 11 thority granted, for fiscal year 1998 pursuant to this title  
 12 for a program, project, or activity shall be available for  
 13 the period beginning with the first day of a lapse in appro-  
 14 priations and ending with the earlier of—

15 (1) the date on which the applicable regular ap-  
 16 propriation bill for fiscal year 1998 becomes law  
 17 (whether or not that law provides for that program,  
 18 project, or activity) or a continuing resolution mak-  
 19 ing appropriations becomes law, as the case may be;  
 20 or

21 (2) the last day of fiscal year 1998.

22 TERMS AND CONDITIONS

23 SEC. 5003. (a) An appropriation of funds made avail-  
 24 able, or authority granted, for a program, project, or activ-  
 25 ity for fiscal year 1998 pursuant to this title shall be made  
 26 available to the extent and in the manner which would be

1 provided by the pertinent appropriations Act for fiscal  
2 year 1997, including all of the terms and conditions and  
3 the apportionment schedule imposed with respect to the  
4 appropriation made or funds made available for fiscal year  
5 1997 or authority granted for the program, project, or ac-  
6 tivity under current law.

7 (b) Appropriations made by this title shall be avail-  
8 able to the extent and in the manner which would be pro-  
9 vided by the pertinent appropriations Act.

10 COVERAGE

11 SEC. 5004. Appropriations and funds made available,  
12 and authority granted, for any program, project, or activ-  
13 ity for fiscal year 1998 pursuant to this title shall cover  
14 all obligations or expenditures incurred for that program,  
15 project, or activity during the portion of fiscal year 1998  
16 for which this title applies to that program, project, or  
17 activity.

18 EXPENDITURES

19 SEC. 5005. Expenditures made for a program,  
20 project, or activity for fiscal year 1998 pursuant to this  
21 title shall be charged to the applicable appropriation, fund,  
22 or authorization whenever a regular appropriation bill or  
23 a joint resolution making continuing appropriations until  
24 the end of fiscal year 1998 providing for that program,  
25 project, or activity for that period becomes law.





1           (5) The Departments of Labor, Health and  
2           Human Services, and Education, and related agen-  
3           cies.

4           (6) The Departments of Veterans Affairs and  
5           Housing and Urban Development, and sundry inde-  
6           pendent agencies, boards, commissions, corporations,  
7           and offices.

8           (7) Energy and water development.

9           (8) Foreign assistance and related programs.

10          (9) The Department of the Interior and related  
11          agencies.

12          (10) Military construction.

13          (11) The Department of Transportation and re-  
14          lated agencies.

15          (12) The Treasury Department, the U.S. Postal  
16          Service, the Executive Office of the President, and  
17          certain independent agencies.

18          (13) The Legislative Branch.

19                   **TITLE VI—ADDITIONAL**  
20                   **DISASTER RELIEF PROVISIONS**  
21                   **Subtitle A—Depository Institution**  
22                   **Disaster Relief**

23                   **SEC. 6001. SHORT TITLE.**

24                   This subtitle may be cited as the “Depository Institu-  
25                   tions Disaster Relief Act of 1997”.

1 **SEC. 6002. TRUTH IN LENDING ACT; EXPEDITED FUNDS**  
2 **AVAILABILITY ACT.**

3 (a) **TRUTH IN LENDING ACT.**—During the 240-day  
4 period beginning on the date of enactment of this Act, the  
5 Board of Governors of the Federal Reserve System may  
6 make exceptions to the Truth in Lending Act for trans-  
7 actions within an area in which the President, pursuant  
8 to section 401 of the Robert T. Stafford Disaster Relief  
9 and Emergency Assistance Act, has determined, on or  
10 after February 28, 1997, that a major disaster exists, or  
11 within an area determined to be eligible for disaster relief  
12 under other Federal law by reason of damage related to  
13 the 1997 flooding of the Red River of the North, the Min-  
14 nesota River, and the tributaries of such rivers, if the  
15 Board determines that the exception can reasonably be ex-  
16 pected to alleviate hardships to the public resulting from  
17 such disaster that outweigh possible adverse effects.

18 (b) **EXPEDITED FUNDS AVAILABILITY ACT.**—During  
19 the 240-day period beginning on the date of enactment  
20 of this Act, the Board of Governors of the Federal Reserve  
21 System may make exceptions to the Expedited Funds  
22 Availability Act for depository institution offices located  
23 within any area referred to in subsection (a) of this section  
24 if the Board determines that the exception can reasonably  
25 be expected to alleviate hardships to the public resulting  
26 from such disaster that outweigh possible adverse effects.

1       (c) **TIME LIMIT ON EXCEPTIONS.**—Any exception  
2 made under this section shall expire not later than Sep-  
3 tember 1, 1998.

4       (d) **PUBLICATION REQUIRED.**—The Board of Gov-  
5 ernors of the Federal Reserve System shall publish in the  
6 Federal Register a statement that—

7           (1) describes any exception made under this  
8 section; and

9           (2) explains how the exception can reasonably  
10 be expected to produce benefits to the public that  
11 outweigh possible adverse effects.

12 **SEC. 6003. DEPOSIT OF INSURANCE PROCEEDS.**

13       (a) **IN GENERAL.**—The appropriate Federal banking  
14 agency may, by order, permit an insured depository insti-  
15 tution to subtract from the institution's total assets, in  
16 calculating compliance with the leverage limit prescribed  
17 under section 38 of the Federal Deposit Insurance Act,  
18 an amount not exceeding the qualifying amount attrib-  
19 utable to insurance proceeds, if the agency determines  
20 that—

21           (1) the institution—

22                   (A) had its principal place of business  
23 within an area in which the President, pursuant  
24 to section 401 of the Robert T. Stafford Disas-  
25 ter Relief and Emergency Assistance Act, has

1 determined, on or after February 28, 1997,  
2 that a major disaster exists, or within an area  
3 determined to be eligible for disaster relief  
4 under other Federal law by reason of damage  
5 related to the 1997 flooding of the Red River  
6 of the North, the Minnesota River, and the trib-  
7 utaries of such rivers, on the day before the  
8 date of any such determination;

9 (B) derives more than 60 percent of its  
10 total deposits from persons who normally reside  
11 within, or whose principal place of business is  
12 normally within, areas of intense devastation  
13 caused by the major disaster;

14 (C) was adequately capitalized (as defined  
15 in section 38 of the Federal Deposit Insurance  
16 Act) before the major disaster; and

17 (D) has an acceptable plan for managing  
18 the increase in its total assets and total depos-  
19 its; and

20 (2) the subtraction is consistent with the pur-  
21 pose of section 38 of the Federal Deposit Insurance  
22 Act.

23 (b) TIME LIMIT ON EXCEPTIONS.—Any exception  
24 made under this section shall expire not later than Feb-  
25 ruary 28, 1999.

1 (c) DEFINITIONS.—For purposes of this section:

2 (1) APPROPRIATE FEDERAL BANKING AGEN-  
3 CY.—The term “appropriate Federal banking agen-  
4 cy” has the same meaning as in section 3 of the  
5 Federal Deposit Insurance Act.

6 (2) INSURED DEPOSITORY INSTITUTION.—The  
7 term “insured depository institution” has the same  
8 meaning as in section 3 of the Federal Deposit In-  
9 surance Act.

10 (3) LEVERAGE LIMIT.—The term “leverage  
11 limit” has the same meaning as in section 38 of the  
12 Federal Deposit Insurance Act.

13 (4) QUALIFYING AMOUNT ATTRIBUTABLE TO  
14 INSURANCE PROCEEDS.—The term “qualifying  
15 amount attributable to insurance proceeds” means  
16 the amount (if any) by which the institution’s total  
17 assets exceed the institution’s average total assets  
18 during the calendar quarter ending before the date  
19 of any determination referred to in subsection  
20 (a)(1)(A), because of the deposit of insurance pay-  
21 ments or governmental assistance made with respect  
22 to damage caused by, or other costs resulting from,  
23 the major disaster.

1 **SEC. 6004. BANKING AGENCY PUBLICATION REQUIRE-**  
2 **MENTS.**

3 (a) **IN GENERAL.**—A qualifying regulatory agency  
4 may take any of the following actions with respect to de-  
5 pository institutions or other regulated entities whose  
6 principal place of business is within, or with respect to  
7 transactions or activities within, an area in which the  
8 President, pursuant to section 401 of the Robert T. Staf-  
9 ford Disaster Relief and Emergency Assistance Act, has  
10 determined, on or after February 28, 1997, that a major  
11 disaster exists, or within an area determined to be eligible  
12 for disaster relief under other Federal law by reason of  
13 damage related to the 1997 flooding of the Red River of  
14 the North, the Minnesota River, and the tributaries of  
15 such rivers, if the agency determines that the action would  
16 facilitate recovery from the major disaster:

17 (1) **PROCEDURE.**—Exercising the agency's au-  
18 thority under provisions of law other than this sec-  
19 tion without complying with—

20 (A) any requirement of section 553 of title  
21 5, United States Code; or

22 (B) any provision of law that requires no-  
23 tice or opportunity for hearing or sets maxi-  
24 mum or minimum time limits with respect to  
25 agency action.

1           (2) PUBLICATION REQUIREMENTS.—Making ex-  
2           ceptions, with respect to institutions or other entities  
3           for which the agency is the primary Federal regu-  
4           lator, to—

5                   (A) any publication requirement with re-  
6                   spect to establishing branches or other deposit-  
7                   taking facilities; or

8                   (B) any similar publication requirement.

9           (b) PUBLICATION REQUIRED.—A qualifying regu-  
10          latory agency shall publish in the Federal Register a state-  
11          ment that—

12                   (1) describes any action taken under this sec-  
13                   tion; and

14                   (2) explains the need for the action.

15          (c) QUALIFYING REGULATORY AGENCY DEFINED.—  
16          For purposes of this section, the term “qualifying regu-  
17          latory agency” means—

18                   (1) the Board of Governors of the Federal Re-  
19                   serve System;

20                   (2) the Comptroller of the Currency;

21                   (3) the Director of the Office of Thrift Super-  
22                   vision;

23                   (4) the Federal Deposit Insurance Corporation;

24                   (5) the Financial Institutions Examination  
25                   Council;

1           (6) the National Credit Union Administration;  
2           and

3           (7) with respect to chapter 53 of title 31, United  
4           States Code, the Secretary of the Treasury.

5           (d) EXPIRATION.—Any exception made under this  
6           section shall expire not later than February 28, 1998.

7           **SEC. 6005. SENSE OF THE CONGRESS.**

8           It is the sense of the Congress that the Board of Gov-  
9           ernors of the Federal Reserve System, the Comptroller of  
10          the Currency, the Director of the Office of Thrift Super-  
11          vision, the Federal Deposit Insurance Corporation, and  
12          the National Credit Union Administration should encour-  
13          age depository institutions to meet the financial services  
14          needs of their communities and customers located in areas  
15          affected by the 1997 flooding of the Red River of the  
16          North, the Minnesota River, and the tributaries of such  
17          rivers.

18          **SEC. 6006. OTHER AUTHORITY NOT AFFECTED.**

19          No provision of this Act shall be construed as limiting  
20          the authority of any department or agency under any  
21          other provision of law.



1     **Subtitle B—HUD Disaster Waiver**  
2                     **Provision**

3     **SEC. 6011. DISASTER WAIVER AUTHORITY.**

4             To address the damage resulting from the con-  
5     sequences of the natural disasters occurring in the winter  
6     of 1996 and 1997 and the spring of 1997 (including severe  
7     weather in the Western United States, damaging torna-  
8     does, and the March 1997 flooding in the Midwest), upon  
9     the request of a recipient of assistance the Secretary of  
10    Housing and Urban Development may, on a case-by-case  
11    basis and upon such other terms as the Secretary may  
12    specify—

13            (1) in applying section 122 of the Housing and  
14    Community Development Act of 1974, waive (in  
15    whole or in part) the requirements that activities  
16    benefit persons of low- and moderate-income; and

17            (2) in applying section 290 of the HOME In-  
18    vestment Partnerships Act, waive (in whole or in  
19    part) the requirements that housing qualify as af-  
20    fordable housing.

21            This Act may be cited as the “1997 Emergency Sup-  
22    plemental Appropriations Act for Recovery from Natural  
23    Disasters, and for Overseas Peacekeeping Efforts, Includ-  
24    ing Those in Bosnia”.

1 *That the following sums are appropriated, out of any*  
2 *money in the Treasury not otherwise appropriated, to pro-*  
3 *vide supplemental appropriations and rescissions for the*  
4 *fiscal year ending September 30, 1997, and for other pur-*  
5 *poses, namely:*

6 *TITLE I—DEPARTMENT OF DEFENSE*

7 *SUPPLEMENTALS*

8 *DEPARTMENT OF DEFENSE—MILITARY*

9 *MILITARY PERSONNEL*

10 *MILITARY PERSONNEL, ARMY*

11 *For an additional amount for “Military Personnel,*  
12 *Army”, \$306,800,000: Provided, That such amount is des-*  
13 *ignated by Congress as an emergency requirement pursuant*  
14 *to section 251(b)(2)(D)(i) of the Balanced Budget and*  
15 *Emergency Deficit Control Act of 1985, as amended.*

16 *MILITARY PERSONNEL, NAVY*

17 *For an additional amount for “Military Personnel,*  
18 *Navy”, \$7,900,000: Provided, That such amount is des-*  
19 *ignated by Congress as an emergency requirement pursuant*  
20 *to section 251(b)(2)(D)(i) of the Balanced Budget and*  
21 *Emergency Deficit Control Act of 1985, as amended.*

22 *MILITARY PERSONNEL, MARINE CORPS*

23 *For an additional amount for “Military Personnel,*  
24 *Marine Corps”, \$300,000: Provided, That such amount is*  
25 *designated by Congress as an emergency requirement pursu-*

1 *ant to section 251(b)(2)(D)(i) of the Balanced Budget and*  
2 *Emergency Deficit Control Act of 1985, as amended.*

3 *MILITARY PERSONNEL, AIR FORCE*

4 *For an additional amount for “Military Personnel,*  
5 *Air Force”, \$29,100,000: Provided, That such amount is*  
6 *designated by Congress as an emergency requirement pursu-*  
7 *ant to section 251(b)(2)(D)(i) of the Balanced Budget and*  
8 *Emergency Deficit Control Act of 1985, as amended.*

9 *OPERATION AND MAINTENANCE*

10 *OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For an additional amount for “Overseas Contingency*  
13 *Operations Transfer Fund”, \$1,312,900,000: Provided,*  
14 *That the Secretary of Defense may transfer these funds only*  
15 *to operation and maintenance accounts within this title:*  
16 *Provided further, That the funds transferred shall be merged*  
17 *with and shall be available for the same purposes and for*  
18 *the same time period, as the appropriation to which trans-*  
19 *ferred: Provided further, That the transfer authority pro-*  
20 *vided in this paragraph is in addition to any other transfer*  
21 *authority available to the Department of Defense: Provided*  
22 *further, That such amount is designated by Congress as an*  
23 *emergency requirement pursuant to section 251(b)(2)(D)(i)*  
24 *of the Balanced Budget and Emergency Deficit Control Act*  
25 *of 1985, as amended.*

1                    *OPLAN 34A/35 POW PAYMENTS*

2            *For payments to individuals under section 657 of Pub-*  
3 *lic Law 104–201, \$20,000,000, to remain available until*  
4 *expended.*

5                    *REVOLVING AND MANAGEMENT FUNDS*6            *RESERVE MOBILIZATION INCOME INSURANCE FUND*

7            *For an additional amount for the “Reserve Mobiliza-*  
8 *tion Income Insurance Fund”, \$72,000,000, to remain*  
9 *available until expended: Provided, That the entire amount*  
10 *is designated by Congress as an emergency requirement*  
11 *pursuant to section 251(b)(2)(D)(i) of the Balanced Budget*  
12 *and Emergency Deficit Control Act of 1985, as amended.*

13                    *GENERAL PROVISIONS*14                    *(TRANSFER OF FUNDS)*

15            *SEC. 101. Upon determination by the Secretary of De-*  
16 *fense that such action is necessary in the national interest,*  
17 *he may, with the approval of the Office of Management and*  
18 *Budget, transfer not to exceed \$100,000,000 of working cap-*  
19 *ital funds of the Department of Defense and funds made*  
20 *available in Public Law 104–208 to the Department of De-*  
21 *fense only for obligations incurred for United States par-*  
22 *ticipation in the Bosnia Stabilization Force (SFOR) and*  
23 *for the continuation of enforcing the no-fly zones in north-*  
24 *ern and southern Iraq (except military construction) be-*  
25 *tween such appropriations or funds or any subdivision*

1 *thereof, to be merged with and to be available for the same*  
2 *purposes, and for the same time period, as the appropria-*  
3 *tion or fund to which transferred: Provided, That such au-*  
4 *thority to transfer may not be used unless for higher prior-*  
5 *ity items, based on unforeseen military requirements, than*  
6 *those for which originally appropriated and in no case*  
7 *where the item for which funds are requested has been de-*  
8 *nied by Congress: Provided further, That the Secretary of*  
9 *Defense shall notify the Congress promptly of all transfers*  
10 *made pursuant to this authority or any other authority in*  
11 *this Act: Provided further, That this transfer authority is*  
12 *in addition to transfer authority provided in section 8005*  
13 *of Public Law 104–208 (110 Stat. 3009–88).*

14 *SEC. 102. None of the funds available to the Depart-*  
15 *ment of Defense shall be obligated or expended to transfer*  
16 *management, development, and acquisition authority over*  
17 *the elements of the National Missile Defense Program from*  
18 *the Military Services until the contract for a Lead System*  
19 *Integrator for the National Missile Defense Program is*  
20 *awarded: Provided, That the Joint Requirements Oversight*  
21 *Council, with the advisement of the Joint Chiefs of Staff,*  
22 *is directed to conduct an analysis and submit recommenda-*  
23 *tions as to the recommended future roles of the Services with*  
24 *respect to the management, technical development, cost,*  
25 *schedule, and acquisition plan for the elements in the Na-*

1 *tional Missile Defense Program and to certify that the Lead*  
2 *System Integrator contract will conform to these rec-*  
3 *ommendations: Provided further, That the analysis and rec-*  
4 *ommendations shall be submitted to the Congressional De-*  
5 *fense Committees within 60 days of enactment of this Act.*

6       *SEC. 103. In addition to the amounts provided in Pub-*  
7 *lic Law 104–208, \$50,000,000 is appropriated under the*  
8 *heading “Overseas Humanitarian, Disaster and Civil Aid”:*  
9 *Provided, That, from the funds available under that head-*  
10 *ing, the Secretary of Defense shall make a grant in the*  
11 *amount of \$50,000,000 to the American Red Cross for reim-*  
12 *bursement for disaster relief and recovery expenditures.*

13   *(TRANSFER OF FUNDS)*

14       *SEC. 104. The Secretary of the Navy shall transfer up*  
15 *to \$23,000,000 to “Operation and Maintenance, Marine*  
16 *Corps” from the following accounts in the specified*  
17 *amounts, to be available only for reimbursing costs incurred*  
18 *for repairing damage caused by hurricanes, flooding, and*  
19 *other natural disasters during 1996 and 1997 to real prop-*  
20 *erty and facilities at Marine Corps facilities (including*  
21 *Camp Lejeune, North Carolina; Cherry Point, North Caro-*  
22 *lina; and the Mountain Warfare Training Center, Bridge-*  
23 *port, California);*

24   *“Military Personnel, Marine Corps”, \$4,000,000;*

25   *“Operation and Maintenance, Marine Corps”,*  
26       *\$11,000,000;*

1           *“Procurement of Ammunition, Navy and Marine*  
2           *Corps, 1996/1998”, \$4,000,000; and*  
3           *“Procurement, Marine Corps, 1996/1998”,*  
4           *\$4,000,000.*

5           *SEC. 105. For an additional amount for “Family*  
6           *Housing, Navy and Marine Corps” to cover the incremental*  
7           *Operation and Maintenance costs arising from hurricane*  
8           *damage to family housing units at Marine Corps Base*  
9           *Camp Lejeune, North Carolina and Marine Corps Air Sta-*  
10           *tion Cherry Point, North Carolina, \$6,480,000, as author-*  
11           *ized by Section 2854 of Title 10, United States Code.*

12           ***SEC. 106. REPORT ON COST AND SOURCE OF FUNDS FOR***  
13                                   ***MILITARY ACTIVITIES RELATING TO BOSNIA.***

14           ***(a) PROHIBITION ON USE OF FUNDS PENDING RE-***  
15           ***PORT.—Notwithstanding any other provision of this Act or***  
16           ***any other provision of law, no funds appropriated or other-***  
17           ***wise made available to the Department of Defense may be***  
18           ***obligated or expended for operations or activities of the***  
19           ***Armed Forces relating to Bosnia 60 days after enactment***  
20           ***unless the President submits to Congress the report de-***  
21           ***scribed in subsection (b): Provided, That none of the funds***  
22           ***made available under this Act may be obligated or expended***  
23           ***for operations or activities of the Armed Forces relating to***  
24           ***Bosnia ground deployment after June 30, 1998.***

1       (b) *REPORT ELEMENTS.*—The report referred to in  
2 subsection (a) shall include the following:

3           (1) *A detailed description of the estimated cumu-*  
4 *lative cost of all United States activities relating to*  
5 *Bosnia after December 1, 1995, including—*

6           (A) *the cost of all deployments, training ac-*  
7 *tivities, and mobilization and other preparatory*  
8 *activities of the Armed Forces; and*

9           (B) *the cost of all other activities relating to*  
10 *United States policy toward Bosnia, including*  
11 *humanitarian assistance, reconstruction assist-*  
12 *ance, aid and other financial assistance, the re-*  
13 *scheduling or forgiveness of bilateral or multilat-*  
14 *eral aid, in-kind contributions, and any other*  
15 *activities of the United States Government.*

16          (2) *A detailed accounting of the source of funds*  
17 *obligated or expended to meet the costs described in*  
18 *paragraph (1), including—*

19           (A) *in the case of expenditures of funds of*  
20 *Department of Defense, a breakdown of such ex-*  
21 *penditures by military service or defense agency,*  
22 *line item, and program; and*

23           (B) *in the case of expenditures of funds of*  
24 *other departments and agencies of the United*



1           *States, a breakdown of such expenditures by de-*  
2           *partment or agency and by program.*

3           *SEC. 107. Notwithstanding section 3612(a) of title 22,*  
4           *United States Code, the incumbent may continue to serve*  
5           *as the Secretary of Defense designee on the Board of the*  
6           *Panama Canal Commission if he retires as an officer of*  
7           *the Department of Defense, until and unless the Secretary*  
8           *of Defense designates another person to serve in this posi-*  
9           *tion.*

10   ***SEC. 108. AUTHORITY OF SECRETARY OF DEFENSE TO***  
11                   ***ENTER INTO LEASE OF BUILDING NO. 1, LEX-***  
12                   ***INGTON BLUE GRASS STATION, LEXINGTON,***  
13                   ***KENTUCKY.***

14           *(a) AUTHORITY TO ENTER INTO LEASE.—The Sec-*  
15           *retary of Defense may enter into an agreement for the lease*  
16           *of Building No. 1, Lexington Blue Grass Station, Lexing-*  
17           *ton, Kentucky, and any real property associated with the*  
18           *building, for purposes of the use of the building by the De-*  
19           *fense Finance and Accounting Service. The agreement shall*  
20           *meet the requirements of this section.*

21           *(b) TERM.—(1) The agreement under this section shall*  
22           *provide for a lease term of not to exceed 50 years, but may*  
23           *provide for one or more options to renew or extend the term*  
24           *of the lease.*

1           (2) *The agreement shall include a provision specifying*  
2 *that, if the Secretary ceases to require the leased building*  
3 *for purpose of the use of the building by the Defense Finance*  
4 *and Accounting Service before the expiration of the term*  
5 *of the lease (including any extension or renewal of the term*  
6 *under an option provided for in paragraph (1)), the re-*  
7 *mainder of the lease term may, upon the approval of the*  
8 *lessor of the building, be satisfied by the Secretary or an-*  
9 *other department or agency of the Federal Government (in-*  
10 *cluding a military department) for another purpose similar*  
11 *to such purpose.*

12           (c) *CONSIDERATION.—(1) The agreement under this*  
13 *section may not require rental payments by the United*  
14 *States under the lease under the agreement.*

15           (2) *The Secretary or other lessee, if any, under sub-*  
16 *section (b)(2) shall be responsible under the agreement for*  
17 *payment of any utilities associated with the lease of the*  
18 *building covered by the agreement and for maintenance and*  
19 *repair of the building.*

20           (d) *IMPROVEMENT.—The agreement under this section*  
21 *may provide for the improvement of the building covered*  
22 *by the agreement by the Secretary or other lessee, if any,*  
23 *under subsection (b)(2).*

24           (e) *LIMITATION ON CERTAIN ACTIVITIES.—The Sec-*  
25 *retary may not pay the costs of any utilities, maintenance*

1 *and repair, or improvements under this lease under this*  
2 *section in any fiscal year unless funds are appropriated*  
3 *or otherwise made available for the Department of Defense*  
4 *for such payment in such fiscal year.*

5 *TITLE II—NATURAL DISASTERS AND OTHER*  
6 *EMERGENCIES*

7 *CHAPTER 1*

8 *SUBCOMMITTEE ON AGRICULTURE, RURAL*  
9 *DEVELOPMENT, AND RELATED AGENCIES*

10 *DEPARTMENT OF AGRICULTURE*

11 *FARM SERVICE AGENCY*

12 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

13 *ACCOUNT*

14 *For an additional amount for the “Agricultural Credit*  
15 *Insurance Fund Program Account” for the additional cost*  
16 *of direct and guaranteed loans authorized by 7 U.S.C.*  
17 *1928–1929, including the cost of modifying such loans as*  
18 *defined in section 502 of the Congressional Budget Act of*  
19 *1974, resulting from flooding and other natural disasters,*  
20 *\$28,000,000, to remain available until expended, of which*  
21 *\$18,000,000 shall be available for emergency insured loans*  
22 *and \$10,000,000 shall be available for subsidized guaran-*  
23 *teed operating loans: Provided, That the entire amount*  
24 *shall be available only to the extent that an official budget*  
25 *request for \$28,000,000 that includes designation of the en-*

1 *tire amount of the request as an emergency requirement as*  
2 *defined in the Balanced Budget and Emergency Deficit*  
3 *Control Act of 1985, as amended, is transmitted by the*  
4 *President to the Congress: Provided further, That such*  
5 *amount is designated by Congress as an emergency require-*  
6 *ment pursuant to section 251(b)(2)(D)(i) of such Act.*

7 *EMERGENCY CONSERVATION PROGRAM*

8 *For an additional amount for “Emergency Conserva-*  
9 *tion Program” for expenses, including carcass removal, re-*  
10 *sulting from flooding and other natural disasters,*  
11 *\$77,000,000, to remain available until expended: Provided,*  
12 *That the entire amount shall be available only to the extent*  
13 *that an official budget request for \$77,000,000, that includes*  
14 *designation of the entire amount of the request as an emer-*  
15 *gency requirement as defined in the Balanced Budget and*  
16 *Emergency Deficit Control Act of 1985, as amended, is*  
17 *transmitted by the President to the Congress: Provided fur-*  
18 *ther, That such amount is designated by Congress as an*  
19 *emergency requirement pursuant to section 251(b)(2)(D)(i)*  
20 *of such Act.*

21 *TREE ASSISTANCE PROGRAM*

22 *An amount of \$9,500,000 is provided for assistance to*  
23 *small orchardists to replace or rehabilitate trees and vine-*  
24 *yards damaged by natural disasters, of which \$500,000*  
25 *may be available through the Forestry Incentives Program*  
26 *for replanting of trees damaged by tornadoes in 1997: Pro-*

1 *vided, That the entire amount shall be available only to*  
2 *the extent that an official budget request of \$9,500,000, that*  
3 *includes designation of the entire amount of the request as*  
4 *an emergency requirement as defined in the Balanced*  
5 *Budget and Emergency Deficit Control Act of 1985, as*  
6 *amended, is transmitted by the President to the Congress:*  
7 *Provided further, That such amount is designated by Con-*  
8 *gress as an emergency requirement pursuant to section*  
9 *251(b)(2)(D)(i) of such Act.*

10 *COMMODITY CREDIT CORPORATION FUND*

11 *DISASTER RESERVE ASSISTANCE PROGRAM*

12 *Effective only for losses in the fiscal year beginning*  
13 *October 1, 1996, through the date of enactment of this Act,*  
14 *the Secretary may use up to \$50,000,000 from proceeds*  
15 *earned from the sale of grain in the disaster reserve estab-*  
16 *lished in the Agricultural Act of 1970 to implement a live-*  
17 *stock indemnity program for losses from natural disasters*  
18 *subject to a Presidential or Secretarial declaration in a*  
19 *manner similar to catastrophic loss coverage available for*  
20 *other commodities under 7 U.S.C. 1508(b): Provided, That*  
21 *in administering a program described in the preceding sen-*  
22 *tence, the Secretary shall, to the extent practicable, utilize*  
23 *gross income and payment limitations conditions estab-*  
24 *lished for the Disaster Reserve Assistance Program for the*  
25 *1996 crop year: Provided further, That notwithstanding*  
26 *any other provision of law, beginning on October 1, 1997,*

1 *grain in the disaster reserve established in the Agricultural*  
2 *Act of 1970 shall not exceed 20 million bushels: Provided*  
3 *further, That the entire amount shall be available only to*  
4 *the extent an official budget request, that includes designa-*  
5 *tion of the entire amount of the request as an emergency*  
6 *requirement as defined in the Balanced Budget and Emer-*  
7 *gency Deficit Control Act of 1985, as amended, is transmit-*  
8 *ted by the President to the Congress: Provided further, That*  
9 *the entire amount is designated by Congress as an emer-*  
10 *gency requirement pursuant to section 251(b)(2)(D)(i) of*  
11 *such Act.*

12 *NATURAL RESOURCES CONSERVATION SERVICE*

13 *WATERSHED AND FLOOD PREVENTION OPERATIONS*

14 *For an additional amount for “Watershed and Flood*  
15 *Prevention Operations” to repair damages to the waterways*  
16 *and watersheds, including debris removal that would not*  
17 *be authorized under the Emergency Watershed Program, re-*  
18 *sulting from flooding and other natural disasters, including*  
19 *those in prior years, \$171,000,000, to remain available*  
20 *until expended: Provided, That the entire amount shall be*  
21 *available only to the extent an official budget request for*  
22 *\$171,000,000, that includes designation of the entire*  
23 *amount of the request as an emergency requirement as de-*  
24 *finied in the Balanced Budget and Emergency Deficit Con-*  
25 *trol Act of 1985, as amended, is transmitted by the Presi-*

1 *dent to the Congress: Provided further, That the entire*  
2 *amount is designated by Congress as an emergency require-*  
3 *ment pursuant to section 251(b)(2)(D)(i) of such Act: Pro-*  
4 *vided further, That if the Secretary determines that the cost*  
5 *of land and farm structures restoration exceeds the fair*  
6 *market value of an affected agricultural land, the Secretary*  
7 *may use sufficient amounts, not to exceed \$20,000,000, from*  
8 *funds provided under this heading to accept bids from will-*  
9 *ing sellers to provide floodplain easements for such cropland*  
10 *inundated by floods.*

11 *RURAL HOUSING SERVICE*

12 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

13 *For an additional amount for “Rural Housing Insur-*  
14 *ance Fund Program Account”, \$250,000, for the cost of sec-*  
15 *tion 515 direct loans, including the cost of modifying loans*  
16 *as defined in section 502 of the Congressional Budget Act*  
17 *of 1974, for emergency expenses resulting from flooding and*  
18 *other natural disasters, to remain available until September*  
19 *30, 1998: Provided, That the entire amount is designated*  
20 *by Congress as an emergency requirement pursuant to sec-*  
21 *tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-*  
22 *gency Deficit Control Act of 1985, as amended.*

23 *Any unobligated balances remaining in the Rural*  
24 *Housing Insurance Fund program account from prior*  
25 *years’ disaster supplementals shall be available until ex-*

1 *pending for Section 502 housing loans, Section 504 loans*  
2 *and grants, and Section 515 loans to meet emergency needs*  
3 *resulting from natural disasters: Provided, That such unob-*  
4 *ligated balances shall be available only to the extent an offi-*  
5 *cial budget request that includes designation of the entire*  
6 *amount of the request as an emergency requirement as de-*  
7 *finied in the Balanced Budget and Emergency Deficit Con-*  
8 *trol Act of 1985 is transmitted by the President to the Con-*  
9 *gress: Provided further, That such unobligated balances are*  
10 *designated by Congress as an emergency requirement pursu-*  
11 *ant to section 251(b)(2)(D)(i) of such Act.*

12 *RURAL HOUSING ASSISTANCE PROGRAM*

13 *For an additional amount for “Rural Housing Assist-*  
14 *ance Program”, for emergency expenses resulting from*  
15 *flooding and other natural disasters, \$4,000,000, to remain*  
16 *available until September 30, 1998, for very low-income*  
17 *housing repair grants and domestic farm labor grants: Pro-*  
18 *vided, That the entire amount shall be available only to*  
19 *the extent that an official budget request for \$4,000,000,*  
20 *that includes designation of the entire amount of the request*  
21 *as an emergency requirement as defined in the Balanced*  
22 *Budget and Emergency Deficit Control Act of 1985, as*  
23 *amended, is transmitted by the President to the Congress:*  
24 *Provided further, That the entire amount is designated by*  
25 *Congress as an emergency requirement pursuant to section*  
26 *251(b)(2)(D)(i) of the Balanced Budget and Emergency*



1 *Deficit Control Act of 1985, as amended: Provided further,*  
2 *That funds made available in Public Law 104–180 for*  
3 *Community Facility Grants for the Rural Housing Assist-*  
4 *ance Program may be provided to any community other-*  
5 *wise eligible for a Community Facility Loan for expenses*  
6 *directly or indirectly resulting from flooding and other nat-*  
7 *ural disasters.*

8 *RURAL UTILITIES SERVICE*

9 *RURAL UTILITIES ASSISTANCE PROGRAM*

10 *For an additional amount for “Rural Utilities Assist-*  
11 *ance Program”, for the cost of direct loans, loan guarantees,*  
12 *and grants, including the cost of modifying loans as defined*  
13 *in section 502 of the Congressional Budget Act of 1974, for*  
14 *emergency expenses resulting from flooding and other natu-*  
15 *ral disasters, \$6,500,000, to remain available until Septem-*  
16 *ber 30, 1998: Provided, That the entire amount shall be*  
17 *available only to the extent that an official budget request*  
18 *for \$6,500,000, that includes designation of the entire*  
19 *amount of the request as an emergency requirement as de-*  
20 *finied in the Balanced Budget and Emergency Deficit Con-*  
21 *trol Act of 1985, as amended, is transmitted by the Presi-*  
22 *dent to the Congress: Provided further, That the entire*  
23 *amount is designated by Congress as an emergency require-*  
24 *ment pursuant to section 251(b)(2)(D)(i) of the Balanced*

1 *Budget and Emergency Deficit Control Act of 1985, as*  
2 *amended.*

3 *CHAPTER 2*  
4 *SUBCOMMITTEE ON COMMERCE, JUSTICE, AND*  
5 *STATE, THE JUDICIARY, AND RELATED*  
6 *AGENCIES*

7 *DEPARTMENT OF COMMERCE*  
8 *ECONOMIC DEVELOPMENT ADMINISTRATION*  
9 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

10 *For an additional amount for “Economic Development*  
11 *Assistance Programs” for emergency expenses from flooding*  
12 *and other natural disasters, \$54,700,000, to remain avail-*  
13 *able until expended, of which not more than \$6,800,000*  
14 *shall be used for planning and technical assistance grants,*  
15 *and not more than \$2,900,000 shall be available for admin-*  
16 *istrative expenses: Provided, That the entire amount is des-*  
17 *ignated by Congress as an emergency requirement pursuant*  
18 *to section 251(b)(2)(D)(i) of the Balanced Budget and*  
19 *Emergency Deficit Control Act of 1985, as amended.*

20 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*  
21 *OPERATIONS, RESEARCH, AND FACILITIES*

22 *Within amounts available for “Operations, Research*  
23 *and Facilities” for Satellite Observing Systems, not to ex-*  
24 *ceed \$7,000,000 is available until expended to continue the*  
25 *salmon fishing permit buyback program implemented*

1 *under the Northwest Economic Aid Package to provide dis-*  
2 *aster assistance pursuant to section 312 of the Magnuson-*  
3 *Stevens Fishery Conservation and Management Act: Pro-*  
4 *vided, That the entire amount shall be available only to*  
5 *the extent that an official budget request for \$7,000,000,*  
6 *that includes designation of the entire amount of the request*  
7 *as an emergency requirement as defined in the Balanced*  
8 *Budget and Emergency Deficit Control Act of 1985, as*  
9 *amended, is transmitted by the President to Congress: Pro-*  
10 *vided further, That the entire amount is designated by Con-*  
11 *gress as an emergency requirement pursuant to section*  
12 *251(b)(2)(D)(i) of such Act.*

13 *CONSTRUCTION*

14 *For an additional amount for “Construction” for*  
15 *emergency expenses resulting from flooding and other natu-*  
16 *ral disasters, \$10,800,000, to remain available until ex-*  
17 *pendent: Provided, That the entire amount is designated by*  
18 *Congress as an emergency requirement pursuant to section*  
19 *251(b)(2)(D)(i) of the Balanced Budget and Emergency*  
20 *Deficit Control Act of 1985, as amended.*

1                                    *CHAPTER 3*  
2                                    *SUBCOMMITTEE ON ENERGY AND WATER*  
3                                    *DEVELOPMENT*  
4                                    *DEPARTMENT OF DEFENSE—CIVIL*  
5                                    *DEPARTMENT OF THE ARMY*  
6                                    *CORPS OF ENGINEERS—CIVIL*  
7 *FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES,*  
8 *ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MIS-*  
9 *SISSIPPI, MISSOURI, AND TENNESSEE*

10        *For an additional amount for “Flood Control, Mis-*  
11 *sissippi River and Tributaries, Arkansas, Illinois, Ken-*  
12 *tucky, Louisiana, Mississippi, Missouri, and Tennessee” for*  
13 *emergency expenses due to flooding and other natural disas-*  
14 *ters, \$20,000,000, to remain available until expended: Pro-*  
15 *vided, That the entire amount is designated by Congress*  
16 *as an emergency requirement pursuant to section*  
17 *251(b)(2)(D)(i) of the Balanced Budget Emergency Act of*  
18 *1985, as amended.*

19                                    *OPERATIONS AND MAINTENANCE, GENERAL*  
20        *For an additional amount for “Operations and Main-*  
21 *tenance, General” for emergency expenses due to flooding*  
22 *and other natural disasters, \$137,000,000, to remain avail-*  
23 *able until expended: Provided, That of the total appro-*  
24 *priated, the amount for eligible navigation projects which*  
25 *may be derived from the Harbor Maintenance Trust Fund*  
26 *pursuant to Public Law 99–662, shall be derived from that*

1 *fund: Provided further, That the Secretary of the Army is*  
2 *directed to use from available balances of the funds appro-*  
3 *priated herein to perform such emergency dredging and*  
4 *snagging and clearing of the Truckee River, Nevada, and*  
5 *the San Joaquin River channel, California, as the Sec-*  
6 *retary determines to be necessary as the result of the Janu-*  
7 *ary 1997 flooding in Nevada and California; and dredging*  
8 *of shoaling which has occurred downstream from the Fed-*  
9 *eral Chena River Flood Control Facility: Provided further,*  
10 *That the entire amount is designated by Congress as an*  
11 *emergency requirement pursuant to section 251(b)(2)(D)(i)*  
12 *of the Balanced Budget Emergency Act of 1985, as amend-*  
13 *ed.*

14 *FLOOD CONTROL AND COASTAL EMERGENCIES*  
15 *For an additional amount for “Flood Control and*  
16 *Coastal Emergencies” due to flooding and other natural dis-*  
17 *asters, \$390,000,000, to remain available until expended:*  
18 *Provided, That the entire amount is designated by Congress*  
19 *as an emergency requirement pursuant to section*  
20 *251(b)(2)(D)(i) of the Balanced Budget Emergency Act of*  
21 *1985, as amended: Provided further, That with \$5,000,000*  
22 *of the funds appropriated herein, the Secretary of the Army*  
23 *is directed to initiate and complete preconstruction engi-*  
24 *neering and design and associated Environmental Impact*  
25 *Statement for an emergency outlet from Devils Lake, North*  
26 *Dakota to the Sheyenne River, at full Federal expense: Pro-*

1 *vided further, That, of the funds appropriated under this*  
2 *paragraph, \$10,000,000 shall be used for the project consist-*  
3 *ing of channel restoration and improvements on the James*  
4 *River authorized by section 401(b) of the Water Resources*  
5 *Development Act of 1986 (Public Law 99-662; 100 Stat.*  
6 *4128) if the Secretary of the Army determines that the need*  
7 *for such restoration and improvements constitutes an emer-*  
8 *gency.*

9 *DEPARTMENT OF THE INTERIOR*

10 *BUREAU OF RECLAMATION*

11 *OPERATION AND MAINTENANCE*

12 *For an additional amount for “Operation and Mainte-*  
13 *nance”, \$7,355,000, to remain available until expended, to*  
14 *repair damage caused by floods and other natural disasters:*  
15 *Provided, That of the total appropriated, the amount for*  
16 *program activities that can be financed by the Reclamation*  
17 *Fund shall be derived from that fund: Provided further,*  
18 *That the entire amount is designated by Congress as an*  
19 *emergency requirement pursuant to section 251(b)(2)(D)(i)*  
20 *of the Balanced Budget and Emergency Deficit Control Act*  
21 *of 1985, as amended.*

1                                    *CHAPTER 4*  
2                    *SUBCOMMITTEE ON INTERIOR AND RELATED*  
3                                    *AGENCIES*  
4                                    *DEPARTMENT OF THE INTERIOR*  
5                                    *BUREAU OF LAND MANAGEMENT*  
6                                    *CONSTRUCTION*  
7                                    *(INCLUDING TRANSFER OF FUNDS)*

8            *For an additional amount for “Construction” to re-*  
9 *pair damage caused by floods and other natural disasters,*  
10 *\$4,796,000, to remain available until expended, of which*  
11 *\$4,403,000 is to be derived by transfer from unobligated*  
12 *balances of funds, under the heading, “Oregon and Califor-*  
13 *nia Grant Lands,” made available as supplemental appro-*  
14 *priations in Public Law 104–134: Provided, That the entire*  
15 *amount is designated by Congress as an emergency require-*  
16 *ment pursuant to section 251(b)(2)(D)(i) of the Balanced*  
17 *Budget and Emergency Deficit Control Act of 1985, as*  
18 *amended.*

19                                    *OREGON AND CALIFORNIA GRANT LANDS*

20            *For an additional amount for “Oregon and California*  
21 *Grant Lands” to repair damage caused by floods and other*  
22 *natural disasters, \$2,694,000, to remain available until ex-*  
23 *pended and to be derived from unobligated balances of funds*  
24 *under the heading, “Oregon and California Grant Lands,”*  
25 *made available as supplemental appropriations in Public*  
26 *Law 104–134: Provided, That the entire amount is des-*

1 *ignated by Congress as an emergency requirement pursuant*  
2 *to section 251(b)(2)(D)(i) of the Balanced Budget and*  
3 *Emergency Deficit Control Act of 1985, as amended.*

4 *FISH AND WILDLIFE SERVICE*

5 *RESOURCE MANAGEMENT*

6 *For an additional amount for “Resource Manage-*  
7 *ment”, \$8,350,000, of which \$3,350,000, to remain avail-*  
8 *able until September 30, 1998, is for fish replacement and*  
9 *for technical assistance made necessary by floods and other*  
10 *natural disasters and for restoration of public lands dam-*  
11 *aged by fire, and of which \$5,000,000, to remain available*  
12 *until September 30, 1999, is for payments to private land-*  
13 *owners for the voluntary use of private land to store water*  
14 *in restored wetlands: Provided, That the entire amount is*  
15 *designated by Congress as an emergency requirement pursu-*  
16 *ant to section 251(b)(2)(D)(i) of the Balanced Budget and*  
17 *Emergency Deficit Control Act of 1985, as amended.*

18 *CONSTRUCTION*

19 *For an additional amount for “Construction”,*  
20 *\$91,000,000, to remain available until expended, to repair*  
21 *damage caused by floods and other natural disasters: Pro-*  
22 *vided, That the entire amount is designated by Congress*  
23 *as an emergency requirement pursuant to section*  
24 *251(b)(2)(D)(i) of the Balanced Budget and Emergency*  
25 *Deficit Control Act of 1985, as amended.*



1 *LAND ACQUISITION*

2 *For an additional amount for “Land Acquisition”,*  
3 *\$5,000,000, to remain available until expended, for the cost-*  
4 *effective emergency acquisition of land and water rights ne-*  
5 *cessitated by floods and other natural disasters: Provided,*  
6 *That the entire amount is designated by Congress as an*  
7 *emergency requirement pursuant to section 251(b)(2)(D)(i)*  
8 *of the Balanced Budget and Emergency Deficit Control Act*  
9 *of 1985, as amended.*

10 *NATIONAL PARK SERVICE*11 *CONSTRUCTION*

12 *For an additional amount for “Construction” for*  
13 *emergency expenses resulting from flooding and other natu-*  
14 *ral disasters, \$187,321,000, to remain available until ex-*  
15 *pended: Provided, That the entire amount is designated by*  
16 *Congress as an emergency requirement pursuant to section*  
17 *251(b)(2)(D)(i) of the Balanced Budget and Emergency*  
18 *Deficit Control Act of 1985, as amended: Provided further,*  
19 *That of this amount, \$30,000,000 shall be available only*  
20 *to the extent an official budget request for a specific dollar*  
21 *amount, that includes designation of the entire amount of*  
22 *the request as an emergency requirement as defined in such*  
23 *Act, is transmitted by the President to Congress, and upon*  
24 *certification by the Secretary of the Interior to the President*  
25 *that a specific amount of such funds is required for (1) re-*

1 *pair or replacement of concession use facilities at Yosemite*  
2 *National Park if the Secretary determines, after consulting*  
3 *with the Director of the Office of Management and Budget,*  
4 *that the repair or replacement of those facilities cannot be*  
5 *postponed until completion of an agreement with the Yo-*  
6 *osemite Concessions Services Corporation or any responsible*  
7 *third party to satisfy its repair or replacement obligations*  
8 *for the facilities, or (2) the Federal portion, if any, of the*  
9 *costs of repair or replacement of such concession use facili-*  
10 *ties: Provided further, That nothing herein should be con-*  
11 *strued as impairing in any way the rights of the United*  
12 *States against the Yosemite Concession Services Corpora-*  
13 *tion or any other party or as relieving the Corporation or*  
14 *any other party of its obligations to the United States: Pro-*  
15 *vided further, That prior to any final agreement by the Sec-*  
16 *retary with the Corporation or any other party concerning*  
17 *its obligation to repair or replace concession use facilities,*  
18 *the Solicitor of the Department of the Interior shall certify*  
19 *that the agreement fully satisfies the obligations of the Cor-*  
20 *poration or third party: Provided further, That nothing*  
21 *herein, or any payments, repairs, or replacements made by*  
22 *the Corporation or a third party in fulfillment of the Cor-*  
23 *poration's obligations to the United States to repair and*  
24 *replace damaged facilities, shall create any possessory inter-*  
25 *est for the Corporation or such third party in such repaired*

1 *or replaced facilities: Provided further, That any payments*  
2 *made to the United States by the Corporation or a third*  
3 *party for repair or replacement of concession use facilities*  
4 *shall be deposited in the General Fund of the Treasury or,*  
5 *where facilities are repaired or replaced by the Corporation*  
6 *or any other third party, an equal amount of appropri-*  
7 *ations for “Construction” shall be rescinded.*

8 *UNITED STATES GEOLOGICAL SURVEY*

9 *SURVEYS, INVESTIGATIONS, AND RESEARCH*

10 *For an additional amount for “Surveys, Investiga-*  
11 *tions, and Research”, \$4,650,000, to remain available until*  
12 *September 30, 1998, to repair or replace damaged equip-*  
13 *ment and facilities caused by floods and other natural dis-*  
14 *asters: Provided, That the entire amount is designated by*  
15 *Congress as an emergency requirement pursuant to section*  
16 *251(b)(2)(D)(i) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985, as amended.*

18 *BUREAU OF INDIAN AFFAIRS*

19 *OPERATION OF INDIAN PROGRAMS*

20 *For an additional amount for “Operation of Indian*  
21 *Programs”, \$14,317,000, to remain available until Septem-*  
22 *ber 30, 1998 for emergency response activities, including*  
23 *emergency school operations, heating costs, emergency wel-*  
24 *fare assistance, and to repair and replace facilities and re-*  
25 *sources damaged by snow, floods, and other natural disas-*

1 *ters: Provided, That the entire amount is designated by*  
2 *Congress as an emergency requirement pursuant to section*  
3 *251(b)(2)(D)(i) of the Balanced Budget and Emergency*  
4 *Deficit Control Act of 1985, as amended.*

5 *CONSTRUCTION*

6 *For an additional amount for “Construction”,*  
7 *\$6,249,000, to remain available until expended, to make re-*  
8 *pairs caused by floods and other natural disasters: Pro-*  
9 *vided, That the entire amount is designated by Congress*  
10 *as an emergency requirement pursuant to section*  
11 *251(b)(2)(D)(i) of the Balanced Budget and Emergency*  
12 *Deficit Control Act of 1985, as amended: Provided further,*  
13 *That notwithstanding any other provision of law, funds ap-*  
14 *propriated herein and in Public Law 104–208 to the Bu-*  
15 *reau of Indian Affairs for repair of the Wapato irrigation*  
16 *project shall be made available on a nonreimbursable basis.*

17 *RELATED AGENCIES*

18 *DEPARTMENT OF AGRICULTURE*

19 *FOREST SERVICE*

20 *NATIONAL FOREST SYSTEM*

21 *For an additional amount for “National Forest Sys-*  
22 *tem” for emergency expenses resulting from flooding and*  
23 *other natural disasters, \$39,677,000, to remain available*  
24 *until expended: Provided, That the entire amount is des-*  
25 *ignated by Congress as an emergency requirement pursuant*

1 *to section 251(b)(2)(D)(i) of the Balanced Budget and*  
2 *Emergency Deficit Control Act of 1985, as amended.*

3 *RECONSTRUCTION AND CONSTRUCTION*

4 *For an additional amount for “Reconstruction and*  
5 *Construction” for emergency expenses resulting from flood-*  
6 *ing and other natural disasters, \$27,685,000, to remain*  
7 *available until expended: Provided, That the entire amount*  
8 *is designated by Congress as an emergency requirement*  
9 *pursuant to section 251(b)(2)(D)(i) of the Balanced Budget*  
10 *and Emergency Deficit Control Act of 1985, as amended.*

11 *DEPARTMENT OF HEALTH AND HUMAN*

12 *SERVICES*

13 *INDIAN HEALTH SERVICE*

14 *INDIAN HEALTH SERVICES*

15 *For an additional amount for “Indian Health Serv-*  
16 *ices” for emergency expenses resulting from flooding and*  
17 *other natural disasters, \$1,000,000, to remain available*  
18 *until expended: Provided, That the entire amount is des-*  
19 *ignated by Congress as an emergency requirement pursuant*  
20 *to section 251(b)(2)(D)(i) of the Balanced Budget and*  
21 *Emergency Deficit Control Act of 1985, as amended.*

22 *INDIAN HEALTH FACILITIES*

23 *For an additional amount for “Indian Health Facili-*  
24 *ties” for emergency expenses resulting from flooding and*  
25 *other natural disasters, \$2,000,000, to remain available*  
26 *until expended: Provided, That the entire amount is des-*

1 *ignated by Congress as an emergency requirement pursuant*  
2 *to section 251(b)(2)(D)(i) of the Balanced Budget and*  
3 *Emergency Deficit Control Act of 1985, as amended.*

4 *CHAPTER 5*

5 *SUBCOMMITTEE ON TRANSPORTATION AND*

6 *RELATED AGENCIES*

7 *DEPARTMENT OF TRANSPORTATION*

8 *FEDERAL HIGHWAY ADMINISTRATION*

9 *FEDERAL-AID HIGHWAYS*

10 *EMERGENCY RELIEF PROGRAM*

11 *(HIGHWAY TRUST FUND)*

12 *For an additional amount for the Emergency Relief*  
13 *Program for emergency expenses resulting from flooding*  
14 *and other disasters, as authorized by 23 U.S.C. 125,*  
15 *\$650,000,000, to be derived from the Highway Trust Fund*  
16 *and to remain available until expended, of which*  
17 *\$374,000,000 shall be available only to the extent an official*  
18 *budget request for a specific dollar amount, that includes*  
19 *designation of the entire amount of the request as an emer-*  
20 *gency requirement as defined in the Balanced Budget and*  
21 *Emergency Deficit Control Act of 1985, as amended, is*  
22 *transmitted by the President to the Congress: Provided,*  
23 *That the entire amount is designated by Congress as an*  
24 *emergency requirement pursuant to section 251(b)(2)(D)(i)*  
25 *of the Balanced Budget and Emergency Deficit Control Act*  
26 *of 1985, as amended: Provided further, That 23 U.S.C.*

1 125(b)(1) shall not apply to projects relating to the Decem-  
2 ber 1996 and 1997 flooding.

3 *FEDERAL RAILROAD ADMINISTRATION*

4 *EMERGENCY RAILROAD REHABILITATION AND REPAIR*

5 *For necessary expenses to repair and rebuild freight*  
6 *rail lines of regional and short line railroads damaged by*  
7 *the floods in September 1996, and in March and April*  
8 *1997, \$24,000,000, to be awarded subject to the discretion*  
9 *of the Secretary on a case-by-case basis: Provided, That*  
10 *funds provided under this head shall be available for reha-*  
11 *bilitation of railroad rights-of-way, bridges, and other fa-*  
12 *cilities which are part of the general railroad system of*  
13 *transportation, and primarily used by railroads to move*  
14 *freight traffic: Provided further, That railroad rights-of-*  
15 *way, bridges, and other facilities owned by class I railroads,*  
16 *passenger railroads, or by tourist, scenic, or historic rail-*  
17 *roads are not eligible for funding under this section: Pro-*  
18 *vided further, That these funds shall be available only to*  
19 *the extent an official budget request, for a specific dollar*  
20 *amount, that includes designation of the entire amount as*  
21 *an emergency requirement as defined in the Balanced*  
22 *Budget and Emergency Deficit Control Act of 1985, as*  
23 *amended, is transmitted by the President to the Congress:*  
24 *Provided further, That the entire amount is designated by*  
25 *Congress as an emergency requirement pursuant to section*

1 *251(b)(2)(D)(i) of the Balanced Budget and Emergency*  
2 *Deficit Control Act of 1985, as amended: Provided further,*  
3 *That all funds made available under this head are to re-*  
4 *main available until September 30, 1997.*

5 *RELATED AGENCY*

6 *NATIONAL TRANSPORTATION SAFETY BOARD*

7 *SALARIES AND EXPENSES*

8 *For an additional amount for “Salaries and Ex-*  
9 *penses” for emergency expenses resulting from the crash of*  
10 *TWA Flight 800, and for assistance to families of victims*  
11 *of aviation accidents as authorized by Public Law 104–264,*  
12 *\$14,100,000: Provided, That the entire amount is des-*  
13 *ignated by Congress as an emergency requirement pursuant*  
14 *to section 251(b)(2)(D)(i) of the Balanced Budget Emer-*  
15 *gency Deficit Control Act of 1985, as amended.*

16 *CHAPTER 6*

17 *SUBCOMMITTEE ON VA, HUD, AND INDEPENDENT*

18 *AGENCIES*

19 *DEPARTMENT OF HOUSING AND URBAN*

20 *DEVELOPMENT*

21 *COMMUNITY PLANNING AND DEVELOPMENT*

22 *COMMUNITY DEVELOPMENT BLOCK GRANTS FUND*

23 *For an additional amount for “Community develop-*  
24 *ment block grants fund” as authorized under title I of the*  
25 *Housing and Community Development Act of 1974,*



1 \$500,000,000, to remain available until September 30, 2000  
2 for emergency expenses resulting from the flooding in the  
3 upper Midwest and other disasters in fiscal year 1997 and  
4 such natural disasters designated 30 days prior to the start  
5 of fiscal year 1997, so long as the emergency expenses are  
6 for those community development activities related to recov-  
7 ery efforts and for immediate recovery needs not reimburs-  
8 able by the Federal Emergency Management Agency: Pro-  
9 vided, That in administering these amounts, the Secretary  
10 may waive, or specify alternative requirements for, any  
11 provision of any statute or regulation that the Secretary  
12 administers in connection with the obligation by the Sec-  
13 retary or the use by the recipient of these funds, except for  
14 statutory requirements related to civil rights, fair housing  
15 and nondiscrimination, the environment, and labor stand-  
16 ards, upon a finding that such waiver is required to facili-  
17 tate the use of such funds, and would not be inconsistent  
18 with the overall purpose of the statute: Provided further,  
19 That the Secretary of Housing and Urban Development  
20 shall publish a notice in the Federal Register governing the  
21 use of community development block grant funds in con-  
22 junction with any program administered by the Director  
23 of the Federal Emergency Management Agency for buyouts  
24 for structures in disaster areas: Provided further, That for  
25 any funds under this head used for buyouts in conjunction

1 *with any program administered by the Director of the Fed-*  
2 *eral Emergency Management Agency, each state or unit of*  
3 *general local government requesting funds from the Sec-*  
4 *retary of Housing and Urban Development for buyouts*  
5 *shall submit a plan to the Secretary which must be ap-*  
6 *proved by the Secretary as consistent with the requirements*  
7 *of this program: Provided further, That the Secretary of*  
8 *Housing and Urban Development and the Director of the*  
9 *Federal Emergency Management Agency shall submit quar-*  
10 *terly reports to the House and Senate Committees on Ap-*  
11 *propriations on all disbursement and use of funds for or*  
12 *associated with buyouts: Provided further, That the entire*  
13 *amount is designated by the Congress as an emergency re-*  
14 *quirement pursuant to section 251(b)(2)(D)(i) of the Bal-*  
15 *anced Budget and Emergency Deficit Control Act of 1985,*  
16 *as amended.*

17 *INDEPENDENT AGENCY*

18 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

19 *DISASTER RELIEF*

20 *For an additional amount for “Disaster Relief”,*  
21 *\$3,100,000,000, to remain available until expended: Pro-*  
22 *vided, That the entire amount is designated by Congress*  
23 *as an emergency requirement pursuant to section*  
24 *251(b)(2)(D)(i) of such Act: Provided further, That of the*  
25 *funds made available under this heading, \$2,100,000,000*

1 *shall not become available until the Director of the Federal*  
2 *Emergency Management Agency submits to the Congress a*  
3 *legislative proposal to control disaster relief expenditures*  
4 *including the elimination of funding for certain revenue*  
5 *producing facilities: Provided further, That of the funds*  
6 *made available under this heading, up to \$20,000,000 may*  
7 *be transferred to the Disaster Assistance Direct Loan Pro-*  
8 *gram for the cost of direct loans as authorized under section*  
9 *417 of the Robert T. Stafford Disaster Relief and Emer-*  
10 *gency Assistance Act (42 U.S.C. 5121 et seq.): Provided fur-*  
11 *ther, That such transfer may be made to subsidize gross ob-*  
12 *ligations for the principal amount of direct loans not to*  
13 *exceed \$21,000,000 under section 417 of the Stafford Act:*  
14 *Provided further, That any such transfer of funds shall be*  
15 *made only upon certification by the Director of the Federal*  
16 *emergency Management Agency that all requirements of sec-*  
17 *tion 417 of the Stafford Act will be complied with: Provided*  
18 *further, That the entire amount of the preceding proviso*  
19 *shall be available only to the extent that an official budget*  
20 *request for a specific dollar amount, that includes designa-*  
21 *tion of the entire amount of the request as an emergency*  
22 *requirement as defined in the Balanced Budget and Emer-*  
23 *gency Deficit Control Act of 1985, as amended, is transmit-*  
24 *ted by the President to Congress: Provided further, That the*  
25 *entire amount is designated by Congress as an emergency*

1 *requirement pursuant to section 251(b)(2)(D)(i) of the Bal-*  
2 *anced Budget and Emergency Deficit Control Act of 1985,*  
3 *as amended.*

4 *CHAPTER 7*

5 *SUBCOMMITTEE ON LABOR, HEALTH AND*  
6 *HUMAN SERVICES, AND EDUCATION, AND RE-*  
7 *LATED AGENCIES*

8 *DEPARTMENT OF HEALTH AND HUMAN*  
9 *SERVICES*

10 *OFFICE OF THE SECRETARY*

11 *PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*

12 *For expenses necessary to support research on environ-*  
13 *mental risk factors associated with breast cancer,*  
14 *\$15,000,000, to remain available until expended: Provided,*  
15 *That the Secretary shall award such funds on a competitive*  
16 *basis: Provided further, That the entire amount is des-*  
17 *ignated by Congress as an emergency requirement pursuant*  
18 *to section 251(b)(2)(D)(i) of the Balanced Budget and*  
19 *Emergency Deficit Control Act of 1985, as amended.*

1           *TITLE III—OTHER SUPPLEMENTALS*2                           *CHAPTER 1*3           *SUBCOMMITTEE ON AGRICULTURE, RURAL*4           *DEVELOPMENT, AND RELATED AGENCIES*5                           *DEPARTMENT OF AGRICULTURE*6                                   *FARM SERVICE AGENCY*7           *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*8                                   *ACCOUNT*

9           *For an additional amount for the “Agricultural Credit*  
10 *Insurance Fund Program Account” for the additional cost*  
11 *of direct operating loans authorized by 7 U.S.C. 1928–1929,*  
12 *including the cost of modifying such loans as defined in*  
13 *section 502 of the Congressional Budget Act of 1974,*  
14 *\$12,600,000, to remain available until expended.*

15                           *FOOD AND CONSUMER SERVICE*16           *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*17                           *WOMEN, INFANTS, AND CHILDREN (WIC)*

18           *For an additional amount for the “Special Supple-*  
19 *mental Nutrition Program for Women, Infants, and Chil-*  
20 *dren (WIC)” as authorized by section 17 of the Child Nutri-*  
21 *tion Act of 1966, as amended (42 U.S.C. et seq.),*  
22 *\$58,000,000, to remain available through September 30,*  
23 *1998: Provided, That the Secretary shall allocate such funds*  
24 *through the existing formula or, notwithstanding sections*  
25 *17 (g), (h), or (i) of such Act and the regulations promul-*

1 *gated thereunder, such other means as the Secretary deems*  
2 *necessary.*

3 *CHAPTER 2*  
4 *SUBCOMMITTEE ON COMMERCE, JUSTICE, AND*  
5 *STATE, THE JUDICIARY, AND RELATED*  
6 *AGENCIES*

7 *DEPARTMENT OF STATE*  
8 *INTERNATIONAL ORGANIZATIONS AND CONFERENCES*  
9 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

10 *For an additional amount for “Contributions to Inter-*  
11 *national Organizations”, \$100,000,000, to remain available*  
12 *until expended, for payment of United States arrearages*  
13 *owed to the United Nations: Provided, That none of the*  
14 *funds appropriated or otherwise made available by this Act*  
15 *for payment of United States arrearages to the United Na-*  
16 *tions may be obligated or expended unless such obligation*  
17 *or expenditure is expressly authorized by the enactment of*  
18 *a subsequent Act.*

19 *CHAPTER 3*  
20 *SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA*  
21 *DISTRICT OF COLUMBIA*

22 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*

23 *For an additional amount to the District of Columbia*  
24 *for the fiscal year ending September 30, 1997, \$31,150,000,*  
25 *to remain available until September 30, 1998, and which*

1 *shall be deposited into an escrow account of the District*  
2 *of Columbia Financial Responsibility and Management As-*  
3 *sistance Authority, pursuant to section 205 of Public Law*  
4 *104–8 (109 Stat. 131), and shall be disbursed from such*  
5 *escrow account pursuant to the instructions of the Author-*  
6 *ity, and in accordance with a plan approved by the Author-*  
7 *ity: Provided, That \$22,350,000 shall be used to carry out*  
8 *a program of school facility emergency repair of public*  
9 *schools located in the District of Columbia, and \$8,800,000*  
10 *shall be used for pay raises within the Metropolitan Police*  
11 *Department.*

12 *DIVISION OF EXPENSES*

13 *PUBLIC SAFETY AND JUSTICE*

14 *For an additional amount for public safety,*  
15 *\$8,800,000, which shall be deposited into an escrow account*  
16 *of the District of Columbia Financial Responsibility and*  
17 *Management Assistance Authority, pursuant to section 205*  
18 *of Public Law 104–8 (109 Stat. 131), and shall be disbursed*  
19 *from such escrow account pursuant to the instructions of*  
20 *the Authority, and in accordance with a plan approved by*  
21 *the Authority: Provided, That \$8,800,000 shall be used for*  
22 *pay raises within the Metropolitan Police Department.*

23 *CAPITAL OUTLAY*

24 *For an additional amount for capital outlay for the*  
25 *fiscal year ending September 30, 1997, \$22,350,000, which*

1 *shall be deposited into an escrow account of the District*  
2 *of Columbia Financial Responsibility and Management As-*  
3 *sistance Authority, pursuant to section 205 of Public Law*  
4 *104–8 (109 Stat. 131), and shall be disbursed from such*  
5 *escrow account pursuant to the instructions of the Author-*  
6 *ity, and in accordance with a plan approved by the Author-*  
7 *ity: Provided, That this amount shall be used to carry out*  
8 *a program of school facility emergency repair of public*  
9 *schools located in the District of Columbia.*

10 *GENERAL PROVISION*

11 *Funds provided under this chapter shall be deemed to*  
12 *be grants for the purposes of Section 141 of Public Law*  
13 *104–194 (110 Stat. 2374), the District of Columbia Appro-*  
14 *priations Act, 1997.*

15 *CHAPTER 4*

16 *SUBCOMMITTEE ON INTERIOR AND RELATED*  
17 *AGENCIES*

18 *DEPARTMENT OF THE INTERIOR*

19 *NATIONAL PARK SERVICE*

20 *CONSTRUCTION*

21 *For an additional amount for “Construction”,*  
22 *\$10,000,000, to remain available until expended, to make*  
23 *repairs, construct facilities, and provide visitor transpor-*  
24 *tation and for related purposes at Yosemite National Park.*





1 *RETIRED PAY*

2 *For an additional amount for “Retired Pay”,*  
3 *\$4,200,000.*

4 *FEDERAL AVIATION ADMINISTRATION*5 *GRANTS-IN-AID FOR AIRPORTS*

6 *For an additional amount for “Grants-in-aid for Air-*  
7 *ports”, \$15,520,000: Provided, That, the President may*  
8 *make available funds for making grants to reimburse State*  
9 *and local agencies for unanticipated disaster costs associ-*  
10 *ated with recovery, investigation, security, forensic and*  
11 *medical examination of evidence, air support, and logistical*  
12 *support efforts directly related to the 1996 TWA Flight 800*  
13 *and ValuJet Flight 592 tragedies: Provided further, That*  
14 *not to exceed \$12,420,000 shall be available under this pro-*  
15 *vision for reimbursement to State and local agencies for the*  
16 *TWA Flight 800 tragedy: Provided further, That not to ex-*  
17 *ceed \$3,100,000 shall be available under this provision for*  
18 *reimbursement to State and local agencies for the ValuJet*  
19 *Flight 592 tragedy.*

20 *FEDERAL HIGHWAY ADMINISTRATION*21 *FEDERAL-AID HIGHWAYS*22 *(LIMITATION ON OBLIGATIONS)*23 *(HIGHWAY TRUST FUND)*

24 *The limitation under this heading in Public Law 104–*  
25 *50 and in Public Law 104–205 is increased by*  
26 *\$933,193,000: Provided, That such additional authority*

1 *shall remain available during fiscal year 1997: Provided*  
2 *further, That notwithstanding any other provision of law,*  
3 *such additional authority shall be distributed to ensure that*  
4 *States receive amounts that they would have received had*  
5 *the Highway Trust Fund fiscal year 1994 income statement*  
6 *not been understated prior to the revision on December 24,*  
7 *1996; and that notwithstanding any other provision of law,*  
8 *an amount of obligational authority in addition to the*  
9 *amount distributed above, shall be made available by this*  
10 *Act and shall be distributed to assure that States receive*  
11 *obligational authority that they would have received had*  
12 *the Highway Trust Fund fiscal year 1995 income statement*  
13 *not been revised on December 24, 1996: Provided further,*  
14 *That such additional authority shall be distributed to en-*  
15 *sure that no State shall receive an amount in fiscal year*  
16 *1997 that is less than the amount a State received in fiscal*  
17 *year 1996: Provided further, That \$3,600,000 of the addi-*  
18 *tional allocation for Utah shall be utilized on planning,*  
19 *preliminary engineering and design for projects critical to*  
20 *the 2002 Winter Olympics: Provided further, That \$450,000*  
21 *of the additional allocation for the State of New Mexico*  
22 *shall be provided to continue the Santa Teresa border tech-*  
23 *nologies project: Provided further, That the additional*  
24 *amounts made available to the State of Alabama shall be*  
25 *utilized for right-of-way acquisition and construction of the*

1 *Warrior Loop project: Provided further, That \$12,600,000*  
2 *of the additional allocation for the State of Kentucky shall*  
3 *be utilized to complete the William H. Natcher Bridge in*  
4 *Maceo, Kentucky: Provided further, That the additional*  
5 *amounts made available to the State of California may be*  
6 *provided for a project to repair or reconstruct any portion*  
7 *of a federal aid primary route in San Mateo, California,*  
8 *which was destroyed as a result of a combination of storms*  
9 *and a mountain slide in the winter of 1982–1983: Provided*  
10 *further, That the additional amounts made available in this*  
11 *paragraph for the State of South Carolina shall be provided*  
12 *for the Highway 17 Cooper River Bridges replacement*  
13 *project, Charleston, South Carolina: Provided further, That*  
14 *\$100,000 of the additional allocation for the State of Iowa*  
15 *shall be provided for planning and environmental work on*  
16 *the 86th Street Highway Project in Polk County: Provided*  
17 *further, That \$400,000 of the additional allocation for the*  
18 *State of Illinois shall be provided for costs associated with*  
19 *the replacement of Gaumer’s Bridge in Vermilion County,*  
20 *Illinois.*

1                                    *CHAPTER 7*  
2                    *SUBCOMMITTEE ON TREASURY AND GENERAL*  
3                                    *GOVERNMENT*  
4                                    *DEPARTMENT OF THE TREASURY*  
5                                    *DEPARTMENTAL OFFICES*  
6                                    *SALARIES AND EXPENSES*

7            *For an additional amount under the heading “Depart-*  
8 *mental Offices, Salaries and Expenses”, \$1,950,000: Pro-*  
9 *vided, That the Secretary of Treasury may utilize the law*  
10 *enforcement services, personnel, equipment, and facilities of*  
11 *the State of Colorado, the County of Denver, and the City*  
12 *of Denver, with their consent, and shall reimburse the State*  
13 *of Colorado, the County of Denver, and the City of Denver*  
14 *for the utilization of such law enforcement services, person-*  
15 *nel (for salaries, overtime, and benefits), equipment, and*  
16 *facilities for security arrangements for the Denver Summit*  
17 *of Eight being held June 20 through June 22, 1997, in Den-*  
18 *ver, Colorado.*

19                                    *U.S. POSTAL SERVICE*  
20                                    *PAYMENT TO THE POSTAL SERVICE FUND*

21            *For an additional amount for the Postal Service Fund*  
22 *for revenue forgone on free and reduced rate mail, pursuant*  
23 *to subsection (d) of section 2401 of title 39, United States*  
24 *Code, \$5,383,000.*



1 *acquiring parking in Ashland, Kentucky and \$500,000*  
2 *shall be made available instead for the restoration of the*  
3 *Paramount Theater in Ashland, Kentucky.*

4 *CAPACITY BUILDING FOR COMMUNITY DEVELOPMENT AND*

5 *AFFORDABLE HOUSING*

6 *(TRANSFER OF FUNDS)*

7 *For capacity building for community development and*  
8 *affordable housing, as authorized by section 4 of the HUD*  
9 *Demonstration Act of 1993 (Public Law 103–120),*  
10 *\$30,200,000, to remain available until expended, and to be*  
11 *derived by transfer from the Homeownership and Oppor-*  
12 *tunity for People Everywhere Grants account: Provided,*  
13 *That Habitat for Humanity and Youthbuild participate*  
14 *under this section: Provided further, That at least*  
15 *\$10,000,000 of the funding under this head be used in rural*  
16 *areas, including tribal areas.*

17 *MANAGEMENT AND ADMINISTRATION*

18 *SALARIES AND EXPENSES*

19 *Of the funds appropriated under this head in Public*  
20 *Law 104–204, the Secretary of Housing and Urban Devel-*  
21 *opment shall make a grant of \$1,500,000 to the National*  
22 *Academy of Public Administration no later than June 15,*  
23 *1997 for an evaluation of the Department of Housing and*  
24 *Urban Development: Provided, That the \$1,500,000 shall be*  
25 *from salaries and expenses designated for non-career Senior*  
26 *Executive Service and other non-career personnel.*

1                                    *CHAPTER 9*  
2   *SUBCOMMITTEE ON LABOR, HEALTH AND*  
3   *HUMAN SERVICES, AND EDUCATION, AND RE-*  
4   *LATED AGENCIES*  
5   *DEPARTMENT OF HEALTH AND HUMAN*  
6   *SERVICES*

7   *HEALTH RESOURCES AND SERVICES ADMINISTRATION*  
8   *HEALTH EDUCATION ASSISTANCE LOANS PROGRAM*  
9   *Public Law 104–208, under the heading “Health Edu-*  
10 *cation Assistance Loans Program” is amended by inserting*  
11 *after “\$140,000,000” the following: “: Provided further,*  
12 *That the Secretary may use up to \$499,000 derived by*  
13 *transfer from insurance premiums collected from guaran-*  
14 *teed loans made under Title VII of the Public Health Serv-*  
15 *ice Act for the purpose of carrying out section 709 of that*  
16 *Act”.*

17                                    *ADMINISTRATION FOR CHILDREN AND FAMILIES*  
18                                    *JOB OPPORTUNITIES AND BASIC SKILLS*  
19                                    *(RESCISSION)*

20        *Of the funds made available under this heading in*  
21 *Public Law 104–208, there is rescinded an amount equal*  
22 *to the total of the funds within each State’s limitation for*  
23 *fiscal year 1997 that are not necessary to pay such State’s*  
24 *allowable claims for such fiscal year.*

25        *Section 403(k)(3)(F) of the Social Security Act (as in*  
26 *effect on October 1, 1996) is amended by adding after the*



1 “,” the following: “reduced by an amount equal to the total  
2 of those funds that are within each State’s limitation for  
3 fiscal year 1997 that are not necessary to pay such State’s  
4 allowable claims for such fiscal year (except that such  
5 amount for such year shall be deemed to be \$1,000,000,000  
6 for the purpose of determining the amount of the payment  
7 under subsection (1) to which each State is entitled),”.

8 *CHILDREN AND FAMILIES SERVICES PROGRAMS*

9 *Public Law 104–208, under the heading titled “Chil-*  
10 *dren and Families Services Programs” is amended by in-*  
11 *serting after the reference to “part B(1) of title IV” the fol-*  
12 *lowing: “and Section 1110”.*

13 *DEPARTMENT OF EDUCATION*

14 *EDUCATION FOR THE DISADVANTAGED*

15 *For additional amounts to carry out subpart 2 of part*  
16 *A of title I of the Elementary and Secondary Education*  
17 *Act of 1965, \$198,176,000, of which \$153,253,000 shall be*  
18 *for Basic Grants and \$44,923,000 shall be for Concentra-*  
19 *tion Grants, which shall be allocated, notwithstanding any*  
20 *other provision of law, only to those States, and counties*  
21 *within those States, that would otherwise receive, from*  
22 *funds available under the Department of Education Appro-*  
23 *priations Act, 1997, smaller allocations for Grants to Local*  
24 *Educational Agencies than they would have received had*  
25 *those allocations been calculated entirely on the basis of*  
26 *child poverty counts from the 1990 census: Provided, That*

1 *the Secretary of Education shall use these additional funds*  
2 *to provide those States with the allocations they would have*  
3 *received had the allocations under that Appropriations Act*  
4 *been calculated entirely on the basis of the 1990 census data:*  
5 *Provided further, That the Secretary shall ratably reduce*  
6 *the allocations to states under the preceding proviso for ei-*  
7 *ther Basic Grants or Concentration Grants, or both, as the*  
8 *case may be, if the funds available are insufficient to make*  
9 *those allocations in full: Provided further, That the Sec-*  
10 *retary shall allocate, to such counties in each such State,*  
11 *additional amounts for Basic Grants and Concentration*  
12 *Grants that are in the same proportion, respectively, to the*  
13 *total amounts allocated to the State, as the differences be-*  
14 *tween such counties' initial allocations for Basic Grants*  
15 *and Concentration Grants, respectively (compared to what*  
16 *they would have received had the initial allocations been*  
17 *calculated entirely on the basis of 1990 census data), are*  
18 *to the differences between the State's initial allocations for*  
19 *Basic Grants and Concentration Grants, respectively (com-*  
20 *pared to the amounts the State would have received had*  
21 *the initial allocations been calculated entirely on the basis*  
22 *of 1990 census data): Provided further, That the funds ap-*  
23 *propriated under this paragraph shall become available on*  
24 *October 1, 1997 and shall remain available through Sep-*  
25 *tember 30, 1998, for academic year 1997–98: Provided fur-*

1 *ther, That the additional amounts appropriated under this*  
2 *paragraph shall not be taken into account in determining*  
3 *State allocations under any other program administered by*  
4 *the Secretary.*

5 *Public Law 104–208, under the heading titled “Edu-*  
6 *cation For the Disadvantaged” is amended by striking*  
7 *“\$1,298,386,000” and inserting “\$713,386,000” in lieu*  
8 *thereof.*

## 9 *CHAPTER 10*

### 10 *GENERAL PROVISIONS*

11 *SEC. 301. No part of any appropriation contained in*  
12 *this Act shall remain available for obligation beyond the*  
13 *current fiscal year unless expressly so provided herein.*

14 *SEC. 302. Of the funds currently contained within the*  
15 *“Counterterrorism Fund” of the Department of Justice,*  
16 *\$3,000,000 is provided for allocation by the Attorney Gen-*  
17 *eral to the appropriate unit or units of government in*  
18 *Ogden, Utah, for necessary expenses, including enhance-*  
19 *ments and upgrade of security and communications infra-*  
20 *structure, to counter any potential terrorism threat related*  
21 *to the 2002 Winter Olympic games to be held in Utah.*

22 *SEC. 303. None of the funds made available in any*  
23 *appropriations Act for fiscal year 1997 may be used by the*  
24 *Department of Commerce to make irreversible plans or*  
25 *preparation for the use of sampling or any other statistical*

1 *method (including any statistical adjustment) in taking the*  
2 *2000 decennial census of population for purposes of the ap-*  
3 *portionment of Representatives in Congress among the*  
4 *States.*

5 *SEC. 304. Section 5803 of Public Law 104–208 (110*  
6 *Stat. 3009–522) is hereby repealed.*

7 *SEC. 305. DELAWARE RIVER BASIN COMMISSION; SUS-*  
8 *QUEHANNA RIVER BASIN COMMISSION.—The Secretary of*  
9 *the Interior or his designee shall serve as the alternate mem-*  
10 *ber of the Susquehanna River Basin Commission appointed*  
11 *under the Susquehanna River Basin Compact (Public Law*  
12 *91–575) and the alternate member of the Delaware River*  
13 *Basin Commission appointed under the Delaware River*  
14 *Basin Compact (Public Law 87–328).*

15 *SEC. 306. Section 2.2 of Public Law 87–328 (75 Stat.*  
16 *688, 691) is amended by striking the words “during the*  
17 *term of office of the President” and inserting “at the pleas-*  
18 *ure of the President”.*

19 *SEC. 307. Section 101(c) of Public Law 104–134 is*  
20 *amended as follows: Under the heading “Title III—General*  
21 *Provisions” amend sections 315(c)(1)(A) and 315(c)(1)(B)*  
22 *by striking in each of those sections “104%” and inserting*  
23 *in lieu thereof “100%”; by striking in each of those sections*  
24 *“1995” and inserting in lieu thereof “1994”; and by strik-*

1 *ing in each of those sections “and thereafter annually ad-*  
2 *justed upward by 4%,”.*

3       *SEC. 308. Section 101(d) of Public Law 104–208 is*  
4 *amended as follows: Under the heading “Administrative*  
5 *Provisions, Indian Health Service” strike the seventh pro-*  
6 *viso and insert the following in lieu thereof: “: Provided*  
7 *further, That with respect to functions transferred by the*  
8 *Indian Health Service to tribes or tribal organizations, the*  
9 *Indian Health Service is authorized to provide goods and*  
10 *services to those entities, on a reimbursable basis, including*  
11 *payment in advance with subsequent adjustment, and the*  
12 *reimbursements received therefrom, along with the funds re-*  
13 *ceived from those entities pursuant to the Indian Self Deter-*  
14 *mination Act, may be credited to the same or subsequent*  
15 *appropriation account which provided the funding, said*  
16 *amounts to remain available until expended”.*

17       *SEC. 309. No funds provided by this Act, an Act mak-*  
18 *ing Appropriations for the Department of Defense for Fiscal*  
19 *Year 1997 (Public Law 104–208), any other Act making*  
20 *appropriations for any agency of the Federal Government*  
21 *for Fiscal Year 1997, or any other Act hereafter enacted*  
22 *may be used by any agency of the Federal Government to*  
23 *promulgate or implement any rule, regulation, policy,*  
24 *statement, or directive issued after October 1, 1993 regard-*  
25 *ing the recognition, validity, or management of any right*

1 of way established pursuant to Revised Statutes 2477 (43  
2 U.S.C. 932).

3 **SEC. 310. COMPLIANCE WITH THE ENDANGERED SPECIES**  
4 **ACT OF 1973 IN CONNECTION WITH FLOOD**  
5 **CONTROL PROJECTS.**

6 (a) *CONSULTATION AND CONFERENCING.*—As provided  
7 by regulations issued under the Endangered Species Act (16  
8 U.S.C. 1531 et seq.) for emergency situations, formal con-  
9 sultation or conferencing under section 7(a)(2) or section  
10 7(a)(4) of the Act for any action authorized, funded or car-  
11 ried out by any Federal agency to repair a Federal or non-  
12 Federal flood control project, facility or structure may be  
13 deferred by the Federal agency authorizing, funding or car-  
14 rying out the action, if the agency determines that the re-  
15 pair is needed to respond to an emergency causing an im-  
16 minent threat to human lives and property in 1996 or  
17 1997. Formal consultation or conferencing shall be deferred  
18 until the imminent threat to human lives and property has  
19 been abated. For purposes of this section, the term repair  
20 shall include preventive and remedial measures to restore  
21 the project, facility or structure to remove an imminent  
22 threat to human lives and property.

23 (b) *REASONABLE AND PRUDENT MEASURES.*—Any  
24 reasonable and prudent measures specified under section 7  
25 of the Endangered Species Act (16 U.S.C. 1536) to mini-

1 mize the impact of an action taken under this section shall  
2 be related both in nature and extent to the effect of the ac-  
3 tion taken to repair the flood control project, facility or  
4 structure.

5       *SEC. 311. Notwithstanding any other provision of law,*  
6 *fiscal year 1995 funds awarded under State-administered*  
7 *programs of the Department of Education and funds*  
8 *awarded for fiscal year 1996 for State-administered pro-*  
9 *grams under the Rehabilitation Act of the Department of*  
10 *Education to recipients in Presidentially declared disaster*  
11 *areas are available to those recipients for obligation until*  
12 *September 30, 1998: Provided, That for the purposes of as-*  
13 *sisting those recipients, the Secretary's waiver authority*  
14 *under section 14401 of the Elementary and Secondary Edu-*  
15 *cation Act of 1965 shall be extended to all State-adminis-*  
16 *tered programs of the Department of Education. This spe-*  
17 *cial waiver authority applies only to funds awarded for fis-*  
18 *cal years 1995, 1996 and 1997.*

19       *SEC. 312. Notwithstanding any other provision of law,*  
20 *the Secretary of Education may waive or modify any statu-*  
21 *tory or regulatory provision applicable to the student finan-*  
22 *cial aid programs under title IV of said Act that the Sec-*  
23 *retary deems necessary to assist individuals and other pro-*  
24 *gram participants who suffered financial harm from natu-*  
25 *ral disasters and who, at the time the disaster struck were*

1 *operating, residing, attending an institution of higher edu-*  
2 *cation, or employed within these areas on the date which,*  
3 *the President declared the existence of a major disaster (or,*  
4 *in the case of an individual who is a dependent student,*  
5 *whose parent or stepparent suffered financial harm from*  
6 *such disaster, and who resided, or was employed in such*  
7 *an area at that time): Provided further, That such author-*  
8 *ity shall be in effect only for awards for award year 1997–*  
9 *1998.*

10 *SEC. 313. None of the funds provided in this Act or*  
11 *in any other Act making appropriations for fiscal year*  
12 *1997 may be used to administer or implement in Denver,*  
13 *Colorado, the Medicare Competitive Pricing/Open Enroll-*  
14 *ment Demonstration, as titled in the April 1, 1997, Final*  
15 *Request for Proposals (RFP).*

16 *SEC. 314. Section 105(f) of the Legislative Branch Ap-*  
17 *propriation Act, 1968 (2 U.S.C. 61–1(f) is amended by add-*  
18 *ing at the end the following: “The limitation on the mini-*  
19 *mum rate of gross compensation under this subsection shall*  
20 *not apply to any member or civilian employee of the Cap-*  
21 *itol Police whose compensation is disbursed by the Secretary*  
22 *of the Senate.”.*

23 *SEC. 315. (a) Notwithstanding any other provision of*  
24 *law or regulation, with the approval of the Committee on*  
25 *Rules and Administration of the Senate, the Sergeant at*



1 *Arms and Doorkeeper of the Senate is authorized to provide*  
2 *additional facilities, services, equipment, and office space*  
3 *for use by a Senator in that Senator's State in connection*  
4 *with a disaster or emergency declared by the President*  
5 *under the Robert T. Stafford Disaster Relief and Emer-*  
6 *gency Assistance Act. Expenses incurred by the Sergeant*  
7 *at Arms and Doorkeeper of the Senate under this section*  
8 *shall be paid from the appropriation account, within the*  
9 *contingent fund of the Senate, for expenses of the Office of*  
10 *the Sergeant at Arms and Doorkeeper of the Senate, upon*  
11 *vouchers signed by the Sergeant at Arms and Doorkeeper*  
12 *of the Senate with the approval of the Committee on Rules*  
13 *and Administration of the Senate.*

14       **(b)** *This section is effective on and after the date of*  
15 *enactment of this Act.*

16       **SEC. 316.** *Title I of the Department of Transportation*  
17 *and Related Agencies Appropriations Act, 1997 (Public*  
18 *Law 104–205) is amended under the heading “Federal*  
19 *Transit Administration—Discretionary Grants” by strik-*  
20 *ing “\$661,000,000” and inserting “\$661,000”.*

21       **SEC. 317.** *Section 325 of Title III of the Department*  
22 *of Transportation and Related Agencies Appropriations*  
23 *Act, 1997 (Public Law 104–205) is amended by deleting*  
24 *all text following “Provided, That such funds shall not be*

1 *subject to the obligation limitation for Federal-aid high-*  
2 *ways and highway safety construction.”.*

3       *SEC. 318. Section 410(j) of title 23, United States*  
4 *Code, is amended by striking the period after “1997” and*  
5 *inserting “, and an additional \$500,000 for fiscal year*  
6 *1997.”.*

7       *SEC. 319. Section 45301(a)(1) of title 49, United*  
8 *States Code, is amended by striking “that neither take off*  
9 *from, nor land in, the United States.” and inserting in lieu*  
10 *thereof: “or general aviation aircraft that neither take off*  
11 *from, nor land in, the United States except that such fees*  
12 *shall not be imposed on overflights operated by citizens of*  
13 *a country contiguous to the United States if (A) both the*  
14 *origin and destination of such flights are within that other*  
15 *contiguous country and (B) that same country exempts*  
16 *similar categories of flights operated by citizens of the Unit-*  
17 *ed States.”.*

18       *SEC. 320. The Administrator of General Services is*  
19 *authorized to obligate the funds appropriated in Public*  
20 *Law 104–208 for construction of the Montgomery, Alabama*  
21 *courthouse.*

22       *SEC. 321. RESTRICTION ON FUNDS USED TO ENFORCE*  
23 *ELECTRONIC FUNDS TAX TRANSFER SYSTEM.—None of the*  
24 *funds made available by this Act or any other Act may*  
25 *be used to impose or collect any penalty under the Internal*

1 *Revenue Code of 1986 which is imposed solely by reason*  
2 *of a failure to use the electronic fund transfer system estab-*  
3 *lished under section 6302(h) of such Code if such failure—*

4           (1) *is by a person which is first required to use*  
5 *such system by reason of clause (i)(IV) or (ii)(IV) of*  
6 *section 6302(h)(2)(C) of such Code, and*

7           (2) *occurs during the period beginning on July*  
8 *1, 1997, and ending on December 31, 1997.*

9       *SEC. 322. Section 1555 of the Federal Acquisition*  
10 *Streamlining Act of 1994, Public Law 103–355, is repealed*  
11 *effective the date of the enactment of this Act.*

12       *SEC. 323. PUBLIC NOTICE OF CONTRACTING BY*  
13 *HUD.—The Secretary shall publish quarterly in the Fed-*  
14 *eral Register a list of all contracts and task orders issued*  
15 *under such contracts in excess of \$250,000 which were en-*  
16 *tered into during the quarter by the Secretary, the Govern-*  
17 *ment National Mortgage Association, and the Office of Fed-*  
18 *eral Housing Enterprise Oversight (or by any officer of the*  
19 *Department of Housing and Urban Development, the Gov-*  
20 *ernment National Mortgage Association, or the Office of*  
21 *Federal Housing Enterprise Oversight acting in his or her*  
22 *capacity to represent the Secretary or these entities). Each*  
23 *listing shall identify the parties to the contract, the term*  
24 *and amount of the contract and the subject matter and re-*  
25 *sponsibilities of the parties to the contract.*

1        *SEC. 324. SECTION 8 NOTICE PROVISION.—Section*  
2 *8(c)(9) of the United States Housing Act of 1937 is amend-*  
3 *ed by striking out “Not less than one year prior to termi-*  
4 *nating any contract” and inserting in lieu thereof the fol-*  
5 *lowing: “Not less than 120 days prior to terminating any*  
6 *contract”.*

7        *SEC. 325. The Secretary of Health and Human Serv-*  
8 *ices shall—*

9            *(1) make available under section 2604(g) of the*  
10 *Low-Income Home Energy Assistance Act of 1981 (42*  
11 *U.S.C. 8623(g)), \$45,000,000 in assistance described*  
12 *in such Act to victims of flooding and other natural*  
13 *disasters for the fiscal year 1997; and*

14            *(2) make the assistance available from funds ap-*  
15 *propriated to carry out such Act prior to the date of*  
16 *enactment of this section.*

17        *SEC. 326. The funds appropriated in Public Law 104–*  
18 *204 to the Environmental Protection Agency under the*  
19 *State and Tribal Assistance Grants Account for grants to*  
20 *States and federally recognized tribes for multi-media or*  
21 *single media pollution prevention, control and abatement*  
22 *and related activities, \$674,207,000, may also be used for*  
23 *the direct implementation by the Federal Government of a*  
24 *program required by law in the absence of an acceptable*  
25 *State or tribal program.*

1        *SEC. 327. After the period for filing claims pursuant*  
2 *to the Uniform Relocation Act is closed, and from amounts*  
3 *previously appropriated for the Center for Ecology Research*  
4 *and Training (CERT), the Environmental Protection*  
5 *Agency (EPA) shall obligate the maximum amount of funds*  
6 *necessary to settle all outstanding CERT-related claims*  
7 *against it. To the extent that unobligated balances remain*  
8 *from such amounts previously appropriated, EPA is au-*  
9 *thorized beginning in fiscal year 1997 to make grants of*  
10 *such funds to the city of Bay City, Michigan, for the pur-*  
11 *pose of EPA-approved environmental remediation and re-*  
12 *habilitation of publicly owned real property included in the*  
13 *boundaries of the CERT project.*

14        *SEC. 328. None of the funds made available in the For-*  
15 *eign Operations, Export Financing, and Related Programs,*  
16 *1997 (as contained in Public Law 104–208) may be made*  
17 *available for assistance to Uruguay unless the Secretary of*  
18 *State certifies to the Committees on Appropriations that all*  
19 *cases involving seizure of United States business assets have*  
20 *been resolved.*

21        *SEC. 329. EXPANDING SMALL BUSINESS PARTICIPA-*  
22 *TION IN DREDGING.—Section 722(a) of the Small Business*  
23 *Competitiveness Demonstration Program Act of 1988 (15*  
24 *U.S.C. 644 note) is amended by striking “September 30,*  
25 *1996” and inserting “September 30, 1997”.*

1 **SEC. 330. COLLECTION AND DISSEMINATION OF INFORMA-**  
2 **TION ON PRICES RECEIVED FOR BULK**  
3 **CHEESE.**

4 (a) *IN GENERAL.*—Not later than 30 days after the  
5 date of enactment of this Act, the Secretary of Agriculture  
6 shall collect and disseminate, on a weekly basis, statistically  
7 reliable information, obtained from cheese manufacturing  
8 areas in the United States on prices received and terms of  
9 trade involving bulk cheese, including information on the  
10 national average price for bulk cheese sold through spot and  
11 forward contract transactions. To the maximum extent  
12 practicable, the Secretary shall report the prices and terms  
13 of trade for spot and forward contract transactions sepa-  
14 rately.

15 (b) *CONFIDENTIALITY.*—All information provided to,  
16 or acquired by, the Secretary under subsection (a) shall be  
17 kept confidential by each officer and employee of the De-  
18 partment of Agriculture except that general weekly state-  
19 ments may be issued that are based on the information and  
20 that do not identify the information provided by any per-  
21 son.

22 (c) *REPORT.*—Not later than 150 days after the date  
23 of enactment of this Act, the Secretary shall report to the  
24 Committee on Agriculture, and the Committee on Appro-  
25 priations, of the House of Representatives and the Commit-  
26 tee on Agriculture, Nutrition, and Forestry, and the Com-

1 *mittee on Appropriations, of the Senate, on the rate of re-*  
2 *porting compliance by cheese manufacturers with respect to*  
3 *the information collected under subsection (a). At the time*  
4 *of the report, the Secretary may submit legislative rec-*  
5 *ommendations to improve the rate of reporting compliance.*

6 (d) *TERMINATION OF EFFECTIVENESS.—The authority*  
7 *provided by subsection (a) terminates effective April 5,*  
8 *1999.*

9 *SEC. 331. The first sentence of section 542(c)(4) of the*  
10 *Housing and Community Development Act of 1992 is*  
11 *amended by striking out “on not more than 12,000 units*  
12 *during fiscal year 1996” and inserting in lieu thereof: “on*  
13 *not more than 12,000 units during fiscal year 1996 and*  
14 *not more than an additional 7,500 units during fiscal year*  
15 *1997”.*

16 *SEC. 332. Section 45301(b)(1)(A) of title 49, United*  
17 *States Code, is amended by inserting before the semicolon*  
18 *“and at least \$50,000,000 in fiscal year 1998 and every*  
19 *year thereafter”.*

20 **SEC. 333. MICHAEL GILLICK CHILDHOOD CANCER RE-**  
21 **SEARCH.**

22 (a) *FINDINGS.—Congress finds that—*

23 (1) *during the period from 1980 to 1988, Ocean*  
24 *County, New Jersey, had a significantly higher rate*  
25 *of childhood cancer than the rest of the United States,*

1 *including a rate of brain and central nervous system*  
2 *cancer that was nearly 70 percent above the rate of*  
3 *other States;*

4 *(2) during the period from 1979 to 1991—*

5 *(A) there were 230 cases of childhood cancer*  
6 *in Ocean County, of which 56 cases were in*  
7 *Dover Township, and of those 14 were in Toms*  
8 *River alone;*

9 *(B) the rate of brain and central nervous*  
10 *system cancer of children under 20 in Toms*  
11 *River was 3 times higher than expected, and*  
12 *among children under 5 was 7 times higher than*  
13 *expected; and*

14 *(C) Dover Township, which would have had*  
15 *a nearly normal cancer rate if Toms River was*  
16 *excluded, had a 49 percent higher cancer rate*  
17 *than the rest of the State and an 80 percent*  
18 *higher leukemia rate than the rest of the State;*  
19 *and*

20 *(3)(A) according to New Jersey State averages, a*  
21 *population the size of Toms River should have 1.6*  
22 *children under age 19 with cancer; and*

23 *(B) Toms River currently has 5 children under*  
24 *the age of 19 with cancer.*

25 *(b) STUDY.—*



1           (1) *IN GENERAL.*—*The Administrator of the*  
2           *Agency for Toxic Substances and Disease Registry*  
3           *shall conduct dose-reconstruction modeling and an ep-*  
4           *idemiological study of childhood cancer in Dover*  
5           *Township, New Jersey, which may also include the*  
6           *high incidence of neuroblastomas in Ocean County,*  
7           *New Jersey.*

8           (2) *GRANT TO NEW JERSEY.*—*The Administrator*  
9           *may make 1 or more grants to the State of New Jer-*  
10          *sey to carry out paragraph (1).*

11          (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
12          *authorized to be appropriated to carry out this Act*  
13          *\$6,000,000 for fiscal years 1998 through 2000.*

14          *SEC. 334. Section 101 of the Marine Mammal Protec-*  
15          *tion Act of 1972 (16 U.S.C. 1371) is amended by adding*  
16          *at the end thereof the following:*

17          “(d) *GOOD SAMARITAN EXEMPTION.*—*It shall not be*  
18          *a violation of this Act to take a marine mammal if—*

19                 “(1) *such taking is imminently necessary to*  
20                 *avoid serious injury, additional injury, or death to a*  
21                 *marine mammal entangled in fishing gear or debris;*

22                 “(2) *reasonable care is taken to ensure the safe*  
23                 *release of the marine mammal, taking into consider-*  
24                 *ation the equipment, expertise, and conditions at*  
25                 *hand;*

1           “(3) reasonable care is exercised to prevent any  
2           further injury to the marine mammal; and

3           “(4) such taking is reported to the Secretary  
4           within 48 hours.”.

5 **SEC. 335. EMERGENCY USE OF CHILD CARE FUNDS.**

6           (a) *IN GENERAL.*—Notwithstanding any other provi-  
7           sion of law, during the period beginning on April 30, 1997,  
8           an ending on July 30, 1997, the Governors of the States  
9           described in paragraph (1) of subsection (b) may, subject  
10          to subsection (c), use amounts received for the provision of  
11          child care assistance or services under the Child Care and  
12          Development Block Grant Act of 1990 (42 U.S.C. 9801 et  
13          seq.) and under part A of title IV of the Social Security  
14          Act (42 U.S.C. 601 et seq.) to provide emergency child care  
15          services to individuals described in paragraph (2) of sub-  
16          section (b).

17          (b) *ELIGIBILITY.*—

18                 (1) *OF STATES.*—A State described in this para-  
19                 graph is a State in which the President, pursuant to  
20                 section 401 of the Robert T. Stafford Disaster Relief  
21                 and Emergency Assistance Act (42 U.S.C. 5121), has  
22                 determined that a major disaster exists, or that an  
23                 area within the State is determined to be eligible for  
24                 disaster relief under other Federal law by reason of  
25                 damage related to flooding in 1997.

1           (2) *OF INDIVIDUALS.*—*An individual described*  
2 *in this subsection is an individual who—*

3                   (A) *resides within any area in which the*  
4 *President, pursuant to section 401 of the Robert*  
5 *T. Stafford Disaster Relief and Emergency As-*  
6 *sistance Act (42 U.S.C. 5121), has determined*  
7 *that a major disaster exists, or within an area*  
8 *determined to be eligible for disaster relief under*  
9 *other Federal law by reason of damage related to*  
10 *flooding in 1997; and*

11                   (B) *is involved in unpaid work activities*  
12 *(including the cleaning, repair, restoration, and*  
13 *rebuilding of homes, businesses, and schools) re-*  
14 *sulting from the flood emergency described in*  
15 *subparagraph (A).*

16 (c) *LIMITATIONS.*—

17           (1) *REQUIREMENTS.*—*With respect to assistance*  
18 *provided to individuals under this section, the qual-*  
19 *ity, certification and licensure, health and safety,*  
20 *nondiscrimination, and other requirements applicable*  
21 *under the Federal programs referred to in subsection*  
22 *(a) shall apply to child care provided or obtained*  
23 *under this section.*

24           (2) *AMOUNT OF FUNDS.*—*The total amount uti-*  
25 *lized by each of the States under subsection (a) dur-*

1        *ing the period referred to in such subsection shall not*  
2        *exceed the total amount of such assistance that, not-*  
3        *withstanding the enactment of this section, would oth-*  
4        *erwise have been expended by each such State in the*  
5        *affected region during such period.*

6        *(d) PRIORITY.—In making assistance available under*  
7        *this section, the Governors described in subsection (a) shall*  
8        *give priority to eligible individuals who do not have access*  
9        *to income, assets, or resources as a direct result of the flood-*  
10       *ing referred to in subsection (b)(2)(A).*

11       **SEC. 336. RELIEF TO AGRICULTURAL PRODUCERS FOR**  
12                                **FLOODING LOSS CAUSED BY DAM ON LAKE**  
13                                **REDROCK, IOWA.**

14        *(a) ELIGIBILITY.—To be eligible for assistance under*  
15        *this section, an agricultural producer must—*

16                *(1)(A) be an owner or operator of land who*  
17                *granted an easement to the Federal Government for*  
18                *flooding losses to the land caused by water retention*  
19                *at the dam site at Lake Redrock, Iowa; or*

20                *(B) have been an owner or operator of land that*  
21                *was condemned by the Federal Government because of*  
22                *flooding of the land caused by water retention at the*  
23                *dam site at Lake Redrock, Iowa; and*

24                *(2) have incurred losses that exceed the estimates*  
25                *of the Secretary of the Army provided to the producer*

1       *as part of the granting of the easement or as part of*  
2       *the condemnation.*

3       **(b) COMPENSATION.—**

4             **(1) IN GENERAL.—***Subject to paragraph (2), the*  
5       *Secretary of the Army shall compensate an eligible*  
6       *producer described in subsection (a) for flooding losses*  
7       *to the land of the producer described in subsection*  
8       *(a)(2) in an amount determined by the Federal Crop*  
9       *Insurance Corporation.*

10            **(2) REDUCTION.—***If the Secretary maintains a*  
11       *water retention rate at the dam site at Lake Redrock,*  
12       *Iowa, of—*

13                    **(A)** *less than 769 feet, the amount of com-*  
14       *ensation provided to a producer under para-*  
15       *graph (1) shall be reduced by 10 percent;*

16                    **(B)** *not less than 769 feet and not more*  
17       *than 772 feet, the amount of compensation pro-*  
18       *vided to a producer under paragraph (1) shall be*  
19       *reduced by 7 percent; and*

20                    **(C)** *more than 772 feet, the amount of com-*  
21       *ensation provided to a producer under para-*  
22       *graph (1) shall be reduced by 3 percent.*

23        **(c) CROP YEARS.—***This section shall apply to flooding*  
24       *losses to the land of a producer described in subsection*

1 *(a)(2) that are incurred during the 1997 and subsequent*  
2 *crop years.*

3 *TITLE IV—DEPARTMENT OF DEFENSE OFFSETS*

4 *DEPARTMENT OF DEFENSE—MILITARY*

5 *MILITARY PERSONNEL*

6 *MILITARY PERSONNEL, ARMY*

7 *(RESCISSION)*

8 *Of the funds made available under this heading in*  
9 *Public Law 104–208, \$46,000,000 are rescinded.*

10 *MILITARY PERSONNEL, NAVY*

11 *(RESCISSION)*

12 *Of the funds made available under this heading in*  
13 *Public Law 104–208, \$11,000,000 are rescinded.*

14 *MILITARY PERSONNEL, MARINE CORPS*

15 *(RESCISSION)*

16 *Of the funds made available under this heading in*  
17 *Public Law 104–208, \$5,000,000 are rescinded.*

18 *MILITARY PERSONNEL, AIR FORCE*

19 *(RESCISSION)*

20 *Of the funds made available under this heading in*  
21 *Public Law 104–208, \$15,000,000 are rescinded.*

1            *OPERATION AND MAINTENANCE*2            *OPERATION AND MAINTENANCE, ARMY*3                            *(RESCISSION)*4            *Of the funds made available under this heading in*  
5 *Public Law 104–208, \$174,000,000 are rescinded.*6            *OPERATION AND MAINTENANCE, NAVY*7                            *(RESCISSION)*8            *Of the funds made available under this heading in*  
9 *Public Law 104–208, \$51,000,000 are rescinded.*10          *OPERATION AND MAINTENANCE, MARINE CORPS*11                            *(RESCISSION)*12          *Of the funds made available under this heading in*  
13 *Public Law 104–208, \$17,000,000 are rescinded.*14          *OPERATION AND MAINTENANCE, AIR FORCE*15                            *(RESCISSION)*16          *Of the funds made available under this heading in*  
17 *Public Law 104–208, \$117,000,000 are rescinded.*18          *OPERATION AND MAINTENANCE, DEFENSE-WIDE*19                            *(RESCISSION)*20          *Of the funds made available under this heading in*  
21 *Public Law 104–208, \$25,000,000 are rescinded.*22          *ENVIRONMENTAL RESTORATION, ARMY*23                            *(RESCISSION)*24          *Of the funds made available under this heading in*  
25 *Public Law 104–208, \$250,000 are rescinded.*

1                    *ENVIRONMENTAL RESTORATION, NAVY*2    *(RESCISSION)*3            *Of the funds made available under this heading in*4 *Public Law 104–208, \$250,000 are rescinded.*5                    *ENVIRONMENTAL RESTORATION, AIR FORCE*6    *(RESCISSION)*7            *Of the funds made available under this heading in*8 *Public Law 104–208, \$250,000 are rescinded.*9                    *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*10    *(RESCISSION)*11            *Of the funds made available under this heading in*12 *Public Law 104–208, \$250,000 are rescinded.*13                    *FORMER SOVIET UNION THREAT REDUCTION*14    *(RESCISSION)*15            *Of the funds made available under this heading in*16 *Public Law 104–208, \$2,000,000 are rescinded.*17    *PROCUREMENT*18    *AIRCRAFT PROCUREMENT, ARMY*19    *(RESCISSIONS)*20            *Of the funds made available under this heading in*21 *Public Law 103–335, \$1,085,000 are rescinded.*22            *Of the funds made available under this heading in*23 *Public Law 104–208, \$8,000,000 are rescinded.*



1                    *MISSILE PROCUREMENT, ARMY*2                                    *(RESCISSIONS)*3            *Of the funds made available under this heading in*  
4 *Public Law 103–335, \$2,707,000 are rescinded.*5            *Of the funds made available under this heading in*  
6 *Public Law 104–208, \$71,000,000 are rescinded.*7            *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*8                                    *VEHICLES, ARMY*9                                    *(RESCISSIONS)*10           *Of the funds made available under this heading in*  
11 *Public Law 103–335, \$2,296,000 are rescinded.*12           *Of the funds made available under this heading in*  
13 *Public Law 104–208, \$5,000,000 are rescinded.*14                    *PROCUREMENT OF AMMUNITION, ARMY*15                                    *(RESCISSIONS)*16           *Of the funds made available under this heading in*  
17 *Public Law 103–335, \$3,236,000 are rescinded.*18           *Of the funds made available under this heading in*  
19 *Public Law 104–61, \$14,000,000 are rescinded.*20           *Of the funds made available under this heading in*  
21 *Public Law 104–208, \$11,000,000 are rescinded.*22                    *OTHER PROCUREMENT, ARMY*23                                    *(RESCISSIONS)*24           *Of the funds made available under this heading in*  
25 *Public Law 103–335, \$2,502,000 are rescinded.*

1        *Of the funds made available under this heading in*  
2 *Public Law 104–208, \$21,000,000 are rescinded.*

3                                *AIRCRAFT PROCUREMENT, NAVY*

4    *(RESCISSIONS)*

5        *Of the funds made available under this heading in*  
6 *Public Law 103–335, \$34,000,000 are rescinded.*

7        *Of the funds made available under this heading in*  
8 *Public Law 104–208, \$28,000,000 are rescinded.*

9                                *WEAPONS PROCUREMENT, NAVY*

10    *(RESCISSIONS)*

11        *Of the funds made available under this heading in*  
12 *Public Law 103–335, \$16,000,000 are rescinded.*

13        *Of the funds made available under this heading in*  
14 *Public Law 104–208, \$6,000,000 are rescinded.*

15                                *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

16    *CORPS*

17    *(RESCISSIONS)*

18        *Of the funds made available under this heading in*  
19 *Public Law 103–335, \$812,000 are rescinded.*

20        *Of the funds made available under this heading in*  
21 *Public Law 104–61, \$4,000,000 are rescinded.*

22                                *SHIPBUILDING AND CONVERSION, NAVY*

23    *(RESCISSIONS)*

24        *Of the funds made available under this heading in*  
25 *Public Law 102–396, \$10,000,000 are rescinded.*

1        *Of the funds made available under this heading in*  
2 *Public Law 104–208, \$33,000,000 are rescinded.*

3                                *OTHER PROCUREMENT, NAVY*

4    *(RESCISSIONS)*

5        *Of the funds made available under this heading in*  
6 *Public Law 103–335, \$4,237,000 are rescinded.*

7        *Of the funds made available under this heading in*  
8 *Public Law 104–61, \$3,000,000 are rescinded.*

9        *Of the funds made available under this heading in*  
10 *Public Law 104–208, \$8,000,000 are rescinded.*

11                                *PROCUREMENT, MARINE CORPS*

12    *(RESCISSIONS)*

13        *Of the funds made available under this heading in*  
14 *Public Law 103–335, \$1,207,000 are rescinded.*

15        *Of the funds made available under this heading in*  
16 *Public Law 104–61, \$4,000,000 are rescinded.*

17                                *AIRCRAFT PROCUREMENT, AIR FORCE*

18    *(RESCISSIONS)*

19        *Of the funds made available under this heading in*  
20 *Public Law 103–335, \$33,650,000 are rescinded.*

21        *Of the funds made available under this heading in*  
22 *Public Law 104–61, \$40,000,000 are rescinded.*

23        *Of the funds made available under this heading in*  
24 *Public Law 104–208, \$41,000,000 are rescinded.*

1                    *MISSILE PROCUREMENT, AIR FORCE*2    *(RESCISSIONS)*3            *Of the funds made available under this heading in*4 *Public Law 103-335, \$7,195,000 are rescinded.*5            *Of the funds made available under this heading in*6 *Public Law 104-208, \$186,000,000 are rescinded.*7                    *OTHER PROCUREMENT, AIR FORCE*8    *(RESCISSIONS)*9            *Of the funds made available under this heading in*10 *Public Law 103-335, \$3,659,000 are rescinded.*11            *Of the funds made available under this heading in*12 *Public Law 104-61, \$10,000,000 are rescinded.*13            *Of the funds made available under this heading in*14 *Public Law 104-208, \$7,000,000 are rescinded.*15                    *PROCUREMENT, DEFENSE-WIDE*16    *(RESCISSIONS)*17            *Of the funds made available under this heading in*18 *Public Law 103-335, \$4,860,000 are rescinded.*19            *Of the funds made available under this heading in*20 *Public Law 104-208, \$5,000,000 are rescinded.*21                    *NATIONAL GUARD AND RESERVE EQUIPMENT*22    *(RESCISSION)*23            *Of the funds made available under this heading in*24 *Public Law 103-335, \$5,029,000 are rescinded.*



1     *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*  
2                                     *DEFENSE-WIDE*  
3                                     *(RESCISSIONS)*

4         *Of the funds made available under this heading in*  
5     *Public Law 104–61, \$81,090,000 are rescinded.*

6         *Of the funds made available under this heading in*  
7     *Public Law 104–208, \$95,000,000 are rescinded.*

8     *DEVELOPMENTAL TEST AND EVALUATION, DEFENSE*  
9                                     *(RESCISSION)*

10        *Of the funds made available under this heading in*  
11    *Public Law 104–61, \$890,000 are rescinded.*

12     *OPERATIONAL TEST AND EVALUATION, DEFENSE*  
13                                     *(RESCISSION)*

14        *Of the funds made available under this heading in*  
15    *Public Law 104–61, \$160,000 are rescinded.*

16     *REVOLVING AND MANAGEMENT FUNDS*

17                                     *NATIONAL DEFENSE SEALIFT FUND*  
18                                     *(RESCISSION)*

19        *Of the funds made available under this heading in*  
20    *Public Law 104–208, \$35,000,000 are rescinded.*

1 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*2 *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*3 *DEFENSE*4 *(RESCISSIONS)*

5 *Of the funds made available under this heading in*  
6 *Public Law 103–335, \$456,000 are rescinded.*

7 *Of the funds made available under this heading in*  
8 *Public Law 104–61, \$20,652,000 are rescinded.*

9 *Of the funds made available under this heading in*  
10 *Public Law 104–208, \$27,000,000 are rescinded.*

11 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*12 *DEFENSE*13 *(RESCISSION)*

14 *Of the funds made available under this heading in*  
15 *Public Law 104–208, \$2,000,000 are rescinded.*

16 *GENERAL PROVISIONS*17 *(RESCISSIONS)*

18 *SEC. 401. Of the funds appropriated in the Military*  
19 *Construction Appropriations Act, 1996 (Public Law 104–*  
20 *32), amounts are hereby rescinded from the following ac-*  
21 *counts in the specified amounts:*

22 *“Military Construction, Air Force Reserve”,*  
23 *\$5,000,000;*

24 *“Military Construction, Defense-wide”,*  
25 *\$41,000,000;*

1           *“Base Realignment and Closure Account, Part*  
2           *II”, \$35,391,000;*

3           *“Base Realignment and Closure Account, Part*  
4           *III”, \$75,638,000;*

5           *“Base Realignment and Closure Account, Part*  
6           *IV”, \$22,971,000:*

7 *Provided, That of the funds appropriated in the Military*  
8 *Construction Appropriations Act, 1997 (Public Law 104–*  
9 *196), amounts are hereby rescinded from the following ac-*  
10 *counts in the specified amounts:*

11           *“Military Construction, Army”, \$1,000,000;*

12           *“Military Construction, Navy”, \$2,000,000;*

13           *“Military Construction, Air Force”, \$3,000,000;*

14           *“Military Construction, Defense-wide”,*  
15           *\$49,000,000.*

16           *SEC. 402. Notwithstanding 31 U.S.C. 1502(a) and 31*  
17 *U.S.C. 1553(a), funds appropriated in Public Law 101–*  
18 *511, Public Law 102–396, and Public Law 103–139, under*  
19 *the heading “Weapons Procurement, Navy”, that were obli-*  
20 *gated and expended to settle claims on the MK–50 torpedo*  
21 *program may continue to be obligated and expended to set-*  
22 *tle those claims.*

23           *SEC. 403. None of the funds available to the Depart-*  
24 *ment of Defense in this or any other Act shall be available*  
25 *to pay the cost of operating a National Missile Defense*





1                    *TITLE V—OTHER OFFSETS*  
2                    *CHAPTER 1*  
3 *SUBCOMMITTEE ON COMMERCE, JUSTICE, AND*  
4 *STATE, THE JUDICIARY, AND RELATED*  
5 *AGENCIES*

6                    *DEPARTMENT OF JUSTICE*  
7                    *GENERAL ADMINISTRATION*  
8                    *WORKING CAPITAL FUND*  
9                    *(RESCISSION)*

10            *Of the available unobligated balances under this head-*  
11 *ing, \$6,400,000 are rescinded.*

12                    *CHAPTER 2*  
13 *SUBCOMMITTEE ON INTERIOR AND RELATED*  
14 *AGENCIES*

15                    *DEPARTMENT OF ENERGY*  
16                    *CLEAN COAL TECHNOLOGY*  
17                    *(RESCISSION)*

18            *Of the funds made available under this heading for*  
19 *obligation in fiscal year 1997 or prior years, \$17,000,000*  
20 *are rescinded: Provided, That funds made available in pre-*  
21 *vious appropriations Acts shall be available for any ongo-*  
22 *ing project regardless of the separate request for proposal*  
23 *under which the project was selected.*

1                    *STRATEGIC PETROLEUM RESERVE*2    *(RESCISSION)*3            *Of the funds made available under this heading in pre-*  
4 *vious appropriations Acts, \$11,000,000 are rescinded.*5    *CHAPTER 3*6            *SUBCOMMITTEE ON TRANSPORTATION AND*7    *RELATED AGENCIES*8    *DEPARTMENT OF TRANSPORTATION*9    *FEDERAL AVIATION ADMINISTRATION*10     *GRANTS-IN-AID FOR AIRPORTS*11     *(AIRPORT AND AIRWAY TRUST FUND)*12     *(RESCISSION OF CONTRACT AUTHORIZATION)*13            *Of the unobligated balances authorized under section*  
14 *14 of Public Law 91-258 as amended, \$778,000,000 are*  
15 *rescinded.*16            *NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*17     *HIGHWAY TRAFFIC SAFETY GRANTS*18     *(HIGHWAY TRUST FUND)*19     *(RESCISSION OF CONTRACT AUTHORIZATION)*20            *Of the available balances of contract authority under*  
21 *this heading, \$10,600,000 are rescinded.*

1           *FEDERAL TRANSIT ADMINISTRATION*2                   *TRUST FUND SHARE OF EXPENSES*3                           *(HIGHWAY TRUST FUND)*4                           *(RESCISSION OF CONTRACT AUTHORIZATION)*

5           *Of the available balances of contract authority under*  
6 *this heading, \$271,000,000 are rescinded.*

7                   *DISCRETIONARY GRANTS*8                           *(HIGHWAY TRUST FUND)*9                           *(RESCISSION OF CONTRACT AUTHORIZATION)*

10          *Of the available balances of contract authority under*  
11 *this heading, for fixed guideway modernization and bus ac-*  
12 *tivities under 49 U.S.C. 5309(m)(A) and (C), \$588,000,000*  
13 *are rescinded.*

14                           *CHAPTER 4*15          *SUBCOMMITTEE ON TREASURY AND GENERAL*16                           *GOVERNMENT*17                           *INDEPENDENT AGENCY*18                           *GENERAL SERVICES ADMINISTRATION*19                           *EXPENSES, PRESIDENTIAL TRANSITION*20                           *(RESCISSION)*

21          *Of the amounts made available under this heading in*  
22 *Public Law 104–208, \$5,600,000 are rescinded.*

1                                    *CHAPTER 5*  
2   *SUBCOMMITTEE ON VA, HUD, AND INDEPENDENT*  
3                                    *AGENCIES*  
4                                    *DEPARTMENT OF HOUSING AND URBAN*  
5                                    *DEVELOPMENT*  
6                                    *HOUSING PROGRAMS*  
7                                    *ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING*  
8                                    *(INCLUDING RESCISSION)*

9            *Of the amounts recaptured under this heading during*  
10 *fiscal year 1997 and prior years, \$3,650,000,000 are re-*  
11 *scinded: Provided, That the Secretary of Housing and*  
12 *Urban Development shall recapture at least \$5,800,000,000*  
13 *in amounts heretofore maintained as section 8 reserves*  
14 *made available to housing agencies for tenant-based assist-*  
15 *ance under the section 8 existing housing certificate and*  
16 *housing voucher programs: Provided further, That all addi-*  
17 *tional section 8 reserve funds of an amount not less than*  
18 *\$2,150,000,000 and any recaptures (other than funds al-*  
19 *ready designated for other uses) specified in section 214 of*  
20 *Public Law 104–204 shall be preserved under the head*  
21 *“Section 8 Reserve Preservation Account” for use in extend-*  
22 *ing section 8 contracts expiring in fiscal year 1998 and*  
23 *thereafter: Provided further, That the Comptroller General*  
24 *of the United States shall conduct an audit of all accounts*  
25 *of the Department of Housing and Urban Development to*  
26 *determine the amount of any and all program funds admin-*

1 *istered by the Department and report on this audit no later*  
2 *than May 1, 1998.*

3 *FEDERAL HOUSING ADMINISTRATION*  
4 *FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT*  
5 *(RESCISSION)*

6 *Of the amounts of negative credit subsidy from the sale*  
7 *of mortgage notes provided for under the fourth proviso*  
8 *under this head in Public Law 104–134, \$85,000,000 is re-*  
9 *scinded.*

10 *INDEPENDENT AGENCIES*  
11 *FEDERAL EMERGENCY MANAGEMENT AGENCY*  
12 *SALARIES AND EXPENSES*

13 *(RESCISSION)*  
14 *Of the funds made available under this heading in*  
15 *Public Law 102–368, \$5,000,000 are rescinded.*

16 *NATIONAL AERONAUTICS AND SPACE ADMINISTRATION*  
17 *NATIONAL AERONAUTICS FACILITIES*  
18 *(RESCISSION)*

19 *Of the funds made available under this heading in*  
20 *Public Law 103–327, \$365,000,000 are rescinded.*

21 *FUNDS APPROPRIATED TO THE PRESIDENT*  
22 *UNANTICIPATED NEEDS*  
23 *(RESCISSION)*

24 *Of the funds made available under this heading in*  
25 *Public Law 103–211 to NASA for Space flight, control, and*  
26 *data communications, \$4,200,000 are rescinded.*

1                                    *CHAPTER 6*  
2                    *SUBCOMMITTEE ON AGRICULTURE, RURAL*  
3                    *DEVELOPMENT, AND RELATED AGENCIES*  
4                                    *DEPARTMENT OF AGRICULTURE*  
5                                    *FOOD AND CONSUMER SERVICE*  
6                                    *THE EMERGENCY FOOD ASSISTANCE PROGRAM*  
7                    *Notwithstanding section 27(a) of the Food Stamp Act,*  
8                    *the amount specified for allocation under such section for*  
9                    *fiscal year 1997 shall be \$80,000,000.*

10                    *FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES*

11                                    *MANAGER*

12                                    *EXPORT CREDIT*

13                    *None of the funds made available in the Agriculture,*  
14                    *Rural Development, Food and Drug Administration, and*  
15                    *Related Agencies Appropriations Act, 1997, Public Law*  
16                    *104–180, may be used to pay the salaries and expenses of*  
17                    *employees of the Department of Agriculture to carry out*  
18                    *a combined program for export credit guarantees, supplier*  
19                    *credit guarantees, and emerging democracies facilities guar-*  
20                    *antees at a level which exceeds \$3,500,000,000.*

21                                    *EXPORT ENHANCEMENT PROGRAM*

22                    *None of the funds appropriated or otherwise made*  
23                    *available in Public Law 104–180 shall be used to pay the*  
24                    *salaries and expenses of personnel to carry out an export*  
25                    *enhancement program if the aggregate amount of funds*

1 *and/or commodities under such program exceeds*  
2 *\$50,000,000.*

3 *CHAPTER 7*

4 *SUBCOMMITTEE ON ENERGY AND WATER*

5 *DEVELOPMENT*

6 *DEPARTMENT OF DEFENSE—CIVIL*

7 *CORPS OF ENGINEERS—CIVIL*

8 *CONSTRUCTION, GENERAL*

9 *Of the amounts provided under this heading, including*  
10 *amounts provided to specific projects, in Public Law 104–*  
11 *206, and any other available balances under this heading,*  
12 *\$30,000,000 are permanently canceled.*

13 *TITLE VI—SUPPLEMENTAL SECURITY INCOME*

14 *AMENDMENT*

15 ***SEC. 601. EXTENSION OF SSI REDETERMINATION PROVI-***  
16 ***SIONS.***

17 *(a) IN GENERAL.—Section 402(a)(2)(D) of the Per-*  
18 *sonal Responsibility and Work Opportunity Reconciliation*  
19 *Act of 1996 (8 U.S.C. 1612(a)(2)(D)) is amended—*

20 *(1) in clause (i)—*

21 *(A) in subclause (I), by striking “the date*  
22 *which is 1 year after such date of enactment”*  
23 *and inserting in lieu thereof “September 30,*  
24 *1997”; and*



1           (B) in subclause (III), by striking “the date  
2           of the redetermination with respect to such indi-  
3           vidual” and inserting in lieu thereof “September  
4           30, 1997”.

5           (b) *EFFECTIVE DATE.*—Subsection (a) takes effect as  
6 if included in the enactment of section 402 of the Personal  
7 Responsibility and Work Opportunity Reconciliation Act  
8 of 1996 (8 U.S.C. 1612).

9           **TITLE VII—GOVERNMENT SHUTDOWN**  
10           **PREVENTION ACT**

11 **SEC. 701. SHORT TITLE.**

12           This title may be cited as the “Government Shutdown  
13 Prevention Act”.

14 **SEC. 702. CONTINUING FUNDING.**

15           (a) *IN GENERAL.*—If any regular appropriation bill  
16 for fiscal year 1998 does not become law prior to the begin-  
17 ning of fiscal year 1998 or a joint resolution making con-  
18 tinuing appropriations is not in effect, there is appro-  
19 priated, out of any moneys in the Treasury not otherwise  
20 appropriated, and out of applicable corporate or other reve-  
21 nues, receipts, and funds, such sums as may be necessary  
22 to continue any program, project, or activity for which  
23 funds were provided in fiscal year 1997.

24           (b) *LEVEL OF FUNDING.*—Appropriations and funds  
25 made available, and authority granted, for a program,

1 *project, or activity for fiscal year 1998 pursuant to this*  
2 *title shall be at 100 per cent of the rate of operations that*  
3 *was provided for the program, project, or activity in fiscal*  
4 *year 1997 in the corresponding regular appropriation Act*  
5 *for fiscal year 1997.*

6 (c) *PERIOD OF AVAILABILITY.—Appropriations and*  
7 *funds made available, and authority granted, for fiscal year*  
8 *1998 pursuant to this title for a program, project, or activ-*  
9 *ity shall be available for the period beginning with the first*  
10 *day of a lapse in appropriations and ending with the ear-*  
11 *lier of—*

12 (1) *the date on which the applicable regular ap-*  
13 *propriation bill for fiscal year 1998 becomes law*  
14 *(whether or not that law provides for that program,*  
15 *project, or activity) or a continuing resolution mak-*  
16 *ing appropriations becomes law, as the case may be;*  
17 *or*

18 (2) *the last day of fiscal year 1998.*

19 **SEC. 703. TERMS AND CONDITIONS.**

20 (a) *IN GENERAL.—An appropriation of funds made*  
21 *available, or authority granted, for a program, project, or*  
22 *activity for fiscal year 1998 pursuant to this title shall be*  
23 *made available to the extent and in the manner which*  
24 *would be provided by the pertinent appropriations Act for*  
25 *fiscal year 1997, including all of the terms and conditions*

1 *and the apportionment schedule imposed with respect to the*  
2 *appropriation made or funds made available for fiscal year*  
3 *1997 or authority granted for the program, project, or ac-*  
4 *tivity under current law.*

5 (b) *EXTENT AND MANNER.*—*Appropriations made by*  
6 *this title shall be available to the extent and in the manner*  
7 *which would be provided by the pertinent appropriations*  
8 *Act.*

9 **SEC. 704. COVERAGE.**

10 *Appropriations and funds made available, and author-*  
11 *ity granted, for any program, project, or activity for fiscal*  
12 *year 1998 pursuant to this title shall cover all obligations*  
13 *or expenditures incurred for that program, project, or activ-*  
14 *ity during the portion of fiscal year 1998 for which this*  
15 *title applies to that program, project, or activity.*

16 **SEC. 705. EXPENDITURES.**

17 *Expenditures made for a program, project, or activity*  
18 *for fiscal year 1998 pursuant to this title shall be charged*  
19 *to the applicable appropriation, fund, or authorization*  
20 *whenever a regular appropriation bill or a joint resolution*  
21 *making continuing appropriations until the end of fiscal*  
22 *year 1998 providing for that program, project, or activity*  
23 *for that period becomes law.*

1 **SEC. 706. INITIATING OR RESUMING A PROGRAM, PROJECT,**  
2 **OR ACTIVITY.**

3 *No appropriation or funds made available or author-*  
4 *ity granted pursuant to this title shall be used to initiate*  
5 *or resume any program, project, or activity for which ap-*  
6 *propriations, funds, or other authority were not available*  
7 *during fiscal year 1997.*

8 **SEC. 707. PROTECTION OF OTHER OBLIGATIONS.**

9 *Nothing in this title shall be construed to effect Govern-*  
10 *ment obligations mandated by other law, including obliga-*  
11 *tions with respect to Social Security, Medicare, Medicaid,*  
12 *and veterans benefits.*

13 **SEC. 708. DEFINITION.**

14 *In this title, the term “regular appropriation bill”*  
15 *means any annual appropriation bill making appropria-*  
16 *tions, otherwise making funds available, or granting au-*  
17 *thority, for any of the following categories of programs,*  
18 *projects, and activities:*

19 (1) *Agriculture, rural development, and related*  
20 *agencies programs.*

21 (2) *The Departments of Commerce, Justice, and*  
22 *State, the judiciary, and related agencies.*

23 (3) *The Department of Defense.*

24 (4) *The government of the District of Columbia*  
25 *and other activities chargeable in whole or in part*  
26 *against the revenues of the District.*

1           (5) *The Departments of Labor, Health and*  
2           *Human Services, and Education, and related agen-*  
3           *cies.*

4           (6) *The Departments of Veterans and Housing*  
5           *and Urban Development, and sundry independent*  
6           *agencies, boards, commissions, corporations, and of-*  
7           *fices.*

8           (7) *Energy and water development.*

9           (8) *Foreign assistance and related programs.*

10          (9) *The Department of the Interior and related*  
11          *agencies.*

12          (10) *Military construction.*

13          (11) *The Department of Transportation and re-*  
14          *lated agencies.*

15          (12) *The Treasury Department, the U.S. Postal*  
16          *Service, the Executive Office of the President, and cer-*  
17          *tain independent agencies.*

18          (13) *The legislative branch.*

19                 **TITLE VIII—DEPOSITORY INSTITUTION**

20                         **DISASTER RELIEF**

21   **SEC. 801. SHORT TITLE.**

22           *This title may be cited as the “Depository Institution*  
23   *Disaster Relief Act of 1997”.*

1 **SEC. 802. TRUTH IN LENDING ACT; EXPEDITED FUNDS**  
2 **AVAILABILITY ACT.**

3 (a) *TRUTH IN LENDING ACT.*—During the 180-day pe-  
4 riod beginning on the date of enactment of this Act, the  
5 Board may make exceptions to the Truth in Lending Act  
6 (15 U.S.C. 1601 et seq.) for transactions within an area  
7 in which the President, pursuant to section 401 of the Rob-  
8 ert T. Stafford Disaster Relief and Emergency Assistance  
9 Act (42 U.S.C. 5121 et seq.), has determined that a major  
10 disaster exists, or within an area determined to be eligible  
11 for disaster relief under other Federal law by reason of dam-  
12 age related to the 1997 flooding of the Red River of the  
13 North and its tributaries, if the Board determines that the  
14 exception can reasonably be expected to alleviate hardships  
15 to the public resulting from such disaster that outweigh pos-  
16 sible adverse effects.

17 (b) *EXPEDITED FUNDS AVAILABILITY ACT.*—During  
18 the 180-day period beginning on the date of enactment of  
19 this Act, the Board may make exceptions to the Expedited  
20 Funds Availability Act (12 U.S.C. 4001 et seq.) for deposi-  
21 tory institution offices located within any area referred to  
22 in subsection (a) if the Board determines that the exception  
23 can reasonably be expected to alleviate hardships to the pub-  
24 lic resulting from such disaster that outweigh possible ad-  
25 verse effects.

1       (c) *TIME LIMIT ON EXCEPTIONS.*—Any exception  
2 made under this section shall expire not later than the ear-  
3 lier of—

4           (1) 1 year after the date of enactment of this Act;

5       or

6           (2) 1 year after the date of any determination  
7 referred to in subsection (a).

8       (d) *PUBLICATION REQUIRED.*—Not later than 60 days  
9 after the date of a determination under subsection (a), the  
10 Board shall publish in the Federal Register a statement  
11 that—

12           (1) describes the exception made under this sec-  
13 tion; and

14           (2) explains how the exception can reasonably be  
15 expected to produce benefits to the public that out-  
16 weigh possible adverse effects.

17 **SEC. 803. DEPOSIT OF INSURANCE PROCEEDS.**

18       The appropriate Federal banking agency may, by  
19 order, permit an insured depository institution, during the  
20 18-month period beginning on the date of enactment of this  
21 Act, to subtract from the institution's total assets, in cal-  
22 culating compliance with the leverage limit prescribed  
23 under section 38 of the Federal Deposit Insurance Act (12  
24 U.S.C. 1831o), an amount not exceeding the qualifying

1 *amount attributable to insurance proceeds, if the agency de-*  
2 *termines that—*

3 *(1) the institution—*

4 *(A) had its principal place of business with-*  
5 *in an area in which the President, pursuant to*  
6 *section 401 of the Robert T. Stafford Disaster*  
7 *Relief and Emergency Assistance Act, has deter-*  
8 *mined that a major disaster exists, or within an*  
9 *area determined to be eligible for disaster relief*  
10 *under other Federal law by reason of damage re-*  
11 *lated to the 1997 flooding of the Red River of the*  
12 *North and its tributaries, on the day before the*  
13 *date of any such determination;*

14 *(B) derives more than 60 percent of its total*  
15 *deposits from persons who normally reside with-*  
16 *in, or whose principal place of business is nor-*  
17 *mally within, areas of intense devastation caused*  
18 *by the major disaster;*

19 *(C) was adequately capitalized (as defined*  
20 *in section 38 of the Federal Deposit Insurance*  
21 *Act (12 U.S.C. 1831o)) before the major disaster;*  
22 *and*

23 *(D) has an acceptable plan for managing*  
24 *the increase in its total assets and total deposits;*  
25 *and*



1           (2) *the subtraction is consistent with the purpose*  
2           *of section 38 of the Federal Deposit Insurance Act (12*  
3           *U.S.C. 1831o).*

4 **SEC. 804. BANKING AGENCY PUBLICATION REQUIRE-**  
5           **MENTS.**

6           (a) *IN GENERAL.—During the 180-day period begin-*  
7           *ning on the date of enactment of this Act, a qualifying regu-*  
8           *latory agency may take any of the following actions with*  
9           *respect to depository institutions or other regulated entities*  
10          *whose principal place of business is within, or with respect*  
11          *to transactions or activities within, an area in which the*  
12          *President, pursuant to section 401 of the Robert T. Stafford*  
13          *Disaster Relief and Emergency Assistance Act, has deter-*  
14          *mined that a major disaster exists, or within an area deter-*  
15          *mined to be eligible for disaster relief under other Federal*  
16          *law by reason of damage related to the 1997 flooding of*  
17          *the Red River of the North and its tributaries, if the agency*  
18          *determines that the action would facilitate recovery from*  
19          *the major disaster:*

20                 (1) *PROCEDURE.—Exercise the agency’s author-*  
21                 *ity under provisions of law other than this section*  
22                 *without complying with—*

23                         (A) *any requirement of section 553 of title*  
24                         *5, United States Code; or*

1           (B) any provision of law that requires no-  
2           tice or opportunity for hearing or sets maximum  
3           or minimum time limits with respect to agency  
4           action.

5           (2) *PUBLICATION REQUIREMENTS.*—Make excep-  
6           tions, with respect to institutions or other entities for  
7           which the agency is the primary Federal regulator,  
8           to—

9                   (A) any publication requirement with re-  
10                  spect to establishing branches or other deposit-  
11                  taking facilities; or

12                   (B) any similar publication requirement.

13           (b) *PUBLICATION REQUIRED.*—Not later than 90 days  
14           after the date of an action under this section, a qualifying  
15           regulatory agency shall publish in the Federal Register a  
16           statement that—

17                   (1) describes the action taken under this section;  
18           and

19                   (2) explains the need for the action.

20           (c) *QUALIFYING REGULATORY AGENCY DEFINED.*—  
21           For purposes of this section, the term “qualifying regulatory  
22           agency” means—

23                   (1) the Board;

24                   (2) the Office of the Comptroller of the Currency;

25                   (3) the Office of Thrift Supervision;

1           (4) *the Federal Deposit Insurance Corporation;*

2           (5) *the Federal Financial Institutions Examina-*  
3       *tion Council;*

4           (6) *the National Credit Union Administration;*  
5       *and*

6           (7) *with respect to chapter 53 of title 31, United*  
7       *States Code, the Secretary of the Treasury.*

8       **SEC. 805. SENSE OF THE CONGRESS.**

9       *It is the sense of the Congress that each Federal finan-*  
10      *cial institutions regulatory agency should, by regulation or*  
11      *order, make exceptions to the appraisal standards pre-*  
12      *scribed by title XI of the Financial Institutions Reform,*  
13      *Recovery, and Enforcement Act of 1989 (12 U.S.C. 3331*  
14      *et seq.) for transactions involving institutions for which the*  
15      *agency is the primary Federal regulator with respect to real*  
16      *property located within a disaster area pursuant to section*  
17      *1123 of the Financial Institutions Reform, Recovery, and*  
18      *Enforcement Act of 1989 (12 U.S.C. 3352), if the agency*  
19      *determines that the exceptions can reasonably be expected*  
20      *to alleviate hardships to the public resulting from such dis-*  
21      *aster that outweigh possible adverse effects.*

22      **SEC. 806. OTHER AUTHORITY NOT AFFECTED.**

23      *Nothing in this title limits the authority of any de-*  
24      *partment or agency under any other provision of law.*

1 **SEC. 807. DEFINITIONS.**

2 *For purposes of this title, the following definitions*  
3 *shall apply:*

4 (1) *APPROPRIATE FEDERAL BANKING AGENCY.*—  
5 *The term “appropriate Federal banking agency” has*  
6 *the same meaning as in section 3 of the Federal De-*  
7 *posit Insurance Act (12 U.S.C. 1813).*

8 (2) *BOARD.*—*The term “Board” means the*  
9 *Board of Governors of the Federal Reserve System.*

10 (3) *FEDERAL FINANCIAL INSTITUTIONS REGU-*  
11 *LATORY AGENCY.*—*The term “Federal financial insti-*  
12 *tutions regulatory agency” has the same meaning as*  
13 *in section 1121 of the Financial Institutions Reform,*  
14 *Recovery, and Enforcement Act of 1989 (12 U.S.C.*  
15 *3350).*

16 (4) *INSURED DEPOSITORY INSTITUTION.*—*The*  
17 *term “insured depository institution” has the same*  
18 *meaning as in section 3 of the Federal Deposit Insur-*  
19 *ance Act (12 U.S.C. 1813).*

20 (5) *LEVERAGE LIMIT.*—*The term “leverage*  
21 *limit” has the same meaning as in section 38 of the*  
22 *Federal Deposit Insurance Act (12 U.S.C. 1831o).*

23 (6) *QUALIFYING AMOUNT ATTRIBUTABLE TO IN-*  
24 *SURANCE PROCEEDS.*—*The term “qualifying amount*  
25 *attributable to insurance proceeds” means the amount*  
26 *(if any) by which the institution’s total assets exceed*



1 **SEC. 902. DATE EXTENSION.**

2 *Section 1501(a)(4) of the Elementary and Secondary*  
3 *Education Act of 1965 (20 U.S.C. 6491(a)(4)) is amended*  
4 *by striking “January 1, 1998” and inserting “January 1,*  
5 *1999”.*

6 **SEC. 903. TIMELY FILING OF NOTICE.**

7 *Notwithstanding any other provision of law, the Sec-*  
8 *retary of Education shall deem Kansas and New Mexico*  
9 *to have timely submitted under section 8009(c)(1) of the*  
10 *Elementary and Secondary Education Act of 1965 (20*  
11 *U.S.C. 7709(c)(1)) the States’ written notices of intent to*  
12 *consider payments described in section 8009(b)(1) of the Act*  
13 *(20 U.S.C. 7709(b)(1)) in providing State aid to local edu-*  
14 *cational agencies for school year 1997-1998, except that the*  
15 *Secretary may require the States to submit such additional*  
16 *information as the Secretary may require, which informa-*  
17 *tion shall be considered part of the notices.*

18 **SEC. 904. HOLD HARMLESS PAYMENTS.**

19 *Section 8002(h)(1) of the Elementary and Secondary*  
20 *Education Act of 1965 (20 U.S.C. 7702(h)(1)) is amend-*  
21 *ed—*

22 *(1) in subparagraph (A), by striking “or” after*  
23 *the semicolon;*

24 *(2) in subparagraph (B), by striking the period*  
25 *and inserting “; and”; and*

26 *(3) by adding at the end the following:*

1           “(C) for fiscal year 1997 and each succeed-  
2           ing fiscal year through fiscal year 2000 shall not  
3           be less than 85 percent of the amount such agen-  
4           cy received for fiscal year 1996 under subsection  
5           (b).”.

6 **SEC. 905. DATA.**

7           (a) *IN GENERAL.*—Section 8003(f)(4) of the *Elemen-*  
8           *tary and Secondary Education Act of 1965 (20 U.S.C.*  
9           *7703(f)(4)) is amended—*

10           (1) *in subparagraph (A)—*

11                   (A) *by inserting “expenditure,” after “reve-*  
12                   *nue,”; and*

13                   (B) *by striking the semicolon and inserting*  
14                   *a period;*

15           (2) *by striking “the Secretary” and all that fol-*  
16           *lows through “shall use” and inserting “the Secretary*  
17           *shall use”; and*

18           (3) *by striking subparagraph (B).*

19           (b) *EFFECTIVE DATE.*—*The amendments made by sub-*  
20           *section (a) shall apply with respect to fiscal years after fis-*  
21           *cal year 1997.*

1                    *TITLE X—FOOD STAMP PROGRAM*  
2   *STATE OPTION TO ISSUE FOOD STAMP BENEFITS TO*  
3   *CERTAIN INDIVIDUALS MADE INELIGIBLE BY WEL-*  
4   *FARE REFORM*

5                    *SEC. 1001. Section 7 of the Food Stamp Act of 1977*  
6   *(7 U.S.C. 2016) is amended by—*

7                    *(1) inserting in subsection (a) after “necessary,*  
8   *and”, “except as provided in subsection (j)”, and*

9                    *(2) inserting a new subsection (j) as follows:*

10                  *“(j)(1) A State agency may, with the concurrence of*  
11 *the Secretary, issue coupons to individuals who are ineli-*  
12 *gible to participate in the food stamp program solely be-*  
13 *cause of the provisions of section 6(o)(2) of this Act or sec-*  
14 *tions 402 and 403 of the Personal Responsibility and Work*  
15 *Opportunity Act of 1996. A State agency that issues cou-*  
16 *pons under this subsection shall pay the Secretary the face*  
17 *value of the coupons issued under this subsection and the*  
18 *cost of printing, shipping, and redeeming the coupons, as*  
19 *well as any other Federal costs involved, as determined by*  
20 *the Secretary. A State agency shall pay the Secretary for*  
21 *coupons issued under this subsection and for the associated*  
22 *Federal costs issued under this subsection no later than the*  
23 *time the State agency issues such coupons to recipients. In*  
24 *making payments, the State agency shall comply with pro-*  
25 *cedures developed by the Secretary. Notwithstanding section*



1 3302(b) of title 31, United States Code, payments received  
2 by the Secretary for such coupons and for the associated  
3 Federal costs shall be credited to the food stamp program  
4 appropriation account or the account from which such asso-  
5 ciated costs were drawn, as appropriate, for the fiscal year  
6 in which the payment is received. The State agency shall  
7 comply with reporting requirements established by the Sec-  
8 retary.

9       “(2) A State agency that issues coupons under this  
10 subsection shall submit a plan, subject to the approval of  
11 the Secretary, describing the conditions under which cou-  
12 pons will be issued, including, but not limited to, eligibility  
13 standards, benefit levels, and the methodology the State will  
14 use to determine amounts owed the Secretary.

15       “(3) A State agency shall not issue benefits under this  
16 subsection—

17               “(A) to individuals who have been made ineli-  
18 gible under any provision of section 6 of this Act  
19 other than section 6(o)(2); or

20               “(B) in any area of the State where an electronic  
21 benefit transfer system has been implemented.

22       “(4) The value of coupons provided under this sub-  
23 section shall not be considered income or resources for any  
24 purpose under any Federal laws, including, but not limited

1 to, laws relating to taxation, welfare, and public assistance  
2 programs.

3 “(5) Any sanction, disqualification, fine or other pen-  
4 alty prescribed in Federal law, including, but not limited  
5 to, sections 12 and 15 of this Act, shall apply to violations  
6 in connection with any coupon or coupons issued pursuant  
7 to this subsection.

8 “(6) Administrative and other costs associated with the  
9 provision of coupons under this subsection shall not be eligi-  
10 ble for reimbursement or any other form of Federal funding  
11 under section 16 or any other provision of this Act.

12 “(7) That portion of a household’s allotment issued  
13 pursuant to this subsection shall be excluded from any sam-  
14 ple taken for purposes of making any determination under  
15 the system of enhanced payment accuracy established in sec-  
16 tion 16(c).”.

17 *CONFORMING AMENDMENT*

18 *SEC. 1002. Section 17(b)(I)(B)(iv) of the Food Stamp*  
19 *Act of 1977 is amended by—*

20 (1) striking “or” in subclause (V);

21 (2) striking the period at the end of subclause  
22 (VI) and inserting “; or”; and

23 (3) inserting a new subclause (VII) as follows—  
24 “(VII) waives a provision of section 7(j).”.

