staff member of the Hon. JIM MCDERMOTT, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 11, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L(50) of the Rules of the House that I have been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel, I will make the determinations required by Rule L.

Sincerely,

CHARLES M. WILLIAMS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 21 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1602

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. LAHOOD] at 4 o'clock and 2 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 1871, 1997 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR RECOVERY FROM NATURAL DISASTERS, AND FOR OVERSEAS PEACEKEEPING EFFORTS, INCLUDING THOSE IN BOSNIA

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations and the Committee on the Budget be considered discharged from further consideration of the bill—H.R. 1871—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, when called up; and that it shall be in order at any time to consider the bill in the House, and that the bill be debatable for not to exceed 1 hour; to be equally divided and controlled by myself and the gentleman from Wisconsin [Mr. OBEY]; and that all points of order against the bill and against its consideration be waived; and that the previous question be considered as ordered on the bill to final passage without intervening motion, except one motion to recommit, with or without instructions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 1871 and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

1997 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR RECOVERY FROM NATURAL DISASTERS, AND FOR OVERSEAS PEACEKEEPING EFFORTS, INCLUDING THOSE IN BOSNIA

Mr. LIVINGSTON. Mr. Speaker, pursuant to the previous order of the House, I call up the bill—H.R. 1871—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, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of H.R. 1871 is as follows:

H.R. 1871

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, 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, namely:

TITLE I—EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE

CHAPTER 1

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $306,800,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $7,900,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $300,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $29,100,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Overseas Contingency Operations Transfer Fund'', $1,430,100,000: *Provided,* That the Secretary of Defense may transfer these funds only to Department of Defense operation and maintenance accounts: *Provided further,* That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

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

For payments to individuals under section 657 of Public Law 104–201, $20,000,000, to remain available until expended.

REVOLVING AND MANAGEMENT FUNDS

RESERVE MOBILIZATION INCOME INSURANCE FUND

For an additional amount for the ''Reserve Mobilization Income Insurance Fund'', $72,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, CHAPTER 1

(TRANSFER OF FUNDS)

SEC. 101. The Secretary of the Navy shall transfer up to $23,000,000 to ''Operation and Maintenance, Marine Corps'' from the following accounts in the specified amounts, to be available only for reimbursing costs incurred for repairing damage caused by hurricanes, flooding, and other natural disasters during 1996 and 1997 to real property and facilities at Marine Corps facilities (including Camp Lejeune, North Carolina; Cherry Point, North Carolina; and the Mountain Warfare Training Center, Bridgeport, California);

''Military Personnel, Marine Corps'', $4,000,000;

''Operation and Maintenance, Marine Corps'', $11,000,000;

''Procurement of Ammunition, Navy and Marine Corps, 1996/1998'', $4,000,000; and

''Procurement, Marine Corps, 1996/1998'', $4,000,000.

SEC. 102. In addition to the amounts appropriated in title VI of the Department of Defense Appropriations Act, 1997 (as contained in section 101(b) of Public Law 104–208), under the heading ''Defense Health Program'', $21,000,000 is hereby appropriated and made available only for the provision of direct patient care at military treatment facilities.

SEC. 103. In addition to the amounts appropriated in title II of the Department of Defense Appropriations Act, 1997 (as contained in section 101(b) of Public Law 104–208), under the heading ''Operation and Maintenance, Defense-Wide'', $10,000,000 is hereby appropriated and made available only for force protection and counter-terrorism initiatives.

SEC. 104. In addition to the amounts provided in Public Law 104–208, $25,800,000 is appropriated under the heading ''Overseas Humanitarian, Disaster and Civic Aid'': *Provided,* That from the funds available under that heading, the Secretary of Defense shall make a grant in the amount of $25,800,000 to the American Red Cross for Armed Forces emergency services.

SEC. 105. REPORT ON COST AND SOURCE OF FUNDS FOR MILITARY ACTIVITIES RELATING TO BOSNIA.—(a) Not later than 60 days after enactment of this Act, the President shall submit to Congress the report described in subsection (b).

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

(1) A detailed description of the estimated cumulative cost of all United States activities relating to Bosnia after December 1, 1995, including—

(A) the cost of all deployments, training activities, and mobilization and other preparatory activities of the Armed Forces; and

(B) the cost of all other activities relating to United States policy toward Bosnia, including humanitarian assistance, reconstruction assistance, aid and other financial assistance, the rescheduling or forgiveness of bilateral or multilateral aid, in-kind contributions, and any other activities of the United States Government.

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

(A) in the case of expenditures of funds of Department of Defense, a breakdown of such expenditures by military service or defense agency, line item, and program; and

(B) in the case of expenditures of funds of other departments and agencies of the United States, a breakdown of such expenditures by department or agency and by program.

SEC. 106. For an additional amount for ''Family Housing, Navy and Marine Corps'' to cover the incremental Operation and Maintenance costs arising from hurricane damage to family housing units at Marine Corps Base Camp Lejeune, North Carolina and Marine Corps Air Station Cherry Point, North Carolina, $6,480,000, as authorized by 10 U.S.C. 2854.

CHAPTER 2

RESCISSIONS

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $57,000,000 are rescinded.

MILITARY PERSONNEL, NAVY

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $18,000,000 are rescinded.

MILITARY PERSONNEL, MARINE CORPS

(RESCISSION)

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

MILITARY PERSONNEL, AIR FORCE

(RESCISSION)

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

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $196,000,000 are rescinded.

OPERATION AND MAINTENANCE, NAVY

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $51,000,000 are rescinded.

OPERATION AND MAINTENANCE, MARINE CORPS

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $3,000,000 are rescinded.

OPERATION AND MAINTENANCE, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $117,000,000 are rescinded.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $25,000,000 are rescinded.

ENVIRONMENTAL RESTORATION, ARMY

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $250,000 are rescinded.

ENVIRONMENTAL RESTORATION, NAVY

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $250,000 are rescinded.

ENVIRONMENTAL RESTORATION, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $250,000 are rescinded.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $250,000 are rescinded.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $250,000 are rescinded.

FORMER SOVIET UNION THREAT REDUCTION

(RESCISSION)

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

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $1,085,000 are rescinded.

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

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

MISSILE PROCUREMENT, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $2,707,000 are rescinded.

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

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $2,296,000 are rescinded.

Of the funds made available under this heading in Public Law 104–61, $15,400,000 are rescinded.

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

PROCUREMENT OF AMMUNITION, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $3,236,000 are rescinded.

Of the funds made available under this heading in Public Law 104–61, $18,000,000 are rescinded.

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

OTHER PROCUREMENT, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $2,502,000 are rescinded.

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

AIRCRAFT PROCUREMENT, NAVY

(RESCISSIONS)

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

Of the funds made available under this heading in Public Law 104–208, $52,000,000 are rescinded.

WEAPONS PROCUREMENT, NAVY

(RESCISSIONS)

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

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

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

(RESCISSION)

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

SHIPBUILDING AND CONVERSION, NAVY

(RESCISSIONS)

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

Of the funds made available under this heading in Public Law 103–139, $18,700,000 are rescinded.

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

OTHER PROCUREMENT, NAVY

(RESCISSIONS)

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

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

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

PROCUREMENT, MARINE CORPS

(RESCISSION)

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

AIRCRAFT PROCUREMENT, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $49,376,000 are rescinded.

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

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

MISSILE PROCUREMENT, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $16,020,000 are rescinded.

Of the funds made available under this heading in Public Law 104–208, $163,000,000 are rescinded.

PROCUREMENT OF AMMUNITION, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 104–61, $7,700,000 are rescinded.

OTHER PROCUREMENT, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $3,659,000 are rescinded.

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

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

PROCUREMENT, DEFENSE-WIDE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $8,860,000 are rescinded.

Of the funds made available under this heading in Public Law 104–61, $16,113,000 are rescinded.

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

NATIONAL GUARD AND RESERVE EQUIPMENT

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $5,029,000 are rescinded.

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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 104–61, $4,366,000 are rescinded.

Of the funds made available under this heading in Public Law 104–208, $18,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 104–61, $16,878,000 are rescinded.

Of the funds made available under this heading in Public Law 104–208, $9,600,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 104–61, $24,245,000 are rescinded.

Of the funds made available under this heading in Public Law 104–208, $172,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 104–61, $95,714,000 are rescinded.

Of the funds made available under this heading in Public Law 104–208, $87,000,000 are rescinded.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

(RESCISSION)

Of the funds made available under this heading in Public Law 104–61, $6,692,000 are rescinded.

OPERATIONAL TEST AND EVALUATION, DEFENSE

(RESCISSION)

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

REVOLVING AND MANAGEMENT FUNDS

NATIONAL DEFENSE SEALIFT FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, $25,200,000 are rescinded.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

(RESCISSION)

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

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

(RESCISSIONS)

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

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

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

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(RESCISSION)

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

GENERAL PROVISIONS, CHAPTER 2

(RESCISSIONS)

SEC. 201. Of the funds appropriated in the Military Construction Appropriations Act, 1996 (Public Law 104–32), amounts are hereby rescinded from the following accounts in the specified amounts:

''Military Construction, Air National Guard'', $5,000,000;

''Military Construction, Defense-wide'', $41,000,000;

''Base Realignment and Closure Account, Part II'', $35,391,000;

''Base Realignment and Closure Account, Part III'', $75,638,000; and

''Base Realignment and Closure Account, Part IV'', $22,971,000:

Provided, That of the funds appropriated in the Military Construction Appropriations Act, 1997 (Public Law 104–196), amounts are hereby rescinded from the following accounts in the specified amounts:

''Military Construction, Army'', $1,000,000;

''Military Construction, Navy'', $2,000,000;

''Military Construction, Air Force'', $3,000,000; and

''Military Construction, Defense-wide'', $3,000,000.

(RESCISSION)

SEC. 202. Of the funds appropriated for ''Military Construction, Navy'' under Public Law 103–307, $6,480,000 is hereby rescinded.

CHAPTER 3

GENERAL PROVISIONS—THIS TITLE

SEC. 301. The Department of Defense is directed to report to the congressional defense committees 30 days prior to transferring management, development, and acquisition authority over the elements of the National Missile Defense Program from the Military Services: *Provided,* That the Joint Requirements Oversight Council is directed to conduct an analysis and submit recommendations as to the recommended future roles of the Military Services with respect to development and deployment of the elements of the National Missile Defense Program: *Provided further,* That the analysis and recommendations shall be submitted to the congressional defense committees within 60 days of enactment of this Act: *Provided further,* That for 60 days following enactment of this Act, the Department of Defense shall take no actions to delay or defer planned activities under the National Missile Defense Program based solely on the conduct of the Joint Requirements Oversight Council analysis.

SEC. 302. Notwithstanding section 3612(a) of title 22, United States Code, the incumbent may continue to serve as the Secretary of Defense designee on the Board of the Panama Canal Commission if he retires as an officer of the Department of Defense, until and unless the Secretary of Defense designates another person to serve in this position.

SEC. 303. AUTHORITY OF SECRETARY OF DEFENSE TO ENTER INTO LEASE OF BUILDING NO. 1, LEXINGTON BLUE GRASS STATION, LEXINGTON, KENTUCKY.—

(a) AUTHORITY TO ENTER INTO LEASE.—The Secretary of Defense may enter into an agreement for the lease of Building No. 1, Lexington Blue Grass Station, Lexington, Kentucky, and any real property associated with the building, for purposes of the use of the building by the Defense Finance and Accounting Service. The agreement shall meet the requirements of this section.

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

(2) The agreement shall include a provision specifying that, if the Secretary ceases to require the leased building for purpose of the use of the building by the Defense Finance and Accounting Service before the expiration of the term of the lease (including any extension or renewal of the term under an option provided for in paragraph (1)), the remainder of the lease term may, upon the approval of the lessor of the building, be satisfied by the Secretary or another department or agency of the Federal Government (including a military department) for another purpose similar to such purpose.

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

(2) The Secretary or other lessee, if any, under subsection (b)(2) shall be responsible under the agreement for payment of any utilities associated with the lease of the building covered by the agreement and for maintenance and repair of the building.

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

(e) LIMITATION ON CERTAIN ACTIVITIES.—The Secretary may not obligate or expend funds for the costs of any utilities, maintenance and repair, or improvements under this lease under this section in any fiscal year unless funds are appropriated or otherwise made available for the Department of Defense for such payment in such fiscal year.

SEC. 304. Notwithstanding 31 U.S.C. 1502(a), 31 U.S.C. 1552(a), and 31 U.S.C. 1553(a), funds appropriated in Public Law 101–511, Public Law 102–396, and Public Law 103–139, under the heading ''Weapons Procurement, Navy'', that were obligated and expended to settle claims on the MK–50 torpedo program may continue to be obligated and expended to settle those claims.

SEC. 305. None of the funds available to the Department of Defense in this or any other Act shall be available to pay the cost of operating a National Missile Defense Joint Program Office which includes more than 55 military and civilian personnel located in the National Capital Region.

SEC. 306. Funds obligated by the National Aeronautics and Space Administration (NASA) in the amount of $61,300,000 during

fiscal year 1996, pursuant to the ''Memorandum of Agreement between the National Aeronautics and Space Administration and the United States Air Force on Titan IV/Centaur Launch Support for the Cassini Mission,'' signed September 8, 1994, and September 23, 1994, and Attachments A, B, and C to that Memorandum, shall be merged with Air Force appropriations available for research, development, test and evaluation and procurement for fiscal year 1996, and shall be available for the same time period as the appropriation with which merged, and shall be available for obligation only for those Titan IV vehicles and Titan IV-related activities under contract.

SEC. 307. For the purposes of implementing the 1997 Defense Experimental Program to Stimulate Competitive Research (DEPSCoR), the term ''State'' means a State of the United States, the District of Columbia, Puerto Rico, Guam and the Virgin Islands of the United States, American Samoa and the Commonwealth of the Northern Mariana Islands.

TITLE II—EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR RECOVERY FROM NATURAL DISASTERS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

For an additional amount for the ''Agricultural Credit Insurance Fund Program Account'' for the additional cost of direct and guaranteed loans authorized by 7 U.S.C. 1928–1929, including the cost of modifying such loans as defined in section 502 of the Congressional Budget Act of 1974, resulting from flooding and other natural disasters, $23,000,000, to remain available until expended, of which $18,000,000 shall be available for emergency insured loans and $5,000,000 shall be available for subsidized guaranteed operating loans: *Provided,* That the entire amount shall be available only to the extent that an official budget request for $23,000,000 that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

For an additional amount for the ''Agricultural Credit Insurance Fund Program Account'' for the additional cost of direct operating loans authorized by 7 U.S.C. 1928–1929, including the cost of modifying such loans as defined in section 502 of the Congressional Budget Act of 1974, $6,300,000, to remain available until expended.

EMERGENCY CONSERVATION PROGRAM

For an additional amount for ''Emergency Conservation Program'' for expenses, including carcass removal, resulting from flooding and other natural disasters, $70,000,000, to remain available until expended: *Provided,* That the entire amount shall be available only to the extent that an official budget request for $70,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

TREE ASSISTANCE PROGRAM

An amount of $9,000,000 is provided for assistance to small orchardists to replace or rehabilitate trees and vineyards damaged by natural disasters: *Provided,* That the entire amount shall be available only to the extent that an official budget request of $9,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

COMMODITY CREDIT CORPORATION FUND

DISASTER RESERVE ASSISTANCE PROGRAM

Effective only for losses in the fiscal year beginning October 1, 1996, through the date of enactment of this Act, the Secretary may use up to $50,000,000 from proceeds earned from the sale of grain in the disaster reserve established in the Agricultural Act of 1970 to implement a livestock indemnity program for losses from natural disasters pursuant to a Presidential or Secretarial declaration requested prior to the date of enactment of this Act in a manner similar to catastrophic loss coverage available for other commodities under 7 U.S.C. 1508(b): *Provided,* That in administering a program described in the preceding sentence, the Secretary shall, to the extent practicable, utilize gross income and payment limitations conditions established for the Disaster Reserve Assistance Program for the 1996 crop year: *Provided further,* That notwithstanding any other provision of law, beginning on October 1, 1997, grain in the disaster reserve established in the Agricultural Act of 1970 shall not exceed 20 million bushels: *Provided further,* That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for ''Watershed and Flood Prevention Operations'' to repair damages to the waterways and watersheds, including debris removal that would not be authorized under the Emergency Watershed Program, resulting from flooding and other natural disasters, including those in prior years, $166,000,000, to remain available until expended: *Provided,* That the entire amount shall be available only to the extent an official budget request for $166,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act: *Provided further,* That if the Secretary determines that the cost of land and farm structures restoration exceeds the fair market value of an affected agricultural land, the Secretary may use sufficient amounts, not to exceed $15,000,000, from funds provided under this heading to accept bids from willing sellers to provide floodplain easements for such agricultural land inundated by floods: *Provided further,* That none of the funds provided under this heading shall be used for the salmon memorandum of understanding.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

RURAL HOUSING ASSISTANCE PROGRAM

Any unobligated balances remaining in the ''Rural Housing Insurance Fund Program Account'' from prior years' disaster supplementals shall be available until expended for Section 502 housing loans, Section 504 loans and grants, Section 515 loans, and domestic farm labor grants to meet emergency needs resulting from natural disasters: *Provided,* That such unobligated balances shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985 is transmitted by the President to the Congress: *Provided further,* That such unobligated balances are designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act: *Provided further,* That notwithstanding section 520 of the Housing Act of 1949, as amended, (42 U.S.C. 1490) the College Station area of Pulaski County, Arkansas shall be eligible for loans and grants available through the Rural Housing Service: *Provided further,* That funds made available in Public Law 104–180 for Community Facility Grants for the Rural Housing Assistance Program may be provided to any community otherwise eligible for a Community Facility Loan for expenses directly or indirectly resulting from flooding and other natural disasters.

RURAL UTILITIES SERVICE

RURAL UTILITIES ASSISTANCE PROGRAM

For an additional amount for ''Rural Utilities Assistance Program'', for the cost of direct loans, loan guarantees, and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, for emergency expenses resulting from flooding and other natural disasters, $4,000,000, to remain available until September 30, 1998: *Provided,* That the entire amount shall be available only to the extent that an official budget request for $4,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FOOD AND CONSUMER SERVICE

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For an additional amount for the ''Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)'' as authorized by section 17 of the Child Nutrition Act of 1966, as amended (42 U.S.C. et seq.), $76,000,000, to remain available through September 30, 1998: *Provided,* That the Secretary shall allocate such funds through the existing formula or, notwithstanding sections 17(g), (h), or (i) of such Act and the regulations promulgated thereunder, such other means as the Secretary deems necessary.

GENERAL PROVISION, CHAPTER 1

SEC. 1001. COLLECTION AND DISSEMINATION OF INFORMATION ON PRICES RECEIVED FOR BULK CHEESE.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture shall collect and disseminate, on a weekly basis, statistically reliable information, obtained from cheese

manufacturing areas in the United States on prices received and terms of trade involving bulk cheese, including information on the national average price for bulk cheese sold through spot and forward contract transactions. To the maximum extent practicable, the Secretary shall report the prices and terms of trade for spot and forward contract transactions separately.

(b) CONFIDENTIALITY.—All information provided to, or acquired by, the Secretary under subsection (a) shall be kept confidential by each officer and employee of the Department of Agriculture except that general weekly statements may be issued that are based on the information and that do not identify the information provided by any person.

(c) REPORT.—Not later than 150 days after the date of enactment of this Act, the Secretary shall report to the Committee on Agriculture, and the Committee on Appropriations, of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Appropriations, of the Senate, on the rate of reporting compliance by cheese manufacturers with respect to the information collected under subsection (a). At the time of the report, the Secretary may submit legislative recommendations to improve the rate of reporting compliance.

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

CHAPTER 2

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for ''Economic Development Assistance Programs'' for emergency infrastructure expenses and the capitalization of revolving loan funds related to recent flooding and other natural disasters, $52,200,000, to remain available until expended, of which not to exceed $2,000,000 may be available for administrative expenses and may be transferred to and merged with the appropriations for ''Salaries and Expenses'': *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

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

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

Within amounts available for ''Operations, Research, and Facilities'' for Satellite Observing Systems, not to exceed $7,000,000 is available until expended to provide disaster assistance related to recent flooding and red tide pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, and not to exceed $2,000,000 is available until expended to implement the Magnuson-Stevens Fishery Conservation and Management Act: *Provided,* That the entire amount shall be available only to the extent that an official budget request for $9,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

CONSTRUCTION

For an additional amount for ''Construction'' for emergency expenses resulting from flooding and other natural disasters, $10,800,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCY

COMMISSION ON THE ADVANCEMENT OF FEDERAL LAW ENFORCEMENT

For an additional amount for the operations of the Commission on the Advancement of Federal Law Enforcement, $2,000,000, to remain available until expended.

GENERAL PROVISIONS, CHAPTER 2

SEC. 2001. Of the funds currently contained within the ''Counterterrorism Fund'' of the Department of Justice, $3,000,000 is provided for allocation by the Attorney General to the appropriate unit or units of government in Ogden, Utah, for necessary expenses, including enhancements and upgrade of security and communications infrastructure, to counter any potential terrorism threat related to the 2002 Winter Olympic games to be held in Utah.

SEC. 2002. EXPANDING SMALL BUSINESS PARTICIPATION IN DREDGING.—Section 722(a) of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended by striking ''September 30, 1996'' and inserting ''September 30, 1997''.

SEC. 2003. Section 101 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371) is amended by adding at the end thereof the following:

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

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

''(2) reasonable care is taken to ensure the safe release of the marine mammal, taking into consideration the equipment, expertise, and conditions at hand;

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

''(4) such taking is reported to the Secretary within 48 hours.''.

SEC. 2004. Notwithstanding any other provision of law, the Secretary of Commerce shall have the authority to reprogram or transfer up to $41,000,000 of the amounts provided under ''National Oceanic and Atmospheric Administration, Operations, Research, and Facilities'' for Satellite Observing Systems in Public Law 104–208 for other programmatic and operational requirements of the National Oceanic and Atmospheric Administration and the Department of Commerce subject to notification of the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1997 and which shall not be available for obligation or expenditure except in compliance with the procedure set forth in that section.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For an additional amount for ''Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee'' for emergency expenses due to flooding and other natural disasters, $20,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for ''Operation and Maintenance, General'' for emergency expenses due to flooding and other natural disasters, $150,000,000, to remain available until expended: *Provided,* That of the total amount appropriated, the amount for eligible navigation projects which may be derived from the Harbor Maintenance Trust Fund pursuant to Public Law 99–662, shall be derived from that fund: *Provided further,* That of the total amount appropriated, $5,000,000 shall be available solely for the Secretary of the Army, acting through the Chief of Engineers, to pay the costs of the Corps of Engineers and other Federal agencies associated with the development of necessary studies, an interagency management plan, environmental documentation, continued monitoring, and other activities related to allocations of water in the Alabama-Coosa-Tallapoosa and Apalachicola-Chattahoochee-Flint River Basins: *Provided further,* That no portion of such $5,000,000 may be used by the Corps of Engineers to revise its master operational manuals or water control plans for operation of the reservoirs for the two river basins until (1) the interstate compacts for the two river basins are ratified by the Congress by law; and (2) the water allocation formulas for the two river basins have been agreed to by the States of Alabama, Georgia, and Florida and the Federal representative to the compacts: *Provided further,* That the preceding proviso shall not apply to the use of such funds for any environmental reviews necessary for the Federal representative to approve the water allocation formulas for the two river basins: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for ''Flood Control and Coastal Emergencies'' due to flooding and other natural disasters, $415,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That with $5,000,000 of the funds appropriated herein, the Secretary of the Army is directed to initiate and complete preconstruction engineering and design and the associated Environmental Impact Statement for an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River: *Provided further,* That of the funds appropriated under this paragraph, $5,000,000 shall be used for the project consisting of channel restoration and improvements on the James River authorized by section 401(b) of the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4128) if the Secretary of the Army determines that the need for such restoration and improvements constitutes an emergency.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

OPERATION AND MAINTENANCE

For an additional amount for ''Operation and Maintenance'', $7,355,000, to remain

available until expended, to repair damage caused by floods and other natural disasters: *Provided,* That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund shall be derived from that fund: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, CHAPTER 3

SEC. 3001. (a) Beginning in fiscal year 1997 and thereafter, the United States members and the alternate members appointed under the Susquehanna River Basin Compact (Public Law 91–575), and the Delaware River Basin Compact (Public Law 87–328), shall be officers of the U.S. Army Corps of Engineers, who hold Presidential appointments as Regular Army officers with Senate confirmation, and who shall serve without additional compensation.

(b) Section 2, Reservations, Paragraph (u) of Public Law 91–575 (84 Stat. 1509) and section 15.1, Reservations, Paragraph (d) of Public Law 87–328 (75 Stat. 688, 691) are hereby repealed.

(c) Section 2.2 of Public Law 87–328 (75 Stat. 688, 691) is amended by striking the words ''during the term of office of the President'' and inserting the words ''at the pleasure of the President''.

SEC. 3002. Notwithstanding section 5 of the Reclamation Safety of Dams Act of 1978, Public Law 95–578, as amended, the Secretary of the Interior is authorized to obligate up to $1,200,000 for carrying out actual construction for safety of dam purposes to modify the Willow Creek Dam, Sun River Project, Montana.

SEC. 3003. (a) CONSULTATION AND CONFERENCING.—As provided by regulations issued under the Endangered Species Act (16 U.S.C. 1531 et seq.) for emergency situations, formal consultation or conferencing under section 7(a)(2) or section 7(a)(4) of the Act for any action authorized, funded or carried out by any Federal agency to repair a Federal or non-Federal flood control project, facility or structure may be deferred by the Federal agency authorizing, funding or carrying out the action, if the agency determines that the repair is needed to respond to an emergency causing an imminent threat to human lives and property in 1996 or 1997. Formal consultation or conferencing shall be deferred until the imminent threat to human lives and property has been abated. For purposes of this section, the term repair shall include preventive and remedial measures to restore the project, facility or structure to remove an imminent threat to human lives and property.

(b) REASONABLE AND PRUDENT MEASURES.—Any reasonable and prudent measures specified under section 7 of the Endangered Species Act (16 U.S.C. 1536) to minimize the impact of an action taken under this section shall be related both in nature and extent to the effect of the action taken to repair the flood control project, facility or structure.

CHAPTER 4

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS

ASSISTANCE TO UKRAINE

SEC. 4001. The President may waive the minimum funding requirements contained in subsection (k) 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, for activities for the government of Ukraine funded in that subsection, if he determines and so reports to the Committees on Appropriations that the government of Ukraine:

(1) has not made progress toward implementation of comprehensive economic reform;

(2) is not taking steps to ensure that United States businesses and individuals are able to operate according to generally accepted business principles; or

(3) is not taking steps to cease the illegal dumping of steel plate.

CHAPTER 5

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Construction'' to repair damage caused by floods and other natural disasters, $4,796,000, to remain available until expended, of which $4,403,000 is to be derived by transfer from unobligated balances of funds under the heading, ''Oregon and California Grant Lands'', made available as supplemental appropriations in Public Law 104–134: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OREGON AND CALIFORNIA GRANT LANDS

For an additional amount for ''Oregon and California Grant Lands'' to repair damage caused by floods and other natural disasters, $2,694,000, to remain available until expended and to be derived from unobligated balances of funds under the heading, ''Oregon and California Grant Lands'', made available as supplemental appropriations in Public Law 104–134: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for ''Resource Management'', $5,300,000, to remain available until expended, for technical assistance and fish replacement made necessary by floods and other natural disasters, for restoration of public lands damaged by fire, and for payments to private landowners for the voluntary use of private land to store water in restored wetlands: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for ''Construction'', $88,000,000, to remain available until expended, to repair damage caused by floods and other natural disasters: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

LAND ACQUISITION

For an additional amount for ''Land Acquisition'', $10,000,000, to remain available until expended, for the cost-effective emergency acquisition of land and water rights necessitated by floods and other natural disasters: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for ''Construction'' for emergency expenses resulting from flooding and other natural disasters, $187,321,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That of this amount, $30,000,000 shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in such Act, is transmitted by the President to Congress, and upon certification by the Secretary of the Interior to the President that a specific amount of such funds is required for (1) repair or replacement of concession use facilities at Yosemite National Park if the Secretary determines, after consulting with the Director of the Office of Management and Budget, that the repair or replacement of those facilities cannot be postponed until completion of an agreement with the Yosemite Concessions Services Corporation or any responsible third party to satisfy its repair or replacement obligations for the facilities, or (2) the Federal portion, if any, of the costs of repair or replacement of such concession use facilities: *Provided further,* That nothing herein should be construed as impairing in any way the rights of the United States against the Yosemite Concession Services Corporation or any other party or as relieving the Corporation or any other party of its obligations to the United States: *Provided further,* That prior to any final agreement by the Secretary with the Corporation or any other party concerning its obligation to repair or replace concession use facilities, the Solicitor of the Department of the Interior shall certify that the agreement fully satisfies the obligations of the Corporation or third party: *Provided further,* That nothing herein, or any payments, repairs, or replacements made by the Corporation or a third party in fulfillment of the Corporation's obligations to the United States to repair and replace damaged facilities, shall create any possessory interest for the Corporation or such third party in such repaired or replaced facilities: *Provided further,* That any payments made to the United States by the Corporation or a third party for repair or replacement of concession use facilities shall be deposited in the General Fund of the Treasury or, where facilities are repaired or replaced by the Corporation or any other third party, an equal amount of appropriations for ''Construction'' shall be rescinded.

For an additional amount for ''Construction'', $10,000,000, to remain available until expended, to make repairs, construct facilities, and provide visitor transportation and for related purposes at Yosemite National Park.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'', $4,650,000, to remain available until September 30, 1998, to repair or replace damaged equipment and facilities caused by floods and other natural disasters: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For an additional amount for ''Operation of Indian Programs'', $14,317,000, to remain available until September 30, 1998, for emergency response activities, including emergency school operations, heating costs,

emergency welfare assistance, and to repair and replace facilities and resources damaged by snow, floods, and other natural disasters: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for ''Construction'', $6,249,000, to remain available until expended, to repair damages caused by floods and other natural disasters: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That notwithstanding any other provision of law, funds appropriated herein and in Public Law 104–208 to the Bureau of Indian Affairs for repair of the Wapato irrigation project shall be made available on a nonreimbursable basis.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for ''National Forest System'' for emergency expenses resulting from flooding and other natural disasters, $39,677,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RECONSTRUCTION AND CONSTRUCTION

For an additional amount for ''Reconstruction and Construction'' for emergency expenses resulting from flooding and other natural disasters, $27,685,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For an additional amount for ''Indian Health Services'' for emergency expenses resulting from flooding and other natural disasters, $1,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INDIAN HEALTH FACILITIES

For an additional amount for ''Indian Health Facilities'' for emergency expenses resulting from flooding and other natural disasters, $2,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, CHAPTER 5

SEC. 5001. Section 101(c) of Public Law 104–134 is amended as follows: Under the heading ''Title III—General Provisions'' amend sections 315(c)(1)(A) and 315(c)(1)(B) by striking in each of those sections ''104%'' and inserting in lieu thereof ''100%''; by striking in each of those sections ''1995'' and inserting in lieu thereof ''1994''; and by striking in each of those sections ''and thereafter annually adjusted upward by 4%,''.

SEC. 5002. Section 101(d) of Public Law 104–208 is amended as follows: Under the heading ''Administrative Provisions, Indian Health Service'' strike the seventh proviso and insert the following in lieu thereof: '': *Provided further,* That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self Determination Act, may be credited to the same or subsequent appropriation account which provided the funding, said amounts to remain available until expended''.

SEC. 5003. (a) EXTENSION AND EFFECTIVE DATE.—Section 3711(b)(1) of the San Carlos Apache Tribe Water Rights Settlement Act of 1992 (106 Stat. 4752) is amended by striking ''June 30, 1997'' and inserting ''March 31, 1999''.

(b) EXTENSION FOR RIVER SYSTEM GENERAL ADJUDICATION.—Section 3711 of such Act is amended by adding at the end the following new subsection:

''(c) EXTENSION FOR RIVER SYSTEM GENERAL ADJUDICATION.—If, at any time prior to March 31, 1999, the Secretary notifies the Committee on Indian Affairs of the United States Senate or the Committee on Resources in the United States House of Representatives that the Settlement Agreement, as executed by the Secretary, has been submitted to the Superior Court of the State of Arizona in and for Maricopa County for consideration and approval as part of the General Adjudication of the Gila River System and Source, the March 31, 1999, referred to in subsection (b)(1) shall be deemed to be changed to December 31, 1999.''.

(c) COUNTIES.—Section 3706(b)(3) of such Act is amended by inserting ''Gila, Graham, Greenlee,'' after ''Maricopa,''.

(d) PARTIES TO AGREEMENT.—Section 3703(2) of such Act is amended by adding at the end the following new sentence: ''The Gila Valley Irrigation District and the Franklin Irrigation District shall be added as parties to the Agreement, but only so long as none of the aforementioned parties objects to adding the Gila Valley Irrigation and/or the Franklin Irrigation District as parties to the Agreement.''.

(e) DEFINITIONS.—Section 3703 of such Act is amended by adding the following new paragraphs:

''(12) 'Morenci mine complex' means the lands owned or leased by Phelps Dodge Corporation, now or in the future, delineated in a map as 'Phelps Dodge Mining, Mineral Processing, and Auxiliary Facilities Water Use Area', which map is dated March 19, 1996, and is on file with the Secretary of the Interior.

''(13) 'Upper Eagle Creek Wellfield' means that area in Greenlee County which is bounded by the eastern boundary of Graham County on the west, the southern boundary of the Black River watershed on the north, a line running north and south 5 miles east of the eastern boundary of Graham County on the east, and the southern boundary of the natural drainage of Cottonwood Canyon on the south.''.

(f) BLACK RIVER FACILITIES.—Section 3711 of such Act, as amended by subsection (b) of this Act, is further amended by adding at the end the following:

''(d) BLACK RIVER FACILITIES.—

''(1) IN GENERAL.—The provisions and agreements set forth or referred to in paragraphs (2), (3), and (4) below shall be enforceable against the United States in United States district court, and the immunity of the United States for such purposes and for no other purpose is hereby waived. The provisions and agreements set forth or referred to in paragraphs (2)(A), (3), and (4) below shall be enforceable against the Tribe in United States district court, and the immunity of the Tribe for such purposes and for no other purpose, is hereby waived. The specific agreements made by the Tribe and set forth in paragraph (5) shall be enforceable against the Tribe in United States district court, and the immunity of the Tribe is hereby waived as to such specific agreements and for no other purpose.

''(2) INTERIM PERIOD.—

''(A) As of July 23, 1997, Phelps Dodge shall vacate the reservation and no longer rely upon permit #2000089, dated July 25, 1944. On such date the United States, through the Bureau of Reclamation, shall enter, operate, and maintain the Black River pump station, outbuildings, the pipeline, related facilities, and certain caretaker quarters (hereinafter referred to collectively as the 'Black River facilities').

''(B) The United States and Phelps Dodge shall enter into a contract for delivery of water pursuant to subparagraph (C), below. Water for delivery to Phelps Dodge from the Black River shall not exceed an annual average of 40 acre feet per day, or 14,000 acre feet per year. All diversions from Black River to Phelps Dodge shall be junior to the diversion and use of up to 7,300 acre feet per year by the San Carlos Apache Tribe, and no such diversion for Phelps Dodge shall cause the flow of Black River to fall below 20 cubic feet per second. The United States shall account for the costs for operating and maintaining the Black River facilities, and Phelps Dodge shall reimburse the United States for such costs. Phelps Dodge shall pay to the United States, for delivery to the Tribe, the sum of $20,000 per month, with an annual CPI adjustment from July 23, 1997, for purposes of compensating the Tribe for United States use and occupancy of the Black River facilities. Phelps Dodge and the Tribe shall cooperate with the United States in effectuating an orderly transfer of the operations of the Black River facilities from Phelps Dodge to the United States.

''(C) Notwithstanding any other provision of law, the contract referred to in subparagraph (B) between the United States and Phelps Dodge which provides for the diversion of water from the Black River into the Black River facilities, and the delivery of such water to Phelps Dodge at that location where the channel of Eagle Creek last exits the reservation for use in the Morenci mine complex and the towns of Clifton and Morenci and at no other location, is ratified and confirmed.

''(D) The power line right-of-way over the Tribe's Reservation which currently is held by Phelps Dodge shall remain in place. During the interim period, Phelps Dodge shall provide power to the United States for operation of the pump station and related facilities without charge, and Phelps Dodge shall pay a monthly right-of-way fee to the Tribe of $5,000 per month, with an annual CPI adjustment from July 23, 1997.

''(E) Any questions regarding the water claims associated with Phelps Dodge's use of the Upper Eagle Creek Wellfield, its diversions of surface water from Eagle Creek, the San Francisco River, Chase Creek, and/or its use of other water supplies are not addressed in this title. No provision in this subsection shall affect or be construed to affect any claims by the Tribe, the United States, or Phelps Dodge to groundwater or surface water.

''(3) FINAL ARRANGEMENTS AND TERMS.—The interim period described in paragraph (2) shall extend until all conditions set forth in

paragraph (3)(B) have been satisfied. At such time, the following final arrangements shall apply, based on the terms set forth below. Such terms shall bind the Tribe, the United States, and Phelps Dodge, and shall be enforceable pursuant to subsection (d)(1) of this Act.

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

''(B) Responsibility for operation of the Black River facilities shall be transferred from the United States to the Tribe. The United States shall train Tribal members during the interim period, and the responsibility to operate the Black River facilities shall be transferred upon satisfaction of 2 conditions—

''(i) a finding by the United States that the Tribe has completed necessary training and is qualified to operate the Black River facilities; and

''(ii) execution of the contract described in paragraph (3)(E), which contract shall be executed on or before December 31, 1998. In the event that the contract is not executed by December 31, 1998, the transfer described in this subsection shall occur on December 31, 1998 (so long as condition (i) of this subparagraph has been satisfied), based on application of the contract terms described in paragraph (3)(E), which terms shall be enforceable under this Act. Upon the approval of the Secretary, the Tribe may contract with third parties to operate the Black River facilities.

''(C) Power lines currently operated by Phelps Dodge on the Tribe's Reservation, and the right-of-way associated with such power lines, shall be surrendered by Phelps Dodge to the Tribe, without cost to the Tribe. Prior to the surrender of the power lines, the Bureau of Reclamation shall arrange for an inspection of the power lines and associated facilities by a qualified third party and shall obtain a certification that such power lines and facilities are of sound design and are in good working order. Phelps Dodge shall pay for the cost of such inspection and certification. Concurrently with the surrender of the power lines and the right-of-way, Phelps Dodge shall construct a switch station at the boundary of the Reservation at which the Tribe may switch power on or off and shall deliver ownership and control of such switch station to the Tribe. Subsequent to the transfer of the power lines and the right-of-way and the delivery of ownership and control of the switch station to the Tribe, Phelps Dodge shall have no further obligation or liability of any nature with respect to the ownership, operation, or maintenance of the power lines, the right-of-way, or the switch station.

''(D) The Tribe and the United States will enter into an exchange agreement with the Salt River Project which will deliver CAP water controlled by the Tribe to the Salt River Project in return for the diversion of water from the Black River into the Black River facilities. The exchange agreement shall be subject to review and approval by Phelps Dodge, which approval shall not be unreasonably withheld. Notwithstanding any other provision of law, the contract referred to in this subparagraph is ratified and confirmed.

''(E) The Tribe, the United States, and Phelps Dodge will execute a contract covering the lease and delivery of CAP water from the Tribe to Phelps Dodge on the following terms:

''(i) The Tribe will lease to Phelps Dodge 14,000 acre feet of CAP water per year as of the date on which the interim period referred to in paragraph (2) expires. The lease shall be subject to the terms and conditions identified in the Tribal CAP Delivery Contract referenced in section 3706(b). The leased CAP water shall be delivered to Phelps Dodge from the Black River pursuant to the exchange referred to in subparagraph (D) above, based on diversions from the Black River that shall not exceed an annual average of 40 acre feet per day and shall not cause the flow of Black River to fall below 20 cubic feet per second. Such CAP water shall be delivered to Phelps Dodge at that location where the channel of Eagle Creek last exits the Reservation, to be utilized in the Morenci mine complex and the towns of Clifton and Morenci, and at no other location.

''(ii) The leased CAP water shall be junior to the diversion and use of up to 7,300 acre feet per year from the Black and Salt Rivers by the San Carlos Apache Tribe.

''(iii) The lease will be for a term of 50 years or, if earlier, the date upon which mining activities at the Morenci mine complex cease, with a right to renew for an additional 50 years upon a finding by the Secretary that the water is needed for continued mining activities at the Morenci mine complex. The lease shall have the following financial terms:

''(I) The Tribe will lease CAP water at a cost of $1,200 per acre foot. Phelps Dodge shall pay to the United States, on behalf of the Tribe, the sum of $5,000,000 upon the earlier of the execution of the agreement, or upon the expiration of the interim period referred to in paragraph (2) hereof, which amount shall be a prepayment for and applicable to the first 4,166 acre feet of CAP water to be delivered in each year during the term of the lease.

''(II) Phelps Dodge shall pay the United States, on behalf of the Tribe, the sum of $65 per acre foot per year, with an annual CPI adjustment for the remaining 9,834 acre feet of water to be delivered pursuant to the lease each year. Such payments shall be made in advance on January 1 of each year, with a reconciliation made at year-end, if necessary, in the event that less than 14,000 acre feet of CAP water is diverted from the Black River due to shortages in the CAP system or on the Black River.

''(III) Phelps Dodge shall pay in advance each month the Tribe's reasonable costs associated with the Tribe's operation, maintenance, and replacement of the Black River facilities for purposes of delivering water to Phelps Dodge pursuant to the lease, which costs shall be based upon the experience of the Bureau of Reclamation in operating the Black River facilities during the interim period referred to in paragraph (2), subject to an annual CPI adjustment, and providing for a credit for power provided by Phelps Dodge to the Tribe. In addition, Phelps Dodge shall pay a monthly fee of $30,000 to the United States, on behalf of the Tribe, to account for the use of the Tribe's distribution system.

''(IV) Phelps Dodge shall pay the United States operation, maintenance, and replacement charges associated with the leased CAP water and such reasonable interconnection charges as may be imposed by Salt River Project in connection with the exchange referred to in subparagraph (D) above.

''(iv) Notwithstanding the provisions of section 3707(b), any moneys, except Black River facilities OM&R, CAP OM&R and any charges associated with an exchange agreement with Salt River Project, paid to the United States on behalf of the Tribe from the lease referred to under paragraph (3)(D)(iii) shall be held in trust by the United States for the benefit of the Tribe. There is hereby established in the Treasury of the United States a fund to be known as the 'San Carlos Apache Tribe Lease Fund' for such purpose. Interest accruing to the Fund may be used by the Tribe for economic and community development purposes upon presentation to the Secretary of a certified copy of a duly enacted resolution of the Tribal Council requesting distribution and a written budget approved by the Tribal Council. Such income may thereafter be expended only in accordance with such budget. Income not distributed shall be added to principal. The United States shall not be liable for any claim or causes of action arising from the Tribe's use or expenditure of moneys distributed from the Fund.

''(v) The lease is not assignable to any third party, except with the consent of the Tribe and Phelps Dodge, and with the approval of the Secretary.

''(vi) Notwithstanding subsection (b) hereof, section 3706 shall be fully effective immediately with respect to the CAP water lease provided for in this subparagraph and the Secretary shall take all actions authorized by section 3706 necessary for purposes of implementing this subparagraph. Notwithstanding any other provision of law, the contract referred to in this subparagraph is ratified and confirmed and shall be enforceable in United States district court. In the event that no lease authorized by this subparagraph is executed, this subparagraph, notwithstanding any other provision of law, shall be enforceable as a lease among the Tribe, the United States, and Phelps Dodge in the United States district court, and the Secretary shall take all action authorized by section 3706 for purposes of implementing this subparagraph in such an event.

''(F) Any questions regarding the water claims associated with Phelps Dodge's use of the Eagle Creek Wellfield, its diversions of surface water from lower Eagle Creek, the San Francisco River, Chase Creek, and/or its use of other water supplies are not addressed by this title. No provision in this subsection shall affect or be construed to affect any claims by the Tribe, the United States, or Phelps Dodge to groundwater or surface water.

''(4) EAGLE CREEK.—From the effective date of this subsection, and during the Interim Period, the Tribe shall not, in any way, impede, restrict, or sue the United States regarding the passage of water from the Black River facilities into those portions of the channels of Willow Creek and Eagle Creek which flow through the Reservation. Phelps Dodge agrees to limit pumping from the Upper Eagle Creek Wellfield so that the combination of water from the Black River facilities and water pumped from the Upper Eagle Creek Wellfield does not exceed 22,000 acre feet per year of delivered water at the Phelps Dodge Lower Eagle Creek Pump Station below the Reservation. In calculating the pumping rates allowed under this subparagraph, transmission losses from Black River and the Upper Eagle Creek Wellfield shall be estimated, but in no event shall such transmission losses be more than 10 percent of the Black River or Upper Eagle Creek Wellfield water. Based on this agreement, the Tribe shall not, in any way, impede, restrict, or sue Phelps Dodge regarding the passage of water from the Phelps Dodge Upper Eagle Creek Wellfield, except that—

''(A) Phelps Dodge shall pay to the United States, on behalf of the Tribe, $5,000 per month, with an annual CPI adjustment from July 23, 1997, to account for the passage of such flows; and

''(B) the Tribe and the United States reserve the right to challenge Phelps Dodge's claims regarding the pumping of groundwater from the Upper Eagle Creek Wellfield, in accordance with paragraphs (2)(E) and (3)(F) above. In the event that a court determines that Phelps Dodge does not have the right to pump the Upper Eagle Creek Wellfield, the Tribe will no longer be subject

to the restriction set forth in this subparagraph regarding the passage of water from the Wellfield through the Reservation. Nothing in this subsection shall affect the rights, if any, that Phelps Dodge might claim regarding the flow of water in the channel of Eagle Creek in the absence of this subsection.

''(5) PAST CLAIMS.—The Act does not address claims relating to Phelps Dodge's prior occupancy and operation of the Black River facilities. The Tribe agrees not to bring any such claims against the United States. The Tribe also agrees that within 30 days after Phelps Dodge has vacated the Reservation, it shall dismiss with prejudice the suit that it has filed in Tribal Court against Phelps Dodge (The San Carlos Apache Tribe v. Phelps Dodge, et al., Case No. C–97–118), which such dismissal shall not be considered a decision on the merits, and any claims that it might assert against Phelps Dodge in connection with Phelps Dodge's prior occupancy and operation of the Black River facilities shall be brought exclusively in the United States district court.

''(6) RELATIONSHIP TO SETTLEMENT.—

''(A) The term 'Agreement', as defined by section 3703(2), shall not include Phelps Dodge.

''(B) Section 3706(j) and section 3705(f) shall be repealed and shall have no effect.

''(7) RATIFICATION OF SETTLEMENT.—The agreement between the San Carlos Apache Tribe, the Phelps Dodge Corporation, and the Secretary of the Interior, as set forth in this subsection, is hereby ratified and approved.''.

(g) TECHNICAL AMENDMENT.—Section 3702(a)(3) is amended by striking ''qualification'' and inserting ''quantification''.

SEC. 5004. Paragraph (5) of section 104(c) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374(c)(5)) is amended as follows:

(1) In subparagraph (A), by striking '', including polar bears taken but not imported prior to the date of enactment of the Marine Mammal Protection Act Amendments of 1994,''.

(2) By adding the following new subparagraph at the end thereof:

''(D) The Secretary of the Interior shall, expeditiously after the expiration of the applicable 30 day period under subsection (d)(2), issue a permit for the importation of polar bear parts (other than internal organs) from polar bears taken in sport hunts in Canada before the date of enactment of the Marine Mammal Protection Act Amendments of 1994, to each applicant who submits, with the permit application, proof that the polar bear was legally harvested in Canada by the applicant. The Secretary shall issue such permits without regard to the provisions of subparagraphs (A) and (C)(ii) of this paragraph, subsection (d)(3) of this section, and sections 101 and 102. This subparagraph shall not apply to polar bear parts that were imported before the effective date of this subparagraph.''.

CHAPTER 6

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

Public Law 104–208, under the heading ''Health Education Assistance Loans Program'' is amended by inserting after ''$140,000,000'' the following: '': *Provided further,* That the Secretary may use up to $499,000 derived by transfer from insurance premiums collected from guaranteed loans made under title VII of the Public Health Service Act for the purpose of carrying out section 709 of that Act''.

ADMINISTRATION FOR CHILDREN AND FAMILIES

CHILDREN AND FAMILIES SERVICES PROGRAMS

Public Law 104–208, under the heading titled ''Children and Families Services Programs'' is amended by inserting after the reference to ''part B(1) of title IV'' the following: ''and section 1110''.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support high priority health research, $15,000,000, to remain available until expended: *Provided,* That the Secretary shall award such funds on a competitive basis.

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For additional amounts to carry out subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965, $101,133,000, of which $78,362,000 shall be for Basic Grants and $22,771,000 shall be for Concentration Grants, which shall be allocated, notwithstanding any other provision of law, only to those States, and counties within those States, that will receive, from funds available under the Department of Education Appropriations Act, 1997, smaller allocations for Grants to Local Educational Agencies than they would have received had those allocations been calculated entirely on the basis of child poverty counts from the 1990 census: *Provided,* That the Secretary of Education shall use these additional funds to provide those States with 50 percent of the difference between the allocations they would have received had the allocations under that Appropriations Act been calculated entirely on the basis of the 1990 census data and the allocations under the 1997 Appropriations Act: *Provided further,* That if any State's total allocation under that Appropriations Act and this paragraph is less than its 1996 allocation for that subpart, that State shall receive, under this paragraph, the amount the State would have received had that allocation been calculated entirely on the basis of child poverty counts from the 1990 census: *Provided further,* That the Secretary shall ratably reduce the allocations to States under the preceding proviso for either Basic Grants or Concentration Grants, or both, as the case may be, if the funds available are insufficient to make those allocations in full: *Provided further,* That the Secretary shall allocate, to such counties in each such State, additional amounts for Basic Grants and Concentration Grants that are in the same proportion, respectively, to the total amounts allocated to the State, as the differences between such counties' initial allocations for Basic Grants and Concentration Grants, respectively (compared to what they would have received had the initial allocations been calculated entirely on the basis of 1990 census data), are to the differences between the State's initial allocations for Basic Grants and Concentration Grants, respectively (compared to the amounts the State would have received had the initial allocations been calculated entirely on the basis of 1990 census data): *Provided further,* That the funds appropriated under this paragraph shall become available on July 1, 1997 and shall remain available through September 30, 1998: *Provided further,* That the additional amounts appropriated under this paragraph shall not be taken into account in determining State allocations under any other program administered by the Secretary.

RELATED AGENCY

NATIONAL COMMISSION ON THE COST OF HIGHER EDUCATION

SALARIES AND EXPENSES

For necessary expenses for the National Commission on the Cost of Higher Education, $650,000, to remain available until expended.

GENERAL PROVISIONS, CHAPTER 6

SEC. 6001. Notwithstanding any other provision of law, fiscal year 1995 funds awarded under State-administered programs of the Department of Education and funds awarded for fiscal year 1996 for State-administered programs under the Rehabilitation Act of the Department of Education to recipients in Presidentially declared disaster areas, which were declared as such during fiscal year 1997, are available to those recipients for obligation until September 30, 1998: *Provided,* That for the purposes of assisting those recipients, the Secretary's waiver authority under section 14401 of the Elementary and Secondary Education Act of 1965 shall be extended to all State-administered programs of the Department of Education. This special waiver authority applies only to funds awarded for fiscal years 1995, 1996, and 1997.

SEC. 6002. Notwithstanding any other provision of law, the Secretary of Education may waive or modify any statutory or regulatory provision applicable to the student financial aid programs under title IV of the Higher Education Act that the Secretary deems necessary to assist individuals and other program participants who suffered financial harm from natural disasters and who, at the time the disaster struck were operating, residing at, or attending an institution of higher education, or employed within these areas on the date which the President declared the existence of a major disaster (or, in the case of an individual who is a dependent student, whose parent or stepparent suffered financial harm from such disaster, and who resided, or was employed in such an area at that time): *Provided further,* That such authority shall be in effect only for awards for award years 1996–1997 and 1997–1998.

SEC. 6003. None of the funds provided in this Act or in any other Act making appropriations for fiscal year 1997 may be used to administer or implement in Denver, Colorado, the Medicare Competitive Pricing/Open Enrollment Demonstration, as titled in the April 1, 1997, Final Request for Proposals (RFP).

SEC. 6004. EMERGENCY USE OF CHILD CARE FUNDS.

(a) IN GENERAL.—Notwithstanding any other provision of law, during the period beginning on April 30, 1997, and ending on July 30, 1997, the Governors of the States described in paragraph (1) of subsection (b) may, subject to subsection (c), use amounts received for the provision of child care assistance or services under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9801 et seq.) to provide emergency child care services to individuals described in paragraph (2) of subsection (b).

(b) ELIGIBILITY.—

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

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

(A) resides within any area in which the President, pursuant to section 401 of the

Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), has determined that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to flooding in 1997; and

(B) is involved in unpaid work activities (including the cleaning, repair, restoration, and rebuilding of homes, businesses, and schools) resulting from the flood emergency described in subparagraph (A).

(c) LIMITATIONS.—

(1) REQUIREMENTS.—With respect to assistance provided to individuals under this section, the quality, certification and licensure, health and safety, nondiscrimination, and other requirements applicable under the Federal programs referred to in subsection (a) shall apply to child care provided or obtained under this section.

(2) AMOUNT OF FUNDS.—The total amount utilized by each of the States under subsection (a) during the period referred to in such subsection shall not exceed the total amount of such assistance that, notwithstanding the enactment of this section, would otherwise have been expended by each such State in the affected region during such period.

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

EXTENSION OF SSI REDETERMINATION PROVISIONS

SEC. 6005. (a) Section 402(a)(2)(D)(i) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(D)(i)) is amended—

(1) in subclause (I), by striking ''the date which is 1 year after such date of enactment,'' and inserting ''September 30, 1997,''; and

(2) in subclause (III), by striking ''the date of the redetermination with respect to such individual'' and inserting ''September 30, 1997,''.

(b) The amendment made by subsection (a) shall be effective as if included in the enactment of section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

CHAPTER 7

CONGRESSIONAL OPERATIONS

SENATE

CONTINGENT EXPENSES OF THE SENATE

SECRETARY OF THE SENATE

(TRANSFER OF FUNDS)

For an additional amount for expenses of the ''Office of the Secretary of the Senate'', to carry out the provisions of section 8 of the Legislative Branch Appropriations Act, 1997, $5,000,000, to remain available until September 30, 2000, to be derived by transfer from funds previously appropriated from fiscal year 1997 funds under the heading ''SENATE'', subject to the approval of the Committee on Appropriations.

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Marissa, Sonya, and Frank (III) Tejeda, children of Frank Tejeda, late a Representative from the State of Texas, $133,600.

OTHER AGENCY

BOTANIC GARDEN

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses, Botanic Garden'', $33,500,000, to remain available until expended, for emergency repair and renovation of the Conservatory.

GENERAL PROVISIONS, CHAPTER 7

SEC. 7001. Section 105(f) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61–1(f)) is amended by adding at the end the following: ''The limitation on the minimum rate of gross compensation under this subsection shall not apply to any member or civilian employee of the Capitol Police whose compensation is disbursed by the Secretary of the Senate.''.

SEC. 7002. (a) Notwithstanding any other provision of law or regulation, with the approval of the Committee on Rules and Administration of the Senate, the Sergeant at Arms and Doorkeeper of the Senate is authorized to provide additional facilities, services, equipment, and office space for use by a Senator in that Senator's State in connection with a disaster or emergency declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Expenses incurred by the Sergeant at Arms and Doorkeeper of the Senate under this section shall be paid from the appropriation account, within the contingent fund of the Senate, for expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, upon vouchers signed by the Sergeant at Arms and Doorkeeper of the Senate with the approval of the Committee on Rules and Administration of the Senate.

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

SEC. 7003. (a) Section 2 of Public Law 100–71 (2 U.S.C. 65f) is amended by adding at the end the following:

''(c) Upon the written request of the Secretary of the Senate, with the approval of the Committee on Appropriations of the Senate, there shall be transferred any amount of funds available under subsection (a) specified in the request, but not to exceed $10,000 in any fiscal year, from the appropriation account (within the contingent fund of the Senate) for expenses of the Office of the Secretary of the Senate to the appropriation account for the expense allowance of the Secretary of the Senate. Any funds so transferred shall be available in like manner and for the same purposes as are other funds in the account to which the funds are transferred.''.

(b) The amendment made by subsection (a) shall be effective with respect to appropriations for fiscal years beginning on or after October 1, 1996.

SEC. 7004. The Comptroller General may use available funds, now and hereafter, to enter into contracts for the acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year and to enter in multiyear contracts for the acquisition of property and nonaudit-related services, to the same extent as executive agencies under the authority of sections 303L and 304B, respectively, of the Federal Property and Administrative Services Act (41 U.S.C. 253l and 254c).

CHAPTER 8

DEPARTMENT OF TRANSPORTATION

COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $1,600,000, for necessary expenses directly related to support activities in the TWA Flight 800 crash investigation, to remain available until expended.

RETIRED PAY

For an additional amount for ''Retired Pay'', $9,200,000.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

(HIGHWAY TRUST FUND)

For an additional amount for the Emergency Relief Program for emergency expenses resulting from flooding and other natural disasters, as authorized by 23 U.S.C. 125, $650,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That 23 U.S.C. 125(b)(1) shall not apply to projects resulting from the December 1996 and January 1997 flooding in the western States.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The limitation under this heading in Public Law 104–205 is increased by $694,810,534: *Provided,* That such additional authority shall remain available during fiscal year 1997: *Provided further,* That notwithstanding any other provision of law, the authority provided herein above shall be distributed to ensure that States receive an amount they would have received had the Highway Trust Fund fiscal year 1994 income statement not been understated prior to the revision on December 24, 1996: *Provided further,* That notwithstanding any other provision of law, $318,077,043 of the amount provided herein above shall be distributed to assure that States receive obligation authority that they would have received had the Highway Trust Fund fiscal year 1995 income statement not been revised on December 24, 1996: *Provided further,* That the remaining authority provided herein above shall be distributed to those States whose share of Federal-aid obligation limitation under section 310 of Public Law 104–205 is less than the amount such States received under section 310(a) of Public Law 104–50 in fiscal year 1996 in a ratio equal to the amounts necessary to bring each such State to the Federal-aid obligation limitation distributed under section 310(a) of Public Law 104–50.

FEDERAL RAILROAD ADMINISTRATION

EMERGENCY RAILROAD REHABILITATION AND REPAIR

For necessary expenses to repair and rebuild freight rail lines of regional and short line railroads or a State entity damaged by floods, $18,900,000, to be awarded subject to the discretion of the Secretary on a case-by-case basis: *Provided,* That up to $900,000 shall be solely for damage incurred in West Virginia in September 1996 and $18,000,000 shall be solely for damage incurred in the Northern Plains States in March and April 1997: *Provided further,* That funds provided under this head shall be available for rehabilitation of railroad rights-of-way, bridges, and other facilities which are part of the general railroad system of transportation, and primarily used by railroads to move freight traffic: *Provided further,* That railroad rights-of-way, bridges, and other facilities owned by class I railroads are not eligible for funding under this head unless the rights-of-way, bridges or other facilities are under contract lease to a class II or class III railroad under which the lessee is responsible for all maintenance costs of the line: *Provided further,* That railroad rights-of-way, bridges and other facilities owned by passenger railroads, or by tourist, scenic, or historic railroads are not eligible for funding under this head: *Provided further,* That these funds shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount as

an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That all funds made available under this head are to remain available until September 30, 1997.

RELATED AGENCY

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', for emergency expenses resulting from the crashes of TWA Flight 800, ValuJet Flight 592, and Comair Flight 3272, and for assistance to families of victims of aviation accidents as authorized by Public Law 104–264, $29,859,000, of which $4,877,000 shall remain available until expended: *Provided,* That these funds shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That notwithstanding any other provision of law, not more than $10,330,000 shall be provided by the National Transportation Safety Board to the Department of the Navy as reimbursement for costs incurred in connection with recovery of wreckage from TWA Flight 800 and shall be credited to the appropriation contained in the Omnibus Consolidated Appropriations Act, 1997, which is available for the same purpose as the appropriation originally charged for the expense for which the reimbursements are received, to be merged with, and to be available for the same purpose as the appropriation to which such reimbursements are credited: *Provided further,* That notwithstanding any other provision of law, of the amount provided to the National Transportation Safety Board, not more than $6,059,000 shall be made available to the State of New York and local counties in New York, as reimbursement for costs incurred in connection with the crash of TWA Flight 800: *Provided further,* That notwithstanding any other provision of law, of the amount provided, not more than $3,100,000 shall be made available to Metropolitan Dade County, Florida as reimbursement for costs incurred in connection with the crash of ValuJet Flight 592: *Provided further,* That notwithstanding any other provision of law, of the amount provided, not more than $300,000 shall be made available to Monroe County, Michigan as reimbursement for costs incurred in connection with the crash of Comair Flight 3272.

GENERAL PROVISIONS, CHAPTER 8

SEC. 8001. Title I of the Department of Transportation and Related Agencies Appropriations Act, 1997 (Public Law 104–205) is amended under the heading ''Federal Transit Administration—Discretionary Grants'' by striking ''$661,000,000'' and inserting ''$661,000''.

SEC. 8002. Section 325 of title III of the Department of Transportation and Related Agencies Appropriations Act, 1997 (Public Law 104–205) is amended by deleting all text following: ''*Provided,* That such funds shall not be subject to the obligation limitation for Federal-aid highways and highway safety construction.''.

SEC. 8003. Section 410(j) of title 23, United States Code, is amended by striking the period after ''1997'' and inserting '', and an additional $500,000 for fiscal year 1997.''.

SEC. 8004. Section 30308(a) of title 49, United States Code, is amended by striking ''and 1996'' and inserting '', 1996, and 1997''.

CHAPTER 9

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount under the heading ''Departmental Offices, Salaries and Expenses'', $1,950,000: *Provided,* That the Secretary of the Treasury may utilize the law enforcement services, personnel, equipment, and facilities of the State of Colorado, the County of Denver, and the City of Denver, with their consent, and shall reimburse the State of Colorado, the County of Denver, and the City of Denver for the utilization of such law enforcement services, personnel (for salaries, overtime, and benefits), equipment, and facilities for security arrangements for the Denver Summit of Eight being held June 20 through June 22, 1997, in Denver, Colorado subject to verification of appropriate costs.

COUNTER-TERRORISM AND DRUG LAW ENFORCEMENT

DEPARTMENT OF THE TREASURY

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

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

U.S. POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

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

GENERAL PROVISIONS, CHAPTER 9

SEC. 9001. The Administrator of General Services is authorized to obligate the funds appropriated in Public Law 104–208 for construction of the Montgomery, Alabama courthouse.

SEC. 9002. None of the funds appropriated or made available in this Act or any other Act may be used by the General Services Administration to implement section 1555 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355) prior to the date of adjournment of the first session of the 105th Congress.

SEC. 9003. (a) The Bureau of Engraving and Printing and the Department of the Treasury shall not award a contract for Solicitation No. BEP–97–13(TN) or Solicitation No. BEP–96–13(TN) until the General Accounting Office (GAO) has completed a comprehensive analysis of the optimum circumstances for government procurement of distinctive currency paper. The GAO shall report its findings to the House and Senate Committees on Appropriations no later than August 1, 1998.

(b) The contractual term of the distinctive currency paper ''bridge'' contract shall not exceed 24 months, and the contract shall not be effective until the Secretary of the Department of the Treasury certifies that the price under the terms of any ''bridge'' contract is fair and reasonable and that the terms of any ''bridge'' contract are customary and appropriate according to Federal procurement regulations. In addition, the Secretary of the Treasury shall report to the Committees on Appropriations on the price and profit levels of any ''bridge'' contract at the time of certification.

SEC. 9004. (a) Chapter 63 of title 5, United States Code, is amended by adding after subchapter V the following:

''SUBCHAPTER VI—LEAVE TRANSFER IN DISASTERS AND EMERGENCIES

''§ 6391. Authority for leave transfer program in disasters and emergencies

''(a) For the purpose of this section—

''(1) 'employee' means an employee as defined in section 6331(1); and

''(2) 'agency' means an Executive agency.

''(b) In the event of a major disaster or emergency, as declared by the President, that results in severe adverse effects for a substantial number of employees, the President may direct the Office of Personnel Management to establish an emergency leave transfer program under which any employee in any agency may donate unused annual leave for transfer to employees of the same or other agencies who are adversely affected by such disaster or emergency.

''(c) The Office shall establish appropriate requirements for the operation of the emergency leave transfer program under subsection (b), including appropriate limitations on the donation and use of annual leave under the program. An employee may receive and use leave under the program without regard to any requirement that any annual leave and sick leave to a leave recipient's credit must be exhausted before any transferred annual leave may be used.

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

''(e) Except to the extent that the Office may prescribe by regulation, nothing in section 7351 shall apply to any solicitation, donation, or acceptance of leave under this section.

''(f) The Office shall prescribe regulations necessary for the administration of this section.''.

(b) The analysis for chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''SUBCHAPTER VI—LEAVE TRANSFER IN DISASTERS AND EMERGENCIES

''6391. Authority for leave transfer program in disasters and emergencies.''.

CHAPTER 10

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

For an additional amount for ''Compensation and pensions'', $928,000,000, to remain available until expended.

ADMINISTRATIVE PROVISION

The Secretary of Veterans Affairs may carry out the construction of a multi-story parking garage at the Department of Veterans Affairs medical center in Cleveland, Ohio, in the amount of $12,300,000, and there is authorized to be appropriated for fiscal year 1997 for the Parking Revolving Fund account, a total of $12,300,000 for this project.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

Notwithstanding any other provision of law, of the $1,000,000 appropriated for special purpose grants in Public Law 102–139, for a parking garage in Ashland, Kentucky, $500,000 shall be made available instead for use in acquiring parking in Ashland, Kentucky and $500,000 shall be made available instead for the restoration of the Paramount Theater in Ashland, Kentucky.

PRESERVING EXISTING HOUSING INVESTMENT

For an additional amount for ''Preserving existing housing investment'', to be made available for use in conjunction with properties that are eligible for assistance under

the Low-Income Housing Preservation and Resident Homeownership Act of 1990 or the Emergency Low Income Housing Preservation Act of 1987, $3,500,000, to remain available until expended: *Provided*, That up to such amount shall be for a project in Syracuse, New York, the processing for which was suspended, deferred or interrupted for a period of nine months or more because of differing interpretations, by the Secretary of Housing and Urban Development and an owner, concerning the timing of the ability of an uninsured section 236 property to prepay, or by the Secretary and a State rent regulatory agency concerning the effect of a presumptively applicable State rent control law or regulation on the determination of preservation value under section 213 of such Act, if the owner of such project filed a notice of intent to extend the low-income affordability restrictions of the housing on or before August 23, 1993, and the Secretary approved the plan of action on or before July 25, 1996.

CAPACITY BUILDING FOR COMMUNITY DEVELOPMENT AND AFFORDABLE HOUSING

(TRANSFER OF FUNDS)

For ''Capacity building for community development and affordable housing'', as authorized by section 4 of the HUD Demonstration Act of 1993 (Public Law 103–120), $30,200,000, to remain available until expended, and to be derived by transfer from the Homeownership and Opportunity for People Everywhere Grants account: *Provided*, That at least $10,000,000 of the funding under this head be used in rural areas, including tribal areas.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANTS FUND

For an additional amount for ''Community development block grants fund'', as authorized under title I of the Housing and Community Development Act of 1974, $500,000,000, of which $250,000,000 shall become available for obligation on October 1, 1997, all of which shall remain available until September 30, 2000, for use only for buyouts, relocation, long-term recovery, and mitigation in communities affected by the flooding in the upper Midwest and other disasters in fiscal year 1997 and such natural disasters designated 30 days prior to the start of fiscal year 1997, except those activities reimbursable or for which funds are made available by the Federal Emergency Management Agency, the Small Business Administration, or the Army Corps of Engineers: *Provided*, That in administering these amounts, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds, except for statutory requirements related to civil rights, fair housing and nondiscrimination, the environment, and labor standards, upon a finding that such waiver is required to facilitate the use of such funds, and would not be inconsistent with the overall purpose of the statute: *Provided further*, That the Secretary of Housing and Urban Development shall publish a notice in the Federal Register governing the use of community development block grants funds in conjunction with any program administered by the Director of the Federal Emergency Management Agency for buyouts for structures in disaster areas: *Provided further*, That for any funds under this head used for buyouts in conjunction with any program administered by the Director of the Federal Emergency Management Agency, each State or unit of general local government requesting funds from the Secretary of Housing and Urban Development for buyouts shall submit a plan to the Secretary which must be approved by the Secretary as consistent with the requirements of this program: *Provided further*, That the Secretary of Housing and Urban Development and the Director of the Federal Emergency Management Agency shall submit quarterly reports to the House and Senate Committees on Appropriations on all disbursements and uses of funds for or associated with buyouts: *Provided further*, That for purposes of disasters eligible under this head the Secretary of Housing and Urban Development may waive, on a case-by-case basis and upon such other terms as the Secretary may specify, in whole or in part, the requirements that activities benefit persons of low- and moderate-income pursuant to section 122 of the Housing and Community Development Act of 1974, and may waive, in whole or in part, the requirements that housing qualify as affordable housing pursuant to section 290 of the HOME Investment Partnerships Act: *Provided further*, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

Of the funds appropriated under this head in Public Law 104–204, the Secretary of Housing and Urban Development shall enter into a contract with the National Academy of Public Administration not to exceed $1,000,000 no later than one month after enactment of this Act for an evaluation of the Department of Housing and Urban Development's management systems.

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

BUILDINGS AND FACILITIES

From the amounts appropriated under this heading in prior appropriation Acts for the Center for Ecology Research and Training (CERT), the Environmental Protection Agency (EPA) shall, after the closing of the period for filing CERT-related claims pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), obligate the maximum amount of funds necessary to settle all outstanding CERT-related claims against the EPA pursuant to such Act. To the extent that unobligated balances then remain from such amounts previously appropriated, the EPA is authorized beginning in fiscal year 1997 to make grants to the City of Bay City, Michigan, for the purpose of EPA-approved environmental remediation and rehabilitation of publicly owned real property included in the boundaries of the CERT project.

STATE AND TRIBAL ASSISTANCE GRANTS

The funds appropriated in Public Law 104–204 to the Environmental Protection Agency under this heading for grants to States and federally recognized tribes for multi-media or single media pollution prevention, control, and abatement and related activities, $674,207,000, may also be used for the direct implementation by the Federal Government of a program required by law in the absence of an acceptable State or tribal program.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For an additional amount for ''Disaster relief'', $3,300,000,000, to remain available until expended: *Provided*, That $2,300,000,000 shall become available for obligation on September 30, 1997, but shall not become available until the Director of the Federal Emergency Management Agency submits to the Congress a legislative proposal to control disaster relief expenditures including the elimination of funding for certain revenue producing facilities: *Provided further*, That of the funds made available under this heading, up to $20,000,000 may be transferred to the Disaster Assistance Direct Loan Program for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That such transfer may be made to subsidize gross obligations for the principal amount of direct loans not to exceed $21,000,000 under section 417 of the Stafford Act: *Provided further*, That any such transfer of funds shall be made only upon certification by the Director of the Federal Emergency Management Agency that all requirements of section 417 of the Stafford Act will be complied with: *Provided further*, That the entire amount appropriated herein shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided further*, That the entire amount appropriated herein is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, CHAPTER 10

SEC. 10001. The Secretary shall submit semi-annually to the Committees on Appropriations a list of all contracts and task orders issued under such contracts in excess of $250,000 which were entered into during the prior 6-month period by the Secretary, the Government National Mortgage Association, and the Office of Federal Housing Enterprise Oversight (or by any officer of the Department of Housing and Urban Development, the Government National Mortgage Association, or the Office of Federal Housing Enterprise Oversight acting in his or her capacity to represent the Secretary or these entities). Each listing shall identify the parties to the contract, the term and amount of the contract, and the subject matter and responsibilities of the parties to the contract.

SEC. 10002. Section 8(c)(9) of the United States Housing Act of 1937 is amended by striking out ''Not less than one year prior to terminating any contract'' and inserting in lieu thereof: ''Not less than 180 days prior to terminating any contract''.

SEC. 10003. The first sentence of section 542(c)(4) of the Housing and Community Development Act of 1992 is amended by striking out ''on not more than 12,000 units during fiscal year 1996'' and inserting in lieu thereof: ''on not more than 12,000 units during fiscal year 1996 and not more than an additional 7,500 units during fiscal year 1997''.

SEC. 10004. Section 4 (a) and (b)(3) of the HUD Demonstration Act of 1993 is amended by inserting after ''National Community Development Initiative'': '', Local Initiatives Support Corporation, The Enterprise Foundation, Habitat for Humanity, and Youthbuild USA''.

SEC. 10005. Section 234(c) of the National Housing Act is amended by inserting after ''203(b)(2)'' the following: ''or pursuant to section 203(h) under the conditions described in section 203(h)''.

SEC. 10006. Section 211(b)(4)(B) of the Departments of Veterans Affairs and Housing

and Urban Development, and Independent Agencies Appropriations Act, 1997 (Public Law 104–204) is amended by inserting the following at the end: ''The term 'owner', as used in this subparagraph, in addition to it having the same meaning as in section 8(f) of the United States Housing Act of 1937, also means an affiliate of the owner. The term 'affiliate of the owner' means any person or entity (including, but not limited to, a general partner or managing member, or an officer of either) that controls an owner, is controlled by an owner, or is under common control with the owner. The term 'control' means the direct or indirect power (under contract, equity ownership, the right to vote or determine a vote, or otherwise) to direct the financial, legal, beneficial, or other interests of the owner.''.

CHAPTER 11

OFFSETS AND RESCISSIONS

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

FUND FOR RURAL AMERICA

Of the funds provided on January 1, 1997 for section 793 of Public Law 104–127, Fund for Rural America, not more than $80,000,000 shall be available.

FOOD AND CONSUMER SERVICE

THE EMERGENCY FOOD ASSISTANCE PROGRAM

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

FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

EXPORT CREDIT

None of the funds made available in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1997, Public Law 104–180, may be used to pay the salaries and expenses of personnel to carry out a combined program for export credit guarantees, supplier credit guarantees, and emerging democracies facilities guarantees at a level which exceeds $3,500,000,000.

EXPORT ENHANCEMENT PROGRAM

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

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

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

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

Of the amounts made available to the Attorney General on October 1, 1996, from surplus balances declared in prior years pursuant to 28 U.S.C. 524(c), authority to obligate $3,000,000 of such funds in fiscal year 1997 is rescinded.

IMMIGRATION AND NATURALIZATION SERVICE

CONSTRUCTION

(RESCISSION)

Of the unobligated balances under this heading from amounts made available in Public Law 103–317, $1,000,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

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

RELATED AGENCIES

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

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

OUNCE OF PREVENTION COUNCIL

(RESCISSION)

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

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 104–206 and prior years' Energy and Water Development Appropriations Acts, $11,180,000 are rescinded.

CLEAN COAL TECHNOLOGY

(RESCISSION)

Of the funds made available under this heading for obligation in fiscal year 1997 or prior years, $17,000,000 are rescinded: *Provided,* That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

STRATEGIC PETROLEUM RESERVE

(RESCISSION)

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

POWER MARKETING ADMINISTRATIONS

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(RESCISSION)

Of the funds made available under this heading in Public Law 104–206 and prior years' Energy and Water Development Appropriations Acts, $11,352,000 are rescinded.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

JOB OPPORTUNITIES AND BASIC SKILLS

(RESCISSION)

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

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

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the unobligated balances authorized under 49 U.S.C. 48103 as amended, $750,000,000 are rescinded.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

HIGHWAY TRAFFIC SAFETY GRANTS

(HIGHWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the available balances of contract authority under this heading, $13,000,000 are rescinded.

FEDERAL TRANSIT ADMINISTRATION

TRUST FUND SHARE OF EXPENSES

(HIGHWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

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

DISCRETIONARY GRANTS

(HIGHWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the available balances of contract authority under this heading, for fixed guideway modernization and bus activities under 49 U.S.C. 5309(m)(A) and (C), $588,000,000 are rescinded.

INDEPENDENT AGENCY

GENERAL SERVICES ADMINISTRATION

EXPENSES, PRESIDENTIAL TRANSITION

(RESCISSION)

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

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(INCLUDING RESCISSION)

Of the amounts recaptured under this heading during fiscal year 1997 and prior years, $3,650,000,000 are rescinded: *Provided,* That the Secretary of Housing and Urban Development shall recapture at least $5,800,000,000 in amounts heretofore maintained as section 8 reserves made available to housing agencies for tenant-based assistance under the section 8 existing housing certificate and housing voucher programs: *Provided further,* That all additional section 8 reserve funds of an amount not less than $2,150,000,000 and any recaptures (other than funds already designated for other uses) specified in section 214 of Public Law 104–204 shall be preserved under the head ''Section 8 Reserve Preservation Account'' for use in extending section 8 contracts expiring in fiscal year 1998 and thereafter: *Provided further,* That the Secretary may recapture less than $5,800,000,000 and reserve less than $2,150,000,000 where the Secretary determines that insufficient section 8 funds are available for current fiscal year contract obligations: *Provided further,* That the Comptroller General of the United States shall conduct an audit of all accounts of the Department of Housing and Urban Development to determine whether the Department's systems for budgeting and accounting for section 8 rental assistance ensure that unexpended funds do not reach unreasonable levels and that obligations are spent in a timely manner.

INDEPENDENT AGENCY

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

NATIONAL AERONAUTICS FACILITIES

(RESCISSION)

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

FUNDS APPROPRIATED TO THE PRESIDENT

UNANTICIPATED NEEDS

(RESCISSION)

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

TITLE III

GENERAL PROVISIONS—THIS ACT

SEC. 30001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

BUY-AMERICAN REQUIREMENTS

SEC. 30002. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

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

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 30003. The Office of Management and Budget is directed to work with Federal agencies, as appropriate, to support the extension and revision of Federal grants, contracts, and cooperative agreements at universities affected by flooding in designated Federal disaster areas where work on such grants, contracts, and cooperative agreements was suspended as a result of the flood disaster.

TITLE IV—COST OF HIGHER EDUCATION REVIEW

SEC. 40001. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This title may be cited as the ''Cost of Higher Education Review Act of 1997''.

(b) FINDINGS.—The Congress finds the following:

(1) According to a report issued by the General Accounting Office, tuition at 4-year public colleges and universities increased 234 percent from school year 1980–1981 through school year 1994–1995, while median household income rose 82 percent and the cost of consumer goods as measured by the Consumer Price Index rose 74 percent over the same time period.

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

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

SEC. 40002. ESTABLISHMENT OF NATIONAL COMMISSION ON THE COST OF HIGHER EDUCATION.

There is established a Commission to be known as the ''National Commission on the Cost of Higher Education'' (hereafter in this title referred to as the ''Commission'').

SEC. 40003. MEMBERSHIP OF COMMISSION.

(a) APPOINTMENT.—The Commission shall be composed of 11 members as follows:

(1) Three individuals shall be appointed by the Speaker of the House.

(2) Two individuals shall be appointed by the Minority Leader of the House.

(3) Three individuals shall be appointed by the Majority Leader of the Senate.

(4) Two individuals shall be appointed by the Minority Leader of the Senate.

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

(b) ADDITIONAL QUALIFICATIONS.—Each of the individuals appointed under subsection (a) shall be an individual with expertise and experience in higher education finance (including the financing of State institutions of higher education), Federal financial aid programs, education economics research, public or private higher education administration, or business executives who have managed successful cost reduction programs.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the Commission shall elect a Chairperson and a Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson will assume the duties of the Chairperson.

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

(e) APPOINTMENTS.—All appointments under subsection (a) shall be made within 30 days after the date of enactment of this Act. In the event that an officer authorized to make an appointment under subsection (a) has not made such appointment within such 30 days, the appointment may be made for such officer as follows:

(1) the Chairman of the Committee on Education and the Workforce may act under such subsection for the Speaker of the House of Representatives;

(2) the Ranking Minority Member of the Committee on Education and the Workforce may act under such subsection for the Minority Leader of the House of Representatives;

(3) the Chairman of the Committee on Labor and Human Resources may act under such subsection for the Majority Leader of the Senate; and

(4) the Ranking Minority Member of the Committee on Labor and Human Resources may act under such subsection for the Minority Leader of the Senate.

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

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

(h) PROHIBITION OF ADDITIONAL PAY.—Members of the Commission shall receive no additional pay, allowances, or benefits by reason of their service on the Commission. Members appointed from among private citizens of the United States may be allowed travel expenses, including per diem, in lieu of subsistence, as authorized by law for persons serving intermittently in the government service to the extent funds are available for such expenses.

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

SEC. 40004. FUNCTIONS OF COMMISSION.

(a) SPECIFIC FINDINGS AND RECOMMENDATIONS.—The Commission shall study and make findings and specific recommendations regarding the following:

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

(2) Innovative methods of reducing or stabilizing tuition.

(3) Trends in college and university administrative costs, including administrative staffing, ratio of administrative staff to instructors, ratio of administrative staff to students, remuneration of administrative staff, and remuneration of college and university presidents or chancellors.

(4) Trends in (A) faculty workload and remuneration (including the use of adjunct faculty), (B) faculty-to-student ratios, (C) number of hours spent in the classroom by faculty, and (D) tenure practices, and the impact of such trends on tuition.

(5) Trends in (A) the construction and renovation of academic and other collegiate facilities, and (B) the modernization of facilities to access and utilize new technologies, and the impact of such trends on tuition.

(6) The extent to which increases in institutional financial aid and tuition discounting have affected tuition increases, including the demographics of students receiving such aid, the extent to which such aid is provided to students with limited need in order to attract such students to particular institutions or major fields of study, and the extent to which Federal financial aid, including loan aid, has been used to offset such increases.

(7) The extent to which Federal, State, and local laws, regulations, or other mandates contribute to increasing tuition, and recommendations on reducing those mandates.

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

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

(10) Trends in State fiscal policies that have affected college costs.

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

(12) Other related topics determined to be appropriate by the Commission.

(b) FINAL REPORT.—

(1) IN GENERAL.—Subject to paragraph (2), the Commission shall submit to the President and to the Congress, not later than 120 days after the date of the first meeting of the Commission, a report which shall contain a detailed statement of the findings and conclusions of the Commission, including the Commission's recommendations for administrative and legislative action that the Commission considers advisable.

(2) MAJORITY VOTE REQUIRED FOR RECOMMENDATIONS.—Any recommendation described in paragraph (1) shall be made by the Commission to the President and to the Congress only if such recommendation is adopted by a majority vote of the members of the Commission who are present and voting.

(3) EVALUATION OF DIFFERENT CIRCUMSTANCES.—In making any findings under

subsection (a) of this section, the Commission shall take into account differences between public and private colleges and universities, the length of the academic program, the size of the institution's student population, and the availability of the institution's resources, including the size of the institution's endowment.

SEC. 40005. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may, for the purpose of carrying out this title, hold such hearings and sit and act at such times and places, as the Commission may find advisable.

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

(c) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) INFORMATION.—The Commission may request from the head of any Federal agency or instrumentality such information as the Commission may require for the purpose of this title. Each such agency or instrumentality shall, to the extent permitted by law and subject to the exceptions set forth in section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), furnish such information to the Commission, upon request made by the Chairperson of the Commission.

(2) FACILITIES AND SERVICES, PERSONNEL DETAIL AUTHORIZED.—Upon request of the Chairperson of the Commission, the head of any Federal agency or instrumentality shall, to the extent possible and subject to the discretion of such head—

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

(B) detail any of the personnel of such agency or instrumentality to the Commission, on a nonreimbursable basis, to assist the Commission in carrying out the Commission's duties under this title.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

(e) CONTRACTING.—The Commission, to such extent and in such amounts as are provided in appropriation Acts, may enter into contracts with State agencies, private firms, institutions, and individuals for the purpose of conducting research or surveys necessary to enable the Commission to discharge the Commission's duties under this title.

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

SEC. 40006. FUNDING OF COMMISSION.

There is authorized to be appropriated for fiscal year 1997 for carrying out this title, $650,000, to remain available until expended, or until one year after the termination of the Commission pursuant to section 40007, whichever occurs first.

SEC. 40007. TERMINATION OF COMMISSION.

The Commission shall cease to exist on the date that is 60 days after the date on which the Commission is required to submit its final report in accordance with section 40004(b).

TITLE V—DEPOSITORY INSTITUTION DISASTER RELIEF

SEC. 50001. SHORT TITLE.

This title may be cited as the ''Depository Institutions Disaster Relief Act of 1997''.

SEC. 50002. TRUTH IN LENDING ACT; EXPEDITED FUNDS AVAILABILITY ACT.

(a) TRUTH IN LENDING ACT.—During the 240-day period beginning on the date of enactment of this Act, the Board of Governors of the Federal Reserve System may make exceptions to the Truth in Lending Act for transactions within an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after February 28, 1997, that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers, if the Board determines that the exception can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

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

(c) TIME LIMIT ON EXCEPTIONS.—Any exception made under this section shall expire not later than September 1, 1998.

(d) PUBLICATION REQUIRED.—The Board of Governors of the Federal Reserve System shall publish in the Federal Register a statement that—

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

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

SEC. 50003. DEPOSIT OF INSURANCE PROCEEDS.

(a) IN GENERAL.—The appropriate Federal banking agency may, by order, permit an insured depository institution to subtract from the institution's total assets, in calculating compliance with the leverage limit prescribed under section 38 of the Federal Deposit Insurance Act, an amount not exceeding the qualifying amount attributable to insurance proceeds, if the agency determines that—

(1) the institution—

(A) had its principal place of business within an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after February 28, 1997, that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers, on the day before the date of any such determination;

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

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

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

(2) the subtraction is consistent with the purpose of section 38 of the Federal Deposit Insurance Act.

(b) TIME LIMIT ON EXCEPTIONS.—Any exception made under this section shall expire not later than February 28, 1999.

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

(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term ''appropriate Federal banking agency'' has the same meaning as in section 3 of the Federal Deposit Insurance Act.

(2) INSURED DEPOSITORY INSTITUTION.—The term ''insured depository institution'' has the same meaning as in section 3 of the Federal Deposit Insurance Act.

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

(4) QUALIFYING AMOUNT ATTRIBUTABLE TO INSURANCE PROCEEDS.—The term ''qualifying amount attributable to insurance proceeds'' means the amount (if any) by which the institution's total assets exceed the institution's average total assets during the calendar quarter ending before the date of any determination referred to in subsection (a)(1)(A), because of the deposit of insurance payments or governmental assistance made with respect to damage caused by, or other costs resulting from, the major disaster.

SEC. 50004. BANKING AGENCY PUBLICATION REQUIREMENTS.

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

(1) PROCEDURE.—Exercising the agency's authority under provisions of law other than this section without complying with—

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

(B) any provision of law that requires notice or opportunity for hearing or sets maximum or minimum time limits with respect to agency action.

(2) PUBLICATION REQUIREMENTS.—Making exceptions, with respect to institutions or other entities for which the agency is the primary Federal regulator, to—

(A) any publication requirement with respect to establishing branches or other deposit-taking facilities; or

(B) any similar publication requirement.

(b) PUBLICATION REQUIRED.—A qualifying regulatory agency shall publish in the Federal Register a statement that—

(1) describes any action taken under this section; and

(2) explains the need for the action.

(c) QUALIFYING REGULATORY AGENCY DEFINED.—For purposes of this section, the term ''qualifying regulatory agency'' means—

(1) the Board of Governors of the Federal Reserve System;

(2) the Comptroller of the Currency;

(3) the Director of the Office of Thrift Supervision;

(4) the Federal Deposit Insurance Corporation;

(5) the Financial Institutions Examination Council;

(6) the National Credit Union Administration; and

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

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

SEC. 50005. SENSE OF THE CONGRESS.

(a) FINANCIAL SERVICES.—It is the sense of the Congress that the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Director of the Office of Thrift Supervision, the Federal Deposit Insurance Corporation, and the National Credit Union Administration should encourage depository institutions to meet the financial services needs of their communities and customers located in areas affected by the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers.

(b) APPRAISAL STANDARDS.—It is the sense of the Congress that each Federal financial institutions regulatory agency should, by regulation or order, make exceptions to the appraisal standards prescribed by title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3331 et seq.) for transactions involving institutions for which the agency is the primary Federal regulator with respect to real property located within a disaster area pursuant to section 1123 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3352), if the agency determines that the exceptions can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

SEC. 50006. OTHER AUTHORITY NOT AFFECTED.

No provision of this title shall be construed as limiting the authority of any department or agency under any other provision of law.

TITLE VI—TECHNICAL AMENDMENTS WITH RESPECT TO EDUCATION

SEC. 60001. TECHNICAL AMENDMENTS RELATING TO DISCLOSURES REQUIRED WITH RESPECT TO GRADUATION RATES.

(a) AMENDMENTS.—Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is amended—

(1) in subsection (a)(3)(B), by striking ''June 30'' and inserting ''August 31''; and

(2) in subsection (e)(9), by striking ''August 30'' and inserting ''August 31''.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsection (a) are effective upon enactment.

(2) INFORMATION DISSEMINATION.—No institution shall be required to comply with the amendment made by subsection (a)(1) before July 1, 1998.

SEC. 60002. DATE EXTENSION.

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

SEC. 60003. TIMELY FILING OF NOTICE.

Notwithstanding any other provision of law, the Secretary of Education shall deem Kansas and New Mexico to have timely submitted under section 8009(c)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7709(c)(1)) the States' written notices of intent to consider payments described in section 8009(b)(1) of the Act (20 U.S.C. 7709(b)(1)) in providing State aid to local educational agencies for school year 1997–1998, except that the Secretary may require the States to submit such additional information as the Secretary may require, which information shall be considered part of the notices.

SEC. 60004. HOLD HARMLESS PAYMENTS.

Section 8002(h)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(h)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' after the semicolon;

(2) in subparagraph (B), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(C) for fiscal year 1997 and each succeeding fiscal year through fiscal year 2000 shall not be less than 85 percent of the amount such agency received for fiscal year 1996 under subsection (b).''.

SEC. 60005. DATA.

(a) IN GENERAL.—Section 8003(f)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(f)(4)) is amended—

(1) in subparagraph (A)—

(A) by inserting ''expenditure,'' after ''revenue,''; and

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

(2) by striking ''the Secretary'' and all that follows through ''shall use'' and inserting ''the Secretary shall use''; and

(3) by striking subparagraph (B).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to fiscal years after fiscal year 1997.

SEC. 60006. PAYMENTS RELATING TO FEDERAL PROPERTY.

Section 8002(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)) is amended to read as follows:

''(i) PRIORITY PAYMENTS.—

''(1) IN GENERAL.—Notwithstanding subsection (b)(1)(B), and for any fiscal year beginning with fiscal year 1997 for which the amount appropriated to carry out this section exceeds the amount so appropriated for fiscal year 1996—

''(A) the Secretary shall first use the excess amount (not to exceed the amount equal to the difference of (i) the amount appropriated to carry out this section for fiscal year 1997, and (ii) the amount appropriated to carry out this section for fiscal year 1996) to increase the payment that would otherwise be made under this section to not more than 50 percent of the maximum amount determined under subsection (b) for any local educational agency described in paragraph (2); and

''(B) the Secretary shall use the remainder of the excess amount to increase the payments to each eligible local educational agency under this section.

''(2) LOCAL EDUCATIONAL AGENCY DESCRIBED.—A local educational agency described in this paragraph is a local educational agency that—

''(A) received a payment under this section for fiscal year 1996;

''(B) serves a school district that contains all or a portion of a United States military academy;

''(C) serves a school district in which the local tax assessor has certified that at least 60 percent of the real property is federally owned; and

''(D) demonstrates to the satisfaction of the Secretary that such agency's per-pupil revenue derived from local sources for current expenditures is not less than that revenue for the preceding fiscal year.''.

SEC. 60007. TIMELY FILING UNDER SECTION 8003.

The Secretary of Education shall treat as timely filed, and shall process for payment, an amendment to an application for a fiscal year 1997 payment from a local educational agency under section 8003 of the Elementary and Secondary Education Act of 1965 if—

(1) that agency is described in subsection (a)(3) of that section, as amended by section 376 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201);

(2) that agency was not described in that subsection prior to that amendment; and

(3) the Secretary received the amendment to the agency's application prior to the enactment of this Act.

TITLE VII—FOOD STAMP PROGRAM

STATE OPTION TO ISSUE FOOD STAMP BENEFITS TO CERTAIN INDIVIDUALS MADE INELIGIBLE BY WELFARE REFORM

(a) IN GENERAL.—Section 7 of the Food Stamp Act of 1977 (7 U.S.C. 2016) is amended—

(1) in subsection (a), by inserting after ''necessary, and'' the following: ''(except as provided in subsection (j))''; and

(2) by adding at the end the following:

''(j) STATE OPTION TO ISSUE BENEFITS TO CERTAIN INDIVIDUALS MADE INELIGIBLE BY WELFARE REFORM.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, a State agency may, with the approval of the Secretary, issue benefits under this Act to an individual who is ineligible to participate in the food stamp program solely as a result of section 6(o)(2) of this Act or section 402 or 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612 or 1613).

''(2) STATE PAYMENTS TO SECRETARY.—

''(A) IN GENERAL.—Not later than the date the State agency issues benefits to individuals under this subsection, the State agency shall pay the Secretary, in accordance with procedures established by the Secretary, an amount that is equal to—

''(i) the value of the benefits; and

''(ii) the costs of printing, shipping, and redeeming coupons, and other Federal costs, incurred in providing the benefits, as determined by the Secretary.

''(B) CREDITING.—Notwithstanding section 3302(b) of title 31, United States Code, payments received under subparagraph (A) shall be credited to the food stamp program appropriation account or the account from which the costs were drawn, as appropriate, for the fiscal year in which the payment is received.

''(3) REPORTING.—To be eligible to issue benefits under this subsection, a State agency shall comply with reporting requirements established by the Secretary to carry out this subsection.

''(4) PLAN.—To be eligible to issue benefits under this subsection, a State agency shall—

''(A) submit a plan to the Secretary that describes the conditions and procedures under which the benefits will be issued, including eligibility standards, benefit levels, and the methodology the State agency will use to determine amounts due the Secretary under paragraph (2); and

''(B) obtain the approval of the Secretary for the plan.

''(5) VIOLATIONS.—A sanction, disqualification, fine, or other penalty prescribed under Federal law (including sections 12 and 15) shall apply to a violation committed in connection with a coupon issued under this subsection.

''(6) INELIGIBILITY FOR ADMINISTRATIVE REIMBURSEMENT.—Administrative and other costs incurred in issuing a benefit under this subsection shall not be eligible for Federal funding under this Act.

''(7) EXCLUSION FROM ENHANCED PAYMENT ACCURACY SYSTEMS.—Section 16(c) shall not apply to benefits issued under this subsection.''.

(b) CONFORMING AMENDMENTS.—Section 17(b)(1)(B)(iv) of the Food Stamp Act of 1977 (7 U.S.C. 2026(b)(1)(B)(iv)) is amended—

(1) in subclause (V), by striking ''or'' at the end;

(2) in subclause (VI), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(VII) waives a provision of section 7(j).''.

TITLE VIII—2000 DECENNIAL CENSUS

The Department of Commerce is directed within thirty days of enactment of this Act to provide to the Congress a comprehensive and detailed plan outlining its proposed methodologies for conducting the 2000 decennial Census and available methods to conduct an actual enumeration of the population. This plan description shall specifically include:

(1) a list of all statistical methodologies that may be used in conducting the Census;

(2) an explanation of these statistical methodologies;

(3) a list of statistical errors which may occur as a result of the use of each statistical methodology;

(4) the estimated error rate down to the census tract level;

(5) a cost estimation showing cost allocations for each census activity plan; and

(6) an analysis of all available options for counting hard-to-enumerate individuals, without utilizing sampling or any other statistical methodology, including efforts like the Milwaukee Complete Count project. The Department of Commerce is also directed within thirty days of enactment of this Act to provide to the Congress an estimate and explanation of the error rate at the census block level based upon the 1995 test data.

This Act may be cited as the ''1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia''.

The SPEAKER pro tempore. Pursuant to the previous order of the House, the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY] each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, on June 9, the President vetoed H.R. 1469, the initial fiscal year 1997 emergency supplemental appropriations bill that the Congress had sent him. That bill contained a provision on precluding sampling in the 2000 decennial census and an automatic continuing resolution provision that would have provided funding for the Government should the regular appropriations bills not be enacted on October 1. The President found those provisions unacceptable and vetoed that bill.

The bill before the House does not contain any provision on the continuing resolution. The provision in this bill on the decennial census has been agreed to by the President. The provision in the initial bill regarding States' assertions of rights-of-way on Federal lands has been dropped. There are no funding changes from the conference agreement on H.R. 1469, the bill that we had passed initially in the House, conferenced, and the conference report was adopted before it went to the President.

Since this is an introduced bill that was not reported by the Committee on Appropriations or from a committee of conference, there is no report to accompany it. However, this bill is very similar to H.R. 1469. In implementing the provisions of this bill, agencies should use the guidance contained in House Report 105–119, the conference report to accompany H.R. 1469, as appropriate.

Mr. Speaker, with the adjustments described above, if we pass this bill, we can conclude our responsibilities in getting emergency assistance to all impacted parties around the country. I believe that the Senate will take this bill up quickly and pass it unamended.

The President will sign this bill, and we can get on with our regular fiscal year 1998 bills. I urge support of this bill.

At this point in the RECORD, I would like to insert a table reflecting the details of this bill.

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871)

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	TITLE I - DEPARTMENT OF DEFENSE - MILITARY						
	CHAPTER 1						
	DEPARTMENT OF DEFENSE - MILITARY						
	Military Personnel						
.....	Military personnel, Army (emergency appropriations)..	.....	306,800,000	306,800,000	306,800,000	.....	.....
.....	Military personnel, Navy (emergency appropriations)...	.....	7,900,000	7,900,000	7,900,000	.....	.....
.....	Military personnel, Marine Corps (emergency appropriations)	.....	300,000	300,000	300,000	.....	.....
.....	Military personnel, Air Force (emergency appropriations)	.....	29,100,000	29,100,000	29,100,000	.....	.....
	Total, Military personnel	.....	344,100,000	344,100,000	344,100,000	.....	.....
	Operation and Maintenance						
.....	Operation and maintenance, Marine Corps (by transfer) (sec. 101)	.....	(23,000,000)	(23,000,000)	(23,000,000)	.....	.....
104-3	Overseas contingency operations transfer fund (emergency appropriations)	2,006,214,000	1,566,300,000	1,312,900,000	1,430,100,000	-136,200,000	+117,200,000
104-3	OPLAN 34A/35 P.O.W. payments	20,000,000	20,000,000	20,000,000	20,000,000	.....	.....
	Total, Operation and maintenance	2,026,214,000	1,586,300,000	1,332,900,000	1,450,100,000	-136,200,000	+117,200,000
	Revolving and Management Funds						
104-3	Reserve mobilization income insurance fund (emergency appropriations)	72,000,000	72,000,000	72,000,000	72,000,000	.....	.....
	General Provisions						
.....	Defense health program (sec. 102)	.....	21,000,000	.....	21,000,000	.....	+21,000,000
.....	Force protection initiatives (sec. 103)	.....	10,000,000	.....	10,000,000	.....	+10,000,000
.....	Additional transfer authority	.....	.....	(100,000,000)	.....	.....	(-100,000,000)
.....	Red Cross reimbursement (sec. 104)	.....	.....	50,000,000	25,800,000	+25,800,000	-24,200,000
.....	Family housing, Navy and Marine Corps (sec. 106)	.....	6,480,000	6,480,000	6,480,000	.....	.....
	Total, general provisions	.....	37,480,000	56,480,000	63,280,000	+25,800,000	+6,800,000
	Total, Chapter 1:						
	New budget (obligational) authority	2,098,214,000	2,039,880,000	1,805,480,000	1,929,480,000	-110,400,000	+124,000,000
	Appropriations	(20,000,000)	(57,480,000)	(76,480,000)	(83,280,000)	(+25,800,000)	(+6,800,000)
	Emergency appropriations	(2,078,214,000)	(1,982,400,000)	(1,729,000,000)	(1,846,200,000)	(-136,200,000)	(+117,200,000)
	(Additional transfer authority)	.....	.....	(100,000,000)	.....	.....	(-100,000,000)
	(By transfer)	.....	(23,000,000)	(23,000,000)	(23,000,000)	.....	.....
	CHAPTER 2						
	DEPARTMENT OF DEFENSE - MILITARY						
	Military Personnel						
.....	Military personnel, Army (rescission)	.....	.....	-46,000,000	-57,000,000	-57,000,000	-11,000,000
.....	Military personnel, Navy (rescission)	.....	.....	-11,000,000	-18,000,000	-18,000,000	-7,000,000
.....	Military personnel, Marine Corps (rescission)	.....	.....	-5,000,000	-5,000,000	-5,000,000	.....
.....	Military personnel, Air Force (rescission)	.....	.....	-15,000,000	-23,000,000	-23,000,000	-8,000,000
	Total, Military personnel	.....	.....	-77,000,000	-103,000,000	-103,000,000	-26,000,000
	Operation and Maintenance						
.....	Operation and maintenance, Army (rescission)	.....	.....	-174,000,000	-196,000,000	-196,000,000	-22,000,000
.....	Operation and maintenance, Navy (rescission)	.....	.....	-51,000,000	-51,000,000	-51,000,000	.....
.....	Operation and maintenance, Marine Corps (rescission)	.....	.....	-17,000,000	-3,000,000	-3,000,000	+14,000,000
.....	Operation and maintenance, Air Force (rescission)	.....	.....	-117,000,000	-117,000,000	-117,000,000	.....
104-44	Operation and maintenance, Defense-wide (rescission)	-10,000,000	-10,000,000	-25,000,000	-25,000,000	-15,000,000	.....
.....	Environmental restoration, Army (rescission)	.....	.....	-250,000	-250,000	-250,000	.....
.....	Environmental restoration, Navy (rescission)	.....	.....	-250,000	-250,000	-250,000	.....
.....	Environmental restoration, Air Force (rescission)	.....	.....	-250,000	-250,000	-250,000	.....
.....	Environmental restoration, Defense-wide (rescission)..	.....	.....	-250,000	-250,000	-250,000	.....
.....	Environmental restoration, Formerly used defense sites (rescission)	.....	.....	.....	-250,000	-250,000	-250,000
.....	Former Soviet Union threat reduction (rescission)	.....	.....	-2,000,000	-2,000,000	-2,000,000	.....
	Total, Operation and maintenance	-10,000,000	-10,000,000	-387,000,000	-395,250,000	-385,250,000	-8,250,000
	Procurement						
.....	Aircraft procurement, Army (rescission)	.....	.....	-9,085,000	-19,085,000	-19,085,000	-10,000,000
.....	Missile procurement, Army (rescission)	.....	.....	-73,707,000	-26,707,000	-26,707,000	+47,000,000
.....	Procurement of weapons and tracked combat vehicles, Army, (rescission)	.....	.....	-7,296,000	-22,696,000	-22,696,000	-15,400,000
.....	Procurement of ammunition, Army (rescission)	.....	.....	-28,236,000	-32,236,000	-32,236,000	-4,000,000

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
.....	Other procurement, Army (rescission)	.....	.....	-23,502,000	-23,502,000	-23,502,000	.....
.....	Aircraft procurement, Navy (rescission)	.....	.....	-62,000,000	-86,000,000	-86,000,000	-24,000,000
.....	Weapons procurement, Navy (rescission)	.....	.....	-22,000,000	-22,000,000	-22,000,000	.....
.....	Procurement of ammunition, Navy and Marine Corps (rescission)	.....	.....	-4,812,000	-812,000	-812,000	+4,000,000
.....	Shipbuilding and conversion, Navy (rescission)	.....	.....	-43,000,000	-61,700,000	-61,700,000	-18,700,000
.....	Other procurement, Navy (rescission)	.....	.....	-15,237,000	-15,237,000	-15,237,000	.....
.....	Procurement, Marine Corps (rescission)	.....	.....	-5,207,000	-1,207,000	-1,207,000	+4,000,000
.....	Aircraft procurement, Air Force (rescission)	.....	.....	-114,650,000	-130,376,000	-130,376,000	-15,726,000
.....	Missile procurement, Air Force (rescission)	.....	.....	-193,195,000	-179,020,000	-179,020,000	+14,175,000
.....	Procurement of ammunition, Air Force (rescission)	.....	.....	.....	-7,700,000	-7,700,000	-7,700,000
.....	Other procurement, Air Force (rescission)	.....	.....	-20,659,000	-33,659,000	-33,659,000	-13,000,000
.....	Procurement, Defense-wide (rescission)	.....	.....	-9,860,000	-29,973,000	-29,973,000	-20,113,000
104-44	National Guard and Reserve equipment (rescission)	-62,000,000	.....	-5,029,000	-13,029,000	-13,029,000	-8,000,000
	Total, Procurement	-62,000,000	.....	-637,475,000	-704,939,000	-704,939,000	-67,464,000
	Research, Development, Test and Evaluation						
.....	Research, development, test and evaluation, Army (rescission)	.....	.....	-14,366,000	-22,366,000	-22,366,000	-8,000,000
.....	Research, development, test and evaluation, Navy (rescission)	.....	.....	-35,978,000	-26,478,000	-26,478,000	+9,500,000
.....	Research, development, test and evaluation, Air Force (rescission)	.....	.....	-150,396,000	-196,245,000	-196,245,000	-45,849,000
.....	Research, development, test and evaluation, Defense-wide (rescission)	.....	.....	-176,090,000	-182,714,000	-182,714,000	-6,624,000
.....	Developmental test and evaluation, Defense (rescission)	.....	.....	-890,000	-6,692,000	-6,692,000	-5,802,000
.....	Operational test and evaluation, Defense (rescission)	.....	.....	-160,000	-160,000	-160,000	.....
	Total, Research, development, test and evaluation	.....	.....	-377,880,000	-434,655,000	-434,655,000	-56,775,000
	Revolving and Management Fund						
.....	National Defense Sealift Fund (rescission)	.....	.....	-35,000,000	-25,200,000	-25,200,000	+9,800,000
	Other Department of Defense Programs						
.....	Defense health program (rescission)	.....	.....	.....	-21,000,000	-21,000,000	-21,000,000
.....	Chemical agents and munitions destruction, Defense (rescission)	.....	.....	-48,108,000	-48,108,000	-48,108,000	.....
.....	Drug interdiction and counter-drug activities, Defense (rescission)	.....	.....	-2,000,000	-2,000,000	-2,000,000	.....
	Total, Other Department of Defense programs	.....	.....	-50,108,000	-71,108,000	-71,108,000	-21,000,000
	General Provisions						
104-3	DOD-wide savings proposals (offset)	-4,800,000,000	.....	.....	.....	.....	.....
.....	Dual-use applications program (rescission)	.....	.....	-100,000,000	.....	.....	+100,000,000
.....	Revised economic adjustments, FY 1997 (rescission)	.....	-307,000,000	.....	.....	+307,000,000	.....
.....	Foreign currency savings, FY 1997 (rescission)	.....	-308,000,000	.....	.....	+308,000,000	.....
.....	Prior year unobligated balances (rescission)	.....	-246,367,000	.....	.....	+246,367,000	.....
.....	Prior year rescissions	.....	-982,500,000	.....	.....	+982,500,000	.....
.....	Military construction, rescissions (sec. 201)	.....	-180,000,000	-235,000,000	-189,000,000	-9,000,000	+46,000,000
.....	Military construction, Navy (rescission) (sec. 202)	.....	-6,480,000	-6,480,000	-6,480,000	.....	.....
	Total, general provisions	-4,800,000,000	-2,030,347,000	-341,480,000	-195,480,000	+1,834,867,000	+146,000,000
	Total, Chapter 2:						
	New budget (obligational) authority	-4,872,000,000	-2,040,347,000	-1,905,943,000	-1,929,632,000	+110,715,000	-23,689,000
	Rescissions	(-72,000,000)	(-2,040,347,000)	(-1,905,943,000)	(-1,929,632,000)	(+110,715,000)	(-23,689,000)
	Offsets	(-4,800,000,000)	.....	.....	.....	.....	.....
	Total, title I:						
	Discretionary budget authority (net)	-2,773,786,000	-467,000	-100,463,000	-152,000	+315,000	+100,311,000
	Appropriations	(20,000,000)	(57,480,000)	(76,480,000)	(83,280,000)	(+25,800,000)	(+6,800,000)
	Rescissions	-72,000,000	-2,040,347,000	-1,905,943,000	-1,929,632,000	+110,715,000	-23,689,000
	Offsets	(-4,800,000,000)	.....	.....	.....	.....	.....
	Emergency appropriations	(2,078,214,000)	(1,982,400,000)	(1,729,000,000)	(1,846,200,000)	(-136,200,000)	(+117,200,000)
	(By transfer)	.....	(23,000,000)	(23,000,000)	(23,000,000)	.....	.....

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	TITLE II - EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR RECOVERY FROM NATURAL DISASTERS						
	CHAPTER 1						
	DEPARTMENT OF AGRICULTURE						
	Farm Service Agency						
104-58	Emergency conservation program (emergency appropriations)	20,000,000	.....	.....	.....	.....	.....
104-58	Contingent emergency appropriations	17,000,000	65,000,000	77,000,000	70,000,000	+5,000,000	-7,000,000
.....	Tree assistance program (contingent emergency appropriations)	.....	9,000,000	9,500,000	9,000,000	.....	-500,000
	Total, Farm Service Agency	37,000,000	74,000,000	86,500,000	79,000,000	+5,000,000	-7,500,000
	Agricultural Credit Insurance Fund Program Account						
	Loan subsidies:						
	Farm operating loans:						
.....	Direct	.....	.....	12,600,000	6,300,000	+6,300,000	-6,300,000
.....	Guaranteed subsidized (contingent emergency appropriations)	.....	.....	10,000,000	5,000,000	+5,000,000	-5,000,000
	Subtotal	.....	.....	22,600,000	11,300,000	+11,300,000	-11,300,000
.....	Emergency disaster loans (contingent emergency appropriations)	.....	.....	18,000,000	18,000,000	+18,000,000	.....
	Total, loan subsidies	.....	.....	40,600,000	29,300,000	+29,300,000	-11,300,000
	Loan authorizations:						
	Farm operating loans:						
.....	Direct	.....	.....	(100,000,000)	(50,000,000)	(+50,000,000)	(-50,000,000)
.....	Guaranteed subsidized	.....	.....	(110,000,000)	(55,000,000)	(+55,000,000)	(-55,000,000)
	Subtotal	.....	.....	(210,000,000)	(105,000,000)	(+105,000,000)	(-105,000,000)
.....	Emergency disaster loans	.....	.....	(59,000,000)	(59,000,000)	(+59,000,000)	.....
	Total, loan authorizations	.....	.....	(269,000,000)	(164,000,000)	(+164,000,000)	(-105,000,000)
	Commodity Credit Corporation Fund						
	Disaster reserve assistance program:						
.....	Livestock indemnity program	.....	.....	.....	(50,000,000)	(+50,000,000)	(+50,000,000)
	Natural Resources Conservation Service						
104-58	Watershed and flood prevention operations (emergency appropriations)	66,100,000	.....	.....	.....	.....	.....
104-58	Contingent emergency appropriations	18,000,000	150,700,000	171,000,000	166,000,000	+15,300,000	-5,000,000
	Total, Natural Resources Conservation Serivce	84,100,000	150,700,000	171,000,000	166,000,000	+15,300,000	-5,000,000
	Rural Housing Service						
	Rural Housing Insurance Fund Program:						
	Rental housing (sec. 515):						
104-58	Loan subsidy (emergency appropriation)	250,000	.....	250,000	.....	.....	-250,000
104-58	(Loan authorization)	(488,000)	.....	(488,000)	.....	.....	(-488,000)
104-58	Rural housing assistance program (emergency appropriations)	750,000	.....	.....	.....	.....	.....
.....	Contingent emergency appropriations	.....	.....	4,000,000	.....	.....	-4,000,000
	Total, Rural Housing Service	1,000,000	.....	4,250,000	.....	.....	-4,250,000
	Rural Utilities Service						
104-58	Rural utilities assistance program (emergency appropriations)	1,000,000	.....	.....	.....	.....	.....
.....	Contingent emergency appropriations	.....	.....	6,500,000	4,000,000	+4,000,000	-2,500,000

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	Food and Consumer Service						
104-3	Child nutrition programs	6,250,000	.....	.....	.....	.....	.....
104-3	Special supplemental nutrition program for women, infants, and children (WIC)	100,000,000	76,000,000	58,000,000	76,000,000	.....	+18,000,000
	Total, Food and Consumer Service	106,250,000	76,000,000	58,000,000	76,000,000	.....	+18,000,000
	Total, Chapter 1:						
	New budget (obligational) authority	229,350,000	300,700,000	366,850,000	354,300,000	+53,600,000	-12,550,000
	Appropriations	(106,250,000)	(76,000,000)	(70,600,000)	(82,300,000)	(+6,300,000)	(+11,700,000)
	Emergency appropriations	(88,100,000)	.....	(250,000)	.....	.....	(-250,000)
	Contingent emergency appropriations	(35,000,000)	(224,700,000)	(296,000,000)	(272,000,000)	(+47,300,000)	(-24,000,000)
	(Loan authorization)	(488,000)	.....	(269,488,000)	(164,000,000)	(+164,000,000)	(-105,488,000)
	CHAPTER 2						
	DEPARTMENT OF COMMERCE						
	Economic Development Administration						
.....	Economic development assistance programs (emergency appropriations)	.....	.....	54,700,000	50,200,000	+50,200,000	-4,500,000
.....	Contingent emergency appropriations	.....	47,700,000	.....	.....	-47,700,000	.....
104-58	(By transfer)	(1,200,000)	.....	.....	.....	.....	.....
.....	Salaries and expenses (emergency appropriations)	.....	.....	.....	2,000,000	+2,000,000	+2,000,000
.....	Contingent emergency appropriations	.....	2,000,000	.....	.....	-2,000,000	.....
	Total, Economic Development Administration	.....	49,700,000	54,700,000	52,200,000	+2,500,000	-2,500,000
	National Oceanic and Atmospheric Administration						
104-58	Operations, research and facilities (emergency appropriations)	12,000,000	.....	.....	.....	.....	.....
104-58	Construction (emergency appropriations)	10,800,000	10,800,000	10,800,000	10,800,000	.....	.....
	Total, National Oceanic and Atmospheric Administration	22,800,000	10,800,000	10,800,000	10,800,000	.....	.....
	Total, Department of Commerce	22,800,000	60,500,000	65,500,000	63,000,000	+2,500,000	-2,500,000
	DEPARTMENT OF STATE						
	International Organizations and Conferences						
.....	Contributions to international organizations, current year assessment	.....	.....	100,000,000	.....	.....	-100,000,000
104-3	Arrearage payments (advance appropriation, FY 1999)	921,000,000	.....	.....	.....	.....	.....
	RELATED AGENCY						
	Commission on the Advancement of Federal Law Enforcement						
.....	Salaries and expenses	.....	2,000,000	.....	2,000,000	.....	+2,000,000
	Total, Chapter 2:						
	New budget (obligational) authority	943,800,000	62,500,000	165,500,000	65,000,000	+2,500,000	-100,500,000
	Appropriations	.....	(2,000,000)	(100,000,000)	(2,000,000)	.....	(-98,000,000)
	Emergency appropriations	(22,800,000)	(10,800,000)	(65,500,000)	(63,000,000)	(+52,200,000)	(-2,500,000)
	Contingent emergency appropriations	.....	(49,700,000)	.....	.....	(-49,700,000)	.....
	Advance appropriation, FY 1999	(921,000,000)	.....	.....	.....	.....	.....
	(By transfer)	(1,200,000)	.....	.....	.....	.....	.....
	CHAPTER 2A						
	FEDERAL FUNDS						
.....	Federal payment to the District of Columbia	.....	.....	31,150,000	.....	.....	-31,150,000
	DISTRICT OF COLUMBIA FUNDS						
.....	Public safety and justice	.....	.....	(8,800,000)	.....	.....	(-8,800,000)
.....	Capital outlay	.....	.....	(22,350,000)	.....	.....	(-22,350,000)
	Total, District of Columbia funds	.....	.....	(31,150,000)	.....	.....	(-31,150,000)
	CHAPTER 3						
	DEPARTMENT OF DEFENSE - CIVIL						
	DEPARTMENT OF THE ARMY						
	Corps of Engineers - Civil						
.....	Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee (emergency appropriations)	.....	20,000,000	20,000,000	20,000,000	.....	.....

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
104-58	Operation and maintenance, general (emergency appropriations)	39,000,000	150,000,000	137,000,000	150,000,000		+13,000,000
104-58	Flood control and coastal emergencies (emergency appropriations)	201,700,000	415,000,000	390,000,000	415,000,000		+25,000,000
104-58	Contingent emergency appropriations	50,000,000					
104-58	Advance appropriation, FY 1998	30,500,000					
	Total, Department of Defense - Civil	321,200,000	585,000,000	547,000,000	585,000,000		+38,000,000
	DEPARTMENT OF THE INTERIOR						
	Bureau of Reclamation						
104-58	Operation and maintenance (emergency appropriations)	4,500,000	7,355,000	7,355,000	7,355,000		
	DEPARTMENT OF ENERGY						
104-78	Energy supply, research and development activities (by transfer)	(19,700,000)					
	Total, Chapter 3:						
	New budget (obligational) authority	325,700,000	592,355,000	554,355,000	592,355,000		+38,000,000
	Emergency appropriations	(245,200,000)	(592,355,000)	(554,355,000)	(592,355,000)		(+38,000,000)
	Contingent emergency appropriations	(50,000,000)					
	Advance appropriation, FY 1998	(30,500,000)					
	(By transfer)	(19,700,000)					
	CHAPTER 5						
	DEPARTMENT OF THE INTERIOR						
	Bureau of Land Management						
	Construction (emergency appropriations)		1,793,000	393,000	393,000	-1,400,000	
104-58	(By transfer) (emergency appropriations)	(3,003,000)	(3,003,000)	(4,403,000)	(4,403,000)	(+1,400,000)	
	Total, Bureau of Land Management		1,793,000	393,000	393,000	-1,400,000	
	United States Fish and Wildlife Service						
104-58	Resource management (emergency appropriations)	2,000,000	2,250,000	8,350,000	5,300,000	+3,050,000	-3,050,000
104-58	Construction (emergency appropriations)	32,000,000	81,000,000	91,000,000	88,000,000	+7,000,000	-3,000,000
104-58	Land acquisition (emergency appropriations)	15,000,000	15,000,000	5,000,000	10,000,000	-5,000,000	+5,000,000
	Total, United States Fish and Wildlife Service	49,000,000	98,250,000	104,350,000	103,300,000	+5,050,000	-1,050,000
	National Park Service						
104-58	Construction	10,000,000	10,000,000	10,000,000	10,000,000		
104-58	Emergency appropriations	147,779,000	156,912,000	157,321,000	157,321,000	+409,000	
104-58	Contingent emergency appropriations	30,000,000	30,000,000	30,000,000	30,000,000		
	Total, National Park Service	187,779,000	196,912,000	197,321,000	197,321,000	+409,000	
	United States Geological Survey						
104-58	Surveys, investigations, and research (emergency appropriations)	1,300,000	4,290,000	4,650,000	4,650,000	+360,000	
	Bureau of Indian Affairs						
104-58	Operation of Indian programs (emergency appropriations)	5,800,000	11,100,000	14,317,000	14,317,000	+3,217,000	
104-58	Construction (emergency appropriations)	5,000,000	5,554,000	6,249,000	6,249,000	+695,000	
	Total, Bureau of Indian Affairs	10,800,000	16,654,000	20,566,000	20,566,000	+3,912,000	
	Total, Department of the Interior	248,879,000	317,899,000	327,280,000	326,230,000	+8,331,000	-1,050,000
	RELATED AGENCIES						
	DEPARTMENT OF AGRICULTURE						
	Forest Service						
104-58	National forest system (emergency appropriations)	25,000,000	37,107,000	39,677,000	39,677,000	+2,570,000	
104-58	Reconstruction and construction (emergency appropriations)	13,000,000	32,334,000	27,685,000	27,685,000	-4,649,000	
	Total, Forest Service	38,000,000	69,441,000	67,362,000	67,362,000	-2,079,000	

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	DEPARTMENT OF HEALTH AND HUMAN SERVICES						
	Indian Health Service						
.....	Indian health services (emergency appropriations)	.....	1,000,000	1,000,000	1,000,000	.....	.....
.....	Indian health facilities (emergency appropriations)	.....	2,000,000	2,000,000	2,000,000	.....	.....
	Total, Indian Health Service	.....	3,000,000	3,000,000	3,000,000	.....	.....
	GENERAL PROVISIONS						
.....	Recreation fees (sec. 5001)	.....	7,000,000	7,000,000	7,000,000	.....	.....
	Total, Chapter 5:						
	New budget (obligational) authority	286,879,000	397,340,000	404,642,000	403,592,000	+6,252,000	-1,050,000
	Appropriations	(10,000,000)	(17,000,000)	(17,000,000)	(17,000,000)	.....	.....
	Emergency appropriations	(246,879,000)	(350,340,000)	(357,642,000)	(356,592,000)	(+6,252,000)	(-1,050,000)
	Contingent emergency appropriations	(30,000,000)	(30,000,000)	(30,000,000)	(30,000,000)	.....	.....
	(By transfer) (emergency appropriations)	(3,003,000)	(3,003,000)	(4,403,000)	(4,403,000)	(+1,400,000)	.....
	CHAPTER 6						
	DEPARTMENT OF HEALTH AND HUMAN SERVICES						
	Health Resources and Services Administration						
.....	Health education assistance loans program	.....	.....	499,000	499,000	+499,000	.....
	Office of the Secretary						
.....	Public health and social services emergency fund	.....	.....	.....	15,000,000	+15,000,000	+15,000,000
.....	Emergency appropriations	.....	.....	15,000,000	.....	.....	-15,000,000
	Total, Department of Health and Human Services	.....	.....	15,499,000	15,499,000	+15,499,000	.....
	DEPARTMENT OF EDUCATION						
.....	Education for the disadvantaged	.....	.....	585,000,000	101,133,000	+101,133,000	-483,867,000
.....	Advance appropriation, FY 1998	.....	.....	-386,824,000	.....	.....	+386,824,000
	Total, Department of Education	.....	.....	198,176,000	101,133,000	+101,133,000	-97,043,000
	RELATED AGENCY						
	National Commission on the Cost of Higher Education						
.....	Salaries and expenses	.....	650,000	.....	650,000	.....	+650,000
	GENERAL PROVISIONS						
.....	Child care and development block grant (sec. 6004)	.....	.....	1,000,000	1,000,000	+1,000,000	.....
.....	Supplemental security income program (sec. 6005)	.....	240,000,000	240,000,000	240,000,000	.....	.....
	Total, Chapter 6:						
	New budget (obligational) authority	.....	240,650,000	454,675,000	358,282,000	+117,632,000	-96,393,000
	Appropriations	.....	(240,650,000)	(826,499,000)	(358,282,000)	(+117,632,000)	(-468,217,000)
	Emergency appropriations	.....	.....	(15,000,000)	.....	.....	(-15,000,000)
	Advance appropriation, FY 1998	.....	.....	(-386,824,000)	.....	.....	(+386,824,000)
	CHAPTER 7						
	CONGRESSIONAL OPERATIONS						
	SENATE						
	Contingent Expenses of the Senate						
.....	Secretary of the Senate (by transfer)	.....	.....	(5,000,000)	(5,010,000)	(+5,010,000)	(+10,000)
	HOUSE OF REPRESENTATIVES						
	Payments to Widows and Heirs of Deceased Members of Congress						
.....	Gratuities, deceased Members	.....	.....	.....	133,600	+133,600	+133,600
	OTHER AGENCY						
	BOTANIC GARDEN						
.....	Salaries and expenses	.....	.....	.....	33,500,000	+33,500,000	+33,500,000
	Total, Chapter 7:						
	New budget (obligational) authority	.....	.....	.....	33,633,600	+33,633,600	+33,633,600
	(By transfer)	.....	.....	(5,000,000)	(5,010,000)	(+5,010,000)	(+10,000)

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	CHAPTER 8						
	DEPARTMENT OF TRANSPORTATION						
	Coast Guard						
.....	Operating expenses	.....	.....	6,473,000	1,600,000	+1,600,000	-4,873,000
104-3	Retired pay	4,200,000	4,200,000	4,200,000	9,200,000	+5,000,000	+5,000,000
	Total, Coast Guard	4,200,000	4,200,000	10,673,000	10,800,000	+6,600,000	+127,000
	Federal Aviation Administration						
.....	Facilities and equipment (Airport and Airway Trust Fund)	.....	40,000,000	.....	.....	-40,000,000	.....
.....	Grants-in-aid for airports	.....	.....	15,520,000	.....	.....	-15,520,000
	Federal Highway Administration						
104-58	Federal-aid highways (Highway Trust Fund): Emergency relief program (emergency appropriations)	276,000,000	276,000,000	276,000,000	650,000,000	+374,000,000	+374,000,000
104-58	Contingent emergency appropriations	15,000,000	374,000,000	374,000,000	.....	-374,000,000	-374,000,000
104-3	(Limitation on obligations)	(318,077,043)	(318,077,043)	(933,193,000)	(694,810,534)	(+376,733,491)	(-238,382,466)
	Total, Federal Highway Administration	291,000,000	650,000,000	650,000,000	650,000,000	.....	.....
	Federal Railroad Administration						
.....	Emergency railroad rehabilitation and repair (emergency appropriations)	.....	.....	.....	18,900,000	+18,900,000	+18,900,000
.....	Contingent emergency appropriations	.....	10,000,000	24,000,000	.....	-10,000,000	-24,000,000
	Total, Department of Transportation	295,200,000	704,200,000	700,193,000	679,700,000	-24,500,000	-20,493,000
	RELATED AGENCY						
	National Transportation Safety Board						
104-3	Salaries and expenses (emergency appropriations)	20,200,000	.....	14,100,000	29,859,000	+29,859,000	+15,759,000
.....	Contingent emergency appropriations	.....	23,300,000	.....	.....	-23,300,000	.....
	GENERAL PROVISIONS						
.....	Highway traffic safety grants (Highway Trust Fund): Alcohol-impaired driving prevention incentive grants (sec. 8003)	.....	500,000	500,000	500,000	.....	.....
.....	National Driver Register (sec. 8004)	.....	2,500,000	.....	2,500,000	.....	+2,500,000
	Total, Chapter 8:						
	New budget (obligational) authority	315,400,000	730,500,000	714,793,000	712,559,000	-17,941,000	-2,234,000
	Appropriations	(4,200,000)	(47,200,000)	(26,693,000)	(13,800,000)	(-33,400,000)	(-12,893,000)
	Emergency appropriations	(296,200,000)	(276,000,000)	(290,100,000)	(698,759,000)	(+422,759,000)	(+408,659,000)
	Contingent emergency appropriations	(15,000,000)	(407,300,000)	(398,000,000)	.....	(-407,300,000)	(-398,000,000)
	(Limitation on obligations)	(318,077,043)	(318,077,043)	(933,193,000)	(694,810,534)	(+376,733,491)	(-238,382,466)
	CHAPTER 9						
	DEPARTMENT OF THE TREASURY						
	Departmental Offices						
.....	Salaries and expenses	.....	.....	1,950,000	1,950,000	+1,950,000	.....
	U.S. POSTAL SERVICE						
104-3	Payment to the Postal Service Fund	5,383,000	5,300,000	5,383,000	5,383,000	+83,000	.....
	FUNDS APPROPRIATED TO THE PRESIDENT						
104-71	Unanticipated needs for natural disasters (emergency appropriations)	200,000,000	.....	.....	.....	.....	.....
	INDEPENDENT AGENCY						
104-61	Federal Election Commission	1,709,000	.....	.....	.....	.....	.....
	Total, Chapter 9:						
	New budget (obligational) authority	207,092,000	5,300,000	7,333,000	7,333,000	+2,033,000	.....
	Appropriations	(7,092,000)	(5,300,000)	(7,333,000)	(7,333,000)	(+2,033,000)	.....
	Emergency appropriations	(200,000,000)	.....	.....	.....	.....	.....
	CHAPTER 10						
	DEPARTMENT OF VETERANS AFFAIRS						
	Veterans Benefits Administration						
104-3	Compensation and pensions	753,000,000	753,000,000	753,000,000	928,000,000	+175,000,000	+175,000,000

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT						
	Housing Programs						
.....	Preserving existing housing investment	.....	3,500,000	.....	3,500,000	.....	+3,500,000
104-3	Drug elimination grants for low-income housing (by transfer)	(30,200,000)	(30,200,000)	.....	.....	(-30,200,000)	.....
	Capacity Building for Community Development and Affordable Housing						
.....	National community development initiative (by transfer)	.....	.....	(30,200,000)	(30,200,000)	(+30,200,000)	.....
	Community Planning and Development						
104-71	Community development block grants fund (emergency appropriations)	100,000,000	500,000,000	500,000,000	250,000,000	-250,000,000	-250,000,000
.....	Emergency advance appropriation, FY 1998	.....	.....	.....	250,000,000	+250,000,000	+250,000,000
	Total, Department of Housing and Urban Development	100,000,000	503,500,000	500,000,000	503,500,000	.....	+3,500,000
	INDEPENDENT AGENCY						
	Federal Emergency Management Agency						
104-95							
104-58	Disaster relief (emergency appropriations)	3,487,677,000	3,067,677,000	3,100,000,000	3,300,000,000	+232,323,000	+200,000,000
	Disaster assistance direct loan program account:						
.....	Community disaster loans (by transfer) (contingent emergency appropriations)	.....	.....	(20,000,000)	(20,000,000)	(+20,000,000)	.....
.....	Salaries and expenses	.....	5,000,000	.....	.....	-5,000,000	.....
	Total, Federal Emergency Management Agency	3,487,677,000	3,072,677,000	3,100,000,000	3,300,000,000	+227,323,000	+200,000,000
	Total, Chapter 10:						
	New budget (obligational) authority	4,340,677,000	4,329,177,000	4,353,000,000	4,731,500,000	+402,323,000	+378,500,000
	Appropriations	(753,000,000)	(761,500,000)	(753,000,000)	(931,500,000)	(+170,000,000)	(+178,500,000)
	Emergency appropriations	(3,587,677,000)	(3,567,677,000)	(3,600,000,000)	(3,550,000,000)	(-17,677,000)	(-50,000,000)
	Contingent emergency appropriations	.....	.....	.....	.....	.....	.....
	Emergency advance appropriation, FY 1998	.....	.....	.....	(250,000,000)	(+250,000,000)	(+250,000,000)
	(By transfer)	(30,200,000)	(30,200,000)	(30,200,000)	(30,200,000)	.....	.....
	(By transfer) (contingent emergency appropriations)	.....	.....	(20,000,000)	(20,000,000)	(+20,000,000)	.....
	CHAPTER 11						
	OFFSETS AND RESCISSIONS						
	DEPARTMENT OF AGRICULTURE						
	Office of the Secretary						
.....	Fund For Rural America (offset)	.....	-20,000,000	.....	-20,000,000	.....	-20,000,000
	Natural Resources Conservation Service						
.....	Wetlands reserve program (offset)	.....	-19,000,000	.....	.....	+19,000,000	.....
	Food and Consumer Service						
104-3	The emergency food assistance program (offset)	-6,000,000	-20,000,000	-20,000,000	-20,000,000	.....	.....
	Foreign Agricultural Service						
.....	Export credit (offset)	.....	-16,000,000	-16,000,000	.....	+16,000,000	+16,000,000
.....	Export enhancement program (offset)	.....	-23,000,000	-13,000,000	.....	+23,000,000	+13,000,000
	Total, Foreign Agricultural Service	.....	-39,000,000	-29,000,000	.....	+39,000,000	+29,000,000
	Public Law 480 Program Account:						
	Title I - Credit sales:						
104-44	Ocean freight differential (rescission)	-3,500,000	.....	.....	.....	.....	.....
104-44	Loan subsidies (rescission)	-46,500,000	.....	.....	.....	.....	.....
	Total, Public Law 480 program account	-50,000,000	.....	.....	.....	.....	.....
	Total, Department of Agriculture	-56,000,000	-98,000,000	-49,000,000	-40,000,000	+58,000,000	+9,000,000
	DEPARTMENT OF JUSTICE						
	General Administration						
104-44	Working capital fund (rescission)	-6,400,000	-6,400,000	-6,400,000	-6,400,000	.....	.....
	Legal Activities						
.....	Assets forfeiture fund (rescission)	.....	-3,000,000	.....	-3,000,000	.....	-3,000,000

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	Immigration and Naturalization Service						
.....	Construction (rescission)	.....	-1,000,000	.....	-1,000,000	.....	-1,000,000
	Total, Department of Justice	-6,400,000	-10,400,000	-6,400,000	-10,400,000	.....	-4,000,000
	DEPARTMENT OF COMMERCE						
	National Institute of Standards and Technology						
.....	Industrial technology services (rescission)	.....	-7,000,000	.....	-7,000,000	.....	-7,000,000
	National Oceanic and Atmospheric Administration						
.....	Fleet modernization, shipbuilding and conversion (rescission)	.....	-2,000,000	.....	.....	+2,000,000	.....
	Total, Department of Commerce	.....	-9,000,000	.....	-7,000,000	+2,000,000	-7,000,000
	RELATED AGENCIES						
	Federal Communications Commission						
.....	Salaries and expenses (rescission)	.....	-1,000,000	.....	-1,000,000	.....	-1,000,000
	Ounce of Prevention Council						
.....	Direct appropriation (rescission)	.....	-1,000,000	.....	-1,000,000	.....	-1,000,000
	Total, related agencies	.....	-2,000,000	.....	-2,000,000	.....	-2,000,000
	DEPARTMENT OF DEFENSE - CIVIL						
	DEPARTMENT OF THE ARMY						
	Corps of Engineers - Civil						
104-3	Construction, general (offset)	-50,000,000	.....	-30,000,000	.....	.....	+30,000,000
	DEPARTMENT OF ENERGY						
.....	Energy supply, research and development activities (rescission)	.....	-22,532,000	.....	-11,180,000	+11,352,000	-11,180,000
	Power Marketing Administrations						
104-44	Construction, rehabilitation, operation and maintenance, Western Area Power Administration (rescission)	-2,111,000	.....	.....	-11,352,000	-11,352,000	-11,352,000
	Total, Department of Energy	-2,111,000	-22,532,000	.....	-22,532,000	.....	-22,532,000
	DEPARTMENT OF ENERGY						
104-57	Clean coal technology (rescission)	-10,000,000	-17,000,000	-17,000,000	-17,000,000	.....	.....
104-44	Strategic petroleum reserve (rescission)	-11,000,000	-11,000,000	-11,000,000	-11,000,000	.....	.....
	Total, Department of Energy	-21,000,000	-28,000,000	-28,000,000	-28,000,000	.....	.....
	DEPARTMENT OF HEALTH AND HUMAN SERVICES						
	Administration for Children and Families						
.....	Job opportunities and basic skills (JOBS) (offset)	.....	-700,000,000	-700,000,000	-700,000,000	.....	.....
	DEPARTMENT OF EDUCATION						
.....	Federal family education loan program account (rescission)	.....	-849,000	.....	.....	+849,000	.....
	DEPARTMENT OF TRANSPORTATION						
	Federal Aviation Administration						
.....	Grants-in-aid for airports (Airport and Airway Trust Fund) (rescission of contract authorization)	.....	.....	-778,000,000	-750,000,000	-750,000,000	+28,000,000
	National Highway Traffic Safety Administration						
.....	Highway traffic safety grants (Highway Trust Fund) (rescission of contract authorization)	.....	.....	-10,600,000	-13,000,000	-13,000,000	-2,400,000
	Federal Transit Administration						
.....	Trust fund share of expenses (Highway Trust Fund) (rescission of contract authorization)	.....	.....	-271,000,000	-271,000,000	-271,000,000	.....
.....	Discretionary grants (Highway Trust Fund) (rescission of contract authorization)	.....	.....	-588,000,000	-588,000,000	-588,000,000	.....
	Total, Federal Transit Administration	.....	.....	-859,000,000	-859,000,000	-859,000,000	.....
	Total, Department of Transportation	.....	.....	-1,647,600,000	-1,622,000,000	-1,622,000,000	+25,600,000

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	INDEPENDENT AGENCY						
	General Services Administration						
	Federal Buildings Fund:						
.....	Repairs and alterations (rescission)	.....	-1,400,000	.....	.....	+1,400,000	.....
104-44	Expenses, presidential transition (rescission)	-5,600,000	-5,600,000	-5,600,000	-5,600,000	.....	.....
	Total, General Services Administration	-5,600,000	-7,000,000	-5,600,000	-5,600,000	+1,400,000	.....
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT						
	Housing Programs						
104-44	Annual contributions for assisted housing (rescission)	-250,000,000	-3,823,440,000	-3,650,000,000	-3,650,000,000	+173,440,000	.....
	Federal Housing Administration						
	FHA - General and special risk program account:						
.....	Rescission	.....	.....	-85,000,000	.....	.....	+85,000,000
	Total, Department of Housing and Urban Development	-250,000,000	-3,823,440,000	-3,735,000,000	-3,650,000,000	+173,440,000	+85,000,000
	INDEPENDENT AGENCIES						
	Federal Emergency Management Agency						
.....	Salaries and expenses (emergency rescission)	.....	.....	-5,000,000	.....	.....	+5,000,000
	National Aeronautics and Space Administration						
.....	National aeronautics facilities (rescission of advance appropriation, FY 1998)	.....	-38,000,000	-365,000,000	-365,000,000	-327,000,000	.....
	Funds Appropriated to the President						
.....	Unanticipated needs (emergency rescission)	.....	.....	-4,200,000	-4,200,000	-4,200,000	.....
	Total, Chapter 11:						
	New budget (obligational) authority	-391,111,000	-4,739,221,000	-6,575,800,000	-6,456,732,000	-1,717,511,000	+119,068,000
	Rescissions	(-335,111,000)	(-3,903,221,000)	(-3,775,000,000)	(-3,725,532,000)	(+177,689,000)	(+49,468,000)
	Rescission of contract authorization	.....	.....	(-1,647,600,000)	(-1,622,000,000)	(-1,622,000,000)	(+25,600,000)
	Rescission of advance appropriation	.....	(-38,000,000)	(-365,000,000)	(-365,000,000)	(-327,000,000)	.....
	Offsets	(-56,000,000)	(-798,000,000)	(-779,000,000)	(-740,000,000)	(+58,000,000)	(+39,000,000)
	Emergency rescissions	.....	.....	(-9,200,000)	(-4,200,000)	(-4,200,000)	(+5,000,000)
	Total, title II:						
	Discretionary budget authority (net)	5,500,587,000	1,162,101,000	-280,702,000	-135,511,000	-1,297,612,000	+145,191,000
	Appropriations	(123,342,000)	(392,450,000)	(1,075,075,000)	(508,515,000)	(+116,065,000)	(-566,560,000)
	Rescissions	(-335,111,000)	(-3,903,221,000)	(-3,775,000,000)	(-3,725,532,000)	(+177,689,000)	(+49,468,000)
	Rescission of contract authorization	.....	.....	(-1,647,600,000)	(-1,622,000,000)	(-1,622,000,000)	(+25,600,000)
	Offsets	(-56,000,000)	(-798,000,000)	(-779,000,000)	(-740,000,000)	(+58,000,000)	(+39,000,000)
	Emergency appropriations	(4,686,856,000)	(4,797,172,000)	(4,882,847,000)	(5,260,706,000)	(+463,534,000)	(+377,859,000)
	Contingent emergency appropriations	(130,000,000)	(711,700,000)	(724,000,000)	(302,000,000)	(-409,700,000)	(-422,000,000)
	Emergency rescissions	.....	.....	(-9,200,000)	(-4,200,000)	(-4,200,000)	(+5,000,000)
	Advance appropriation, FY 1998	(30,500,000)	.....	(-386,824,000)	.....	.....	(+386,824,000)
	Advance appropriation, FY 1999	(921,000,000)	.....	.....	.....	.....	.....
	Emergency advance appropriation, FY 1998	.....	.....	.....	(250,000,000)	(+250,000,000)	(+250,000,000)
	Rescission of advance appropriation	.....	(-38,000,000)	(-365,000,000)	(-365,000,000)	(-327,000,000)	.....
	(Limitation on obligations)	(318,077,043)	(318,077,043)	(933,193,000)	(694,810,534)	(+376,733,491)	(-238,382,466)
	(Loan authorization)	(488,000)	.....	(269,488,000)	(164,000,000)	(+164,000,000)	(-105,488,000)
	(By transfer)	(51,100,000)	(30,200,000)	(35,200,000)	(35,210,000)	(+5,010,000)	(+10,000)
	(By transfer) (emergency appropriations)	(3,003,000)	(3,003,000)	(4,403,000)	(4,403,000)	(+1,400,000)	.....
	(By transfer) (contingent emergency appropriations)	.....	.....	(20,000,000)	(20,000,000)	(+20,000,000)	.....
	Mandatory budget authority	757,200,000	757,200,000	757,200,000	937,333,600	+180,133,600	+180,133,600
	Grand total, all titles:						
	Discretionary budget authority (net)	2,726,801,000	1,161,634,000	-381,165,000	-135,663,000	-1,297,297,000	+245,502,000
	Appropriations	(143,342,000)	(449,930,000)	(1,151,555,000)	(591,795,000)	(+141,865,000)	(-559,760,000)
	Rescissions	(-407,111,000)	(-5,943,568,000)	(-5,680,943,000)	(-5,655,164,000)	(+288,404,000)	(+25,779,000)
	Rescission of contract authorization	.....	.....	(-1,647,600,000)	(-1,622,000,000)	(-1,622,000,000)	(+25,600,000)
	Offsets	(-4,856,000,000)	(-798,000,000)	(-779,000,000)	(-740,000,000)	(+58,000,000)	(+39,000,000)
	Emergency appropriations	(6,765,070,000)	(6,779,572,000)	(6,611,847,000)	(7,106,906,000)	(+327,334,000)	(+495,059,000)
	Contingent emergency appropriations	(130,000,000)	(711,700,000)	(724,000,000)	(302,000,000)	(-409,700,000)	(-422,000,000)
	Emergency rescissions	.....	.....	(-9,200,000)	(-4,200,000)	(-4,200,000)	(+5,000,000)
	Advance appropriation, FY 1998	(30,500,000)	.....	(-386,824,000)	.....	.....	(+386,824,000)
	Advance appropriation, FY 1999	(921,000,000)	.....	.....	.....	.....	.....
	Emergency advance appropriation, FY 1998	.....	.....	.....	(250,000,000)	(+250,000,000)	(+250,000,000)
	Rescission of advance appropriation	.....	(-38,000,000)	(-365,000,000)	(-365,000,000)	(-327,000,000)	.....
	(Limitation on obligations)	(318,077,043)	(318,077,043)	(933,193,000)	(694,810,534)	(+376,733,491)	(-238,382,466)
	(Loan authorization)	(488,000)	.....	(269,488,000)	(164,000,000)	(+164,000,000)	(-105,488,000)
	(By transfer)	(51,100,000)	(53,200,000)	(58,200,000)	(58,210,000)	(+5,010,000)	(+10,000)
	(By transfer) (emergency appropriations)	(3,003,000)	(3,003,000)	(4,403,000)	(4,403,000)	(+1,400,000)	.....
	(By transfer) (contingent emergency appropriations)	.....	.....	(20,000,000)	(20,000,000)	(+20,000,000)	.....

EMERGENCY SUPPLEMENTALS AND RESCISSIONS APPROPRIATIONS ACT, FY 1997 (H.R. 1871) — continued

	Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
Mandatory budget authority	757,200,000	757,200,000	757,200,000	937,333,600	+180,133,600	+180,133,600
Total appropriations in bill (net)	3,484,001,000	1,918,834,000	376,035,000	801,670,600	-1,117,163,400	+425,635,600
SUMMARY OF 1997 SPENDING						
Total discretionary spending, title I	2,098,214,000	2,039,880,000	1,805,480,000	1,929,480,000	-110,400,000	+124,000,000
Total rescissions and offsets, title I	-4,872,000,000	-2,040,347,000	-1,905,943,000	-1,929,632,000	+110,715,000	-23,689,000
Total discretionary spending, title II	4,940,198,000	5,901,322,000	6,681,922,000	6,071,221,000	+169,899,000	-610,701,000
Total rescissions and offsets, title II	-391,111,000	-4,701,221,000	-6,210,800,000	-6,091,732,000	-1,390,511,000	+119,068,000
Total mandatory spending, title II	757,200,000	757,200,000	757,200,000	937,333,600	+180,133,600	+180,133,600
Total spending in bill	7,795,612,000	8,698,402,000	9,244,602,000	8,938,034,600	+239,632,600	-306,567,400

Mr. LIVINGSTON. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I would simply like to say that at long, long last I am very happy that we are here in this posture. As the gentleman from Louisiana has indicated, almost 90 days ago the President of the United States asked the Congress to do essentially two things: He asked us to appropriate additional funds in order to meet the disaster needs around the country because various States had experienced severe flooding and other natural disasters; and he asked this Congress to supply the additional funds needed to fulfill our obligations in Bosnia so that the Pentagon would not have to stand down on crucial training exercises and a variety of other activities needed to maintain our military state of readiness.

I want to say that I think the majority on the committee tried to respond to that request in an absolutely straightforward and nonpartisan fashion. I think that the majority on the committee tried to do its duty, as we did on our side of the aisle in the committee. I have noted before my favorite philosopher is Archie the cockroach, and Archie the cockroach said once that somebody is born so unlucky he runs into accidents that started out to happen to somebody else.

That is what sort of happened to this bill. Because along the way, the leadership of the Republican Party in this House insisted that two unrelated provisions be added to the bill, and then another item was added in the Senate. When that happened, the President made quite clear that it was unacceptable to him to add those unrelated items as well as some others, and asked the Congress not to do that so that the needed emergency relief could immediately be gotten to the people who were most in need of it.

That unfortunately did not happen. Last week before we sent this bill to the President, I stood exactly where I am standing now and I urged the House, as did the gentleman from Louisiana on a previous occasion, to simply pass a stripped-down, clean version of this emergency supplemental so that we could in essence end what amounted, what was tantamount to a second government shutdown for the persons in the regions of the country who were affected by these natural disasters. I indicated that if we did not do that last week, we would most assuredly be here this week doing what we should have done last week.

Unfortunately, it has taken a Presidential veto to bring the Congress to its senses, and now we are finally proceeding the way we ought to proceed.

This proposal will meet the disaster needs of the country. It will meet the needs of the Pentagon, and it will also require a report from the administration on how they intend to proceed in dealing with the next census. I think we have reached a reasonable bipartisan accommodation at long last.

I would simply say that I guess what this episode reminded me of is Franklin Roosevelt's speech on Lend Lease a long time ago when he asked, ''If your neighbor's House was on fire, would you not lend him your garden hose?'' Well, this time around, lots of our neighbors had lost their houses. They had lost their farms. They were looking for help, but still that help was being held up. It was almost as though people were saying, ''Well, we will get you some relief for the fire but first we have to paint the fire engine a different color. We have to get a different crew on the truck.''

Finally, at long last, I think that that unfortunate business is behind us, and I want to simply congratulate the President for doing what was right. I want to congratulate the committee leadership for in all cases trying to do what it knew was right. And I want to congratulate those Members of the Republican Party who indicated by their uneasiness through the last week that they wanted a different direction from that that was being provided by their leadership and by the House.

I also want to frankly thank the American public, because I think if the American public had not spoken out the way they did, chances are we would not be here today. I think people saw that, I think the American public recognized that what was happening here was wrong, that it needed to be corrected. I am happy that we can bring a vehicle to the House floor that will provide that correction.

I congratulate the gentleman from Louisiana and his staff for bringing this forward. I hope that we can get on with providing finally the relief that is needed to the sections of the country which have experienced such devastating natural disasters over the past several months.

Mr. LIVINGSTON. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

I rise for a colloquy with the gentleman from Louisiana, chairman of the committee.

I would like to discuss my understanding about the intentions of the conferees regarding section 4001 on assistance to Ukraine. Mr. Speaker, the language indicates that the President may waive the minimum funding requirements in subsection (k) of the 1997 Foreign Operations, Export Financing and Related Programs Act for activities of the Government of Ukraine. It is my understanding that this language is intended to apply to all the minimum funding requirements in that subsection, including the overall amount of $225 million for Ukraine. Is that the chairman's understanding as well?

Mr. LIVINGSTON. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Speaker, as the gentleman has indicated, I agree with his interpretation. The language of section 4001 is intended, indeed, to give the President the authority to waive all the minimum funding requirements in subsection (k) of the 1997 act, including the overall earmark. The phrase ''for activities for the Government of Ukraine'' is intended to extend to the entire assistance program and, therefore, could apply to the overall $225 million earmarked for the Ukraine.

Mr. OBEY. Mr. Speaker, I thank the gentleman for his clarification. I would strongly urge the State Department to exercise the full authority granted by this section.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Speaker, strolling over from Committee on Agriculture markup, which is what we are in right now, I could not help but notice, unlike just a short while earlier when it was overcast and kind of drizzling a little, the sky had cleared. The sun was shining.

□ 1615

And I thought this is some signal just to what is occurring on the floor of the House and the Senate right now.

We have a disaster bill urgently needed, and I believe within a few minutes there will be a strong bipartisan vote to do what Congress needs to do and get help directly on the way to those so damaged by these floods. The sky is beginning to clear over this Chamber. The light of good legislation at last is beginning to shine again.

It should not have been this hard. It should not have been this rancorous. But what counts is getting the job done, and what will matter so much to the people I represent in the flood-afflicted area in the next month, the month after that, next year, perhaps the year after that, is that this body finally did act, and acted in a way that provided very meaningful assistance at a time when our need was so substantial.

Mr. Speaker, I want to urge all my colleagues to put the past weeks of debate behind us, then stroll to the voting machines and pass a very large, very strong vote in favor of this disaster relief.

The construction of the bill was the mark of a solid bipartisan effort. We have so appreciated the support of the majority and the minority as we built the package. We will enjoy and deeply appreciate the support of the majority and the minority as we pass the package. And I personally want to extend my appreciation to each Member who has helped us along the way.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

Mr. Speaker, I forgot to do something, at least with clarity, and I would simply like to make sure that Members understand exactly what is in this bill.

This is the same bill as the conference agreement: $8.6 billion in disaster relief and funding for Bosnian reimbursement to the Pentagon, minus three controversial riders.

The rider dealing with rights-of-way on public lands has been eliminated; the rider on the census has been eliminated and, instead, there will be a report required from the administration indicating how they intend to proceed in conducting that census; and, third, the automatic CR rider, which was also extremely contentious.

Other than that, this is identical to the conference report.

Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. BONIOR], the distinguished minority whip.

Mr. BONIOR. Mr. Speaker, I thank the gentleman for yielding me this time.

Let me begin by saying that this appears to be a victory for many, many people today; certainly those who have suffered because of the floods, particularly in the upper Midwest, the Dakotas and Minnesota. People who have lost their homes and their businesses and their farms and their lives being askew because of the disaster that hit them, we have provided them with hope today. We have provided them with some assistance, or we will be in just a few seconds. So they seem to finally have gotten what they have needed all along, immediate relief for the emergency that they are now suffering.

It is also a victory in many ways for the environment, because the rider on the public lands issue has been taken from this bill. For those who care about our environment and our public lands, they ought to feel good about what has happened today.

It is a victory for those who care about an accurate census, so that the American people will not have to go through a situation in which all Americans will not be counted.

It is also a victory today, I might add, for those who care about education. Because under the automatic CR language that our Republican colleagues were insisting upon, we would have had roughly 375,000 students not receive Pell Grants in this country.

So there are many people who will benefit by the action that will be taken here in just a few minutes. I want to congratulate several people. First of all, let me congratulate the President for staying tough and hanging tough and doing the right thing by insisting we just do emergency supplementals for those who need it.

Let me also suggest that those Representatives and Members of the other body from the Dakotas and Minnesota, our Minnesota colleagues, the gentlemen from North Dakota, Mr. POMEROY, Mr. DORGAN, Mr. CONRAD, and the gentleman from Minnesota, Mr. WELLSTONE, and others who really fought this battle and made a case so strong for their people, we congratulate them.

I also want to thank my colleagues on this side of the aisle, the chairman of the committee, and those 20 Republicans who stood up and said, listen, this is a kind of lunacy; let us put these riders aside and let us get on with taking care of the needs of these people who are suffering so much and our troops who are stationed overseas in Bosnia who need our support. They stepped up in a very difficult situation, and I congratulate them.

Let me also say to my friend from Wisconsin, who has led this battle on the floor now for 3 weeks, we thank him for his diligence and for his fight on this, because he has raised this issue in a way that I think recognizes the legitimate concerns of our colleagues on both sides of the aisle and the need to move forward in a way that will preserve our ability to act in a legitimate way on other issues down the road.

So, in conclusion, Mr. Speaker, I thank the gentleman for his time, and I commend the House for moving forward this bill in short order, so we can get it to the President's desk for his signature and our troops in Bosnia and our flood victims can have the relief and the support that they need.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. TIAHRT], a distinguished member of the Committee on Appropriations.

Mr. TIAHRT. Mr. Speaker, I would like to talk a little bit about what the gentleman from Wisconsin said about why this bill was vetoed in the first place. He mentioned the census sampling that we had in there. What we were trying to do was basically say that we do not want sampling when it comes to the census.

We have a constitutional requirement that says actual enumeration. It means you cannot use sampling. We were trying to follow the Constitution. I know that is sometimes frustrating, but we ought to do it here in America.

The other one was the continuing resolution that said basically that while we are trying to negotiate our differences between the Congress and the President, that we will not shut the government down, we will just continue the government at fiscal year 1997 levels.

The President decided that was a key factor in why he should veto this legislation. It was not because we are going to spend $3.4 billion to pay disaster assistance. We went above and beyond the President's request for disaster assistance. We reached out to the people who were in need and said we will help them relocate. No, instead, he wanted the ability to shut the government down and so he vetoed the legislation.

It was not because we added in $76 million for the women, infants and children's program, it was not that reason he vetoed it. He vetoed it because he wanted the ability to shut the government down.

On January 3, 1996, President Clinton said, ''It is deeply wrong to shut the government down while we negotiate. I will continue to do everything I can in good faith in order to reach an agreement, but it is wrong to shut the government down.'' January 3, 1996.

And yet he vetoed this legislation, denying relief to people in need because he wanted the ability to shut the government down. He wanted to shut the government down, contradictory to what he said on January 3.

So I think we should be very up-front and honest about the reason why the President vetoed this legislation. He vetoed it because he wants the ability to shut the government down. Of course, he conveniently can blame us, and the media seems to carry on that message, but the bottom line was that it was not the disaster relief, it was not the aid to Bosnia, it was not the other things we were doing, it was because he wanted to shut the government down.

Mr. OBEY. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, I wish to respond to the previous remarks. I think the record is quite clear, and I really did not want to have to get into past history and all of that, but as long as the gentleman has dredged it up, it requires a response.

The fact is that before the government was shut down 2 years ago, on 14 separate occasions the leadership of the majority party was quoted as saying it intended to shut the government down if that was necessary in order to require the President to bend to their will on major matters affecting the future of this country. The public understands that.

With all due respect to the gentleman, he has taken a bath on that issue, and I think the public understands what happened, and I do not see any reason to get into that any more. What we are trying to talk about is tomorrow, not yesterday.

But I simply wanted to make that point because the rhetoric that is being used today is the same rhetoric that was being used against the President 2 years ago. It is not going to be believed by the American public today any more than it was 2 years ago. And I think the sooner we get away from that and get on with the business of government, the better off we will be.

Mr. Speaker, I yield 1 minute to the gentleman from Minnesota, [Mr. MINGE].

Mr. MINGE. Mr. Speaker, I represent an area that was affected by the shutdown of the flood relief program due to the delays in this institution. I think it is tragic that it happened.

I know the folks at home think that we have rocks for brains out here. They cannot figure out what is wrong in Washington, DC. They were hit by a disaster when it flooded; they were hit by another disaster when the process out here was stymied.

I am very pleased that this has finally been resolved. I am very pleased that in the upper Midwest we have stood together on this. I know that my colleague from South Dakota will be

speaking, if he has not already this afternoon, and I am very pleased at the bipartisanship that was shown in that State and in other States to try to move this ahead. And I am pleased that the bipartisanship that was developed in the upper Midwest is contagious and it has finally come out to Washington.

One thing I hope is that we have learned our lesson from this effort. It has been sobering. It has not been something that has just been blamed on the Democrats. All of us have taken our share of the blame, and I do not think we can stand it nor can our institutions anymore. We need to prove to this country that we can make government work.

Mr. LIVINGSTON. Mr. Speaker, I yield 3 minutes to the gentleman from South Dakota [Mr. THUNE] who has been an outstanding spokesman for the flood-ravaged people of his district.

Mr. THUNE. Mr. Speaker, I thank the distinguished gentleman from Louisiana, the chairman of the Committee on Appropriations, for yielding me this time; and I, too, want to thank all of them for all the work they have done, his very able staff and the Members, for bringing us to this point today.

Over the past 5 weeks I have seen the good, the bad and the ugly; for the past 5 weeks, the bad and the ugly of how things can work here. But today we are seeing the good, as people come together to try to do what, granted, we should have done a long time ago.

But I think it is very important for us, because we have made a commitment and it is important that we honor that commitment. I believe that the integrity of this institution, the credibility of the House and the Senate and the White House is about commitments made and commitments honored.

We have made a commitment to the American people for those who have suffered from disasters, and today we are finally delivering on that, and I am very happy to be a part of this day in bringing this process to a conclusion.

Mr. Speaker, I think that it does strike very much at the heart of our ability to govern, and I think it is very important that we have finally achieved an outcome which the people I know in my State of South Dakota are very desperately anxious to see. I would hope that all of us can continue to work in a way that would foster that sort of cooperation on other issues.

I want to thank as well the leadership who have worked, I think on both sides, as was mentioned earlier, I worked very closely with my colleagues from North Dakota, from Minnesota, in trying to come up with something. And I want to thank the leadership, the Speaker, the distinguished majority leader on our side as well, for making trips out to look at that area and to help us craft a solution, which I think probably provides as much flexibility as any disaster relief package that has ever been contemplated around here, and in working with us in a way that we can address the needs of the people who have been afflicted in a way that maximizes local control.

□ 1630

I think that is something that is very much consistent with my philosophy and with our philosophy, and I would hope that it would be a model for things that we can do in the future. But for the mayors of my State, for our Governor, and for the many people who have rolled up their sleeves day in and day out for these past many weeks and have been working together to try and rebuild their communities, this is a very welcome day, it is welcome news, and we are very grateful that this institution and the Senate has acted, as well they should have, and delivered the long needed and much needed disaster relief to the Dakotas, to Minnesota, and to the other States that are afflicted by this.

I just want to thank the leadership and my many colleagues for bringing us to this point and for finally accomplishing this goal.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina [Mr. PRICE].

Mr. PRICE of North Carolina. Mr. Speaker, I am glad we are finally going to send to the President a bill that he can sign. The hurricane season, after all, opened 12 days ago.

In my home State of North Carolina, debris-filled streams hold the possibility of further disaster. Officials estimate it will take the rest of the year to clean out the upper reaches of streams in the eastern part of North Carolina. This work is necessary to ensure that the flooding that occurred last year does not happen again. This is work that could have already begun had the Congress passed a clean bill last month.

Right now, the Disaster Prevention Agency of North Carolina is praying that another hurricane like Fran does not hit our State. Even slightly above average rainfall in the State could be devastating to those areas hit in September by Fran. If a hurricane were to make landfall, the flooding that would occur, the devastation that would hit families that have been forced to move back into the flood plain could make Fran seem like a spring storm.

Next week, the State of North Carolina will be putting in applications for hazardous mitigation grants to help nearly 1,000 families start over. To be most effective, these funds need to be combined with the community development block grant funds in this bill. Without community development funds, many of those families might not be able to participate.

Mr. Speaker, let us finish this bill, send it to the President, and finally send aid to those across this country who desperately need it.

Mr. LIVINGSTON. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the gentleman from Wisconsin [Mr. OBEY] for yielding me the time.

I will obviously support this legislation in its present form. It is unfortunate that we did not do this some 60 to 70 days ago. I rise to congratulate the gentleman from Wisconsin [Mr. OBEY], to congratulate the President of the United States, who, once again, stood on principle and said that we need to act, but I am not going to act at the point of a gun, I am not going to condone that with which I do not agree.

There was unanimity 84 days ago, the day after the President asked for this relief, that we ought to ask, ought to move, but those victims of rain and flood should have help. I want to congratulate the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations and my good friend, and I want to congratulate as well my good friend, the gentleman from Florida [Mr. YOUNG], the chairman of the Subcommittee on Defense Appropriation, and of course my good friend, the gentleman from Alabama [Mr. CALLAHAN], is to be congratulated just on general principles.

But the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Florida [Mr. YOUNG] said that we ought to pass a CR, or supplemental appropriation, which said that we ought to help the flood victims and we ought to take care of our troops. Everybody agreed on that, but the lesson of November 1995 and December 1995 and, I say to my friend, the gentleman from Kansas [Mr. TIAHRT], January of 1996 has not yet been learned. I say to my friend from Kansas, he can say as many times as he wants that the President wanted to shut down the Government. Nobody will believe him because that is inaccurate and wrong.

I say to my friend that he and the overwhelming majority of his colleagues in November and December and January of 1995 and 1996 repeatedly voted against clean CR's, which would have opened the Government, made services available to the American public; repeatedly I say to my friend, he voted against those clean resolutions.

Why? So that he could include and his colleagues could include items that they clearly knew were unacceptable to the President of the United States and they do not like the democratic process that was set up by our Founding Fathers that said, send something to the President; he vetoes it; and if two-thirds of the Congress disagree, you can pass it into law.

The reason I rise is not only because the gentleman from Kansas [Mr. TIAHRT] I think is not accurately portraying what is the President's view, who wants to keep Government open, and as the gentleman from Wisconsin [Mr. OBEY] said, the opposite of your leadership said they were going to close down Government, but to say let us learn the lesson, let us learn the lesson that we ought to allow the democratic legislative process to operate as our Founding Fathers planned it to be.

Do not once again try to muscle the President of the United States by putting something clearly unacceptable on an item that we all agree on, that ought to pass, that is good policy, that America wants to see us move. If my colleagues have an item, such as sampling, we disagree on, I disagree with my good friend from Mississippi on this issue, but if we have an item, then put the bill on the floor and send it forward. It will be vetoed, I understand that, have it brought back here, and if in the democratic process we override that veto, then they will prevail. But otherwise they should not prevail because the framework did not allow for it. But do not hold hostage either the Government or Government workers or ravaged victims of flood.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Speaker, I rise with great relief and applaud the willingness of all the parties to reach closure here today so we can send this legislation on to its signature and begin to help repair the damage, both real and psychic, that people all over this country have absorbed in the last 6 months.

We have, I think, in this success an example we need to look to. We have two gentlemen who run the Committee on Appropriations. They are both volatile and yet lovable. The two of them can throw temper tantrums that make us all remember Sil Conte, but they get the job done because they can still work together when it is in the interest of the American people. Had they been allowed to work this issue successfully, they would have accomplished the task long ago.

I am afraid we have had a very difficult lesson. I know the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of this committee, showed us the way we would have had a down payment on this bill weeks ago rather than having gone for a break had we listened to him. But we failed it.

Perhaps as we move into the appropriations process in earnest for the next fiscal year, the Members on both sides of the aisle will take the opportunity to allow their leadership to prevail so that we can get through this process in a way that will make the American people proud of us and that we can deal with the fundamental needs they have, even while we apportion the various political philosophies and come up with the best compromise we can.

I just want you to know the people of northern California, who suffered in the floods of January, are now assured that we can put the system back in place and protect them and their property and their lives next winter, unlike last winter. And for that, I appreciate the efforts that have brought us to this point, including the willingness to compromise and lose face at the last in order to move the public interest forward.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. GUTKNECHT], another flood ravaged State.

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman for yielding me the time.

Several weeks ago, myself and the gentleman from Minnesota [Mr. RAMSTAD] and the gentleman from Minnesota [Mr. PETERSON] and the gentleman from North Dakota [Mr. POMEROY] went to the Red River Valley. It was quite an experience. We got a chance to look into the eyes of those people.

And I know this is true all over the United States, but it is especially true in the upper Midwest that if a farmer is hurt, for example, the next day there will be six tractors there to help them do whatever needs to be done. I think that is the spirit of America. We went there and we saw what was happening. And actually, as a result of that visit, there are special provisions in this disaster relief bill that, as far as I know, have never been done; and I think that is good.

But in many respects, I was thinking about this earlier today, and this has been perhaps the most frustrating 2 or 3 weeks that I have had since I have been in this Congress. In the Tale of Two Cities, they talk about the best of times and the worst of times, and in many respects, this bill and the way it was put together represents the best and worst of this city.

Because I think we all want to help our neighbor, but it is so frustrating when you take three ideas, which I think enjoy overwhelming support, the idea of helping our neighbors when they need the help, I think everyone agrees with that. And I think the notion of having something to make certain that the Government does not shut down, I think that has overwhelming support. And the notion that a census ought to be conducted by real counts rather than guesstimates, again, I think that is a good idea that has overwhelming support.

Only in Washington can we take three good ideas that have overwhelming support, put them together, and have gridlock for 3 weeks. So it is the best of times. It is the worst of times. But I am delighted on behalf of the people of Red River Valley, Minnesota, and the Dakotas that this fight is now over and the relief will be on its way.

So I thank the Speaker, thank the chairman, and thank the President. Let us get on with the business of the House.

Mr. OBEY. Mr. Speaker, does the gentleman from Louisiana [Mr. LIVINGSTON] have any remaining speakers?

Mr. LIVINGSTON. Mr. Speaker, I have no additional speakers.

Mr. OBEY. I yield myself 30 seconds, Mr. Speaker, to simply urge an ''aye'' vote on this proposition. I do not intend to offer a motion to recommit. I think the sooner we get this bill on to the Senate and on to the President, the better off everyone will be.

Mr. Speaker, I yield back the balance of my time.

Mr. LIVINGSTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will not be long. We need to conclude this. This bill has indeed had a tough time. It has been a very interesting 6 or 7 weeks since this bill was first passed. One of the speakers, the gentleman from North Dakota, reminded me of a song that I heard back in my old college days that began with the line: ''The stars are out. The Moon is shining on our jolly crowd.''

I can say now that this doggone bill is over, I feel that the stars are out, the Moon is shining, and that maybe we can leave here and be a little bit more jolly than we have been around here in the last couple of weeks. We are all happy we are passing this bill.

The President sold a lot of newspapers. TV and radio had lots to talk about. And, in fact, the flood victims were never adversely affected by what went on over these last several weeks. We had real issues, as the gentleman from Minnesota pointed out. We had differences. And as the old saying goes, it was a sloppy process, it was an ugly process. Nobody should ever see how laws and sausage are made.

It was unfortunate that it had to be as sloppy and as ugly as it was, but now it is over. We had a staffer on the Committee on Appropriations, who retired last year, Fred Mohrman. He used to always say, once it is over, it is a perfect day, it is a perfect bill.

Mr. President, we give you a perfect bill. It is over. We are providing you with disaster relief for the flood ravaged territories of this country, some $5-½ billion in disaster relief. We are providing you with the money that you have already spend in Bosnia and Haiti, and all around the world with other military ventures, almost a billion dollars. We are providing you with benefits for the VA for pensions and compensation benefits for veterans, almost a billion dollars, Federal emergency management disaster relief, community development block grants, watershed flood prevention, national park repairs, Supplemental Security Income benefits for legal aliens, and again repayment, replenishment for the troops in the field. All of that is in this bill, along with some language that is acceptable between the White House and the Congress on the census.

□ 1645

Mr. Speaker, all of the money in this bill is paid for with previous appropriations. This is a perfect bill. It should be signed into law. Let us get this behind us so we can get into fiscal year 1998 activities and deal with the very serious issues that are involved in the appropriations for that fiscal year cycle, and let the stars be out and the moon shine on our jolly crowd.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to rise and speak in support of H.R. 1871, the emergency supplemental appropriations.

This legislation will provide much needed assistance to the victims of the floods, and support our Nation's peacekeeping efforts in the former Yugoslavia.

Those provisions which were included in the first submission of this legislation to the President for his signature have been removed. The subjects that were included; an automatic budget resolution, federally funded roads into national forest areas, and restriction of sampling in any future Census.

These areas are serious and each should be considered under the well established congressional legislative democratic process, through hearings, markup, and floor debate. Their exclusion from this Emergency Supplemental Appropriations therefore was the right course for the House leadership to take. Now, we can begin the process of seeking the best policy to further the interest of all Americans in each of these areas.

I believe that every Member of this body will agree that the suffering of others as a result of any cause is difficult to see. The pain of people who are the victims of natural disaster is particularly painful. There is nothing this body could do to legislate the next natural disaster out of existence, but we can agree that we will never again let issues that are unrelated enter into the legislative relief effort.

The least that Members of this body can offer the next victims of natural disaster in our country, is the promise that their best interest will be our only consideration when rendering them aid and assistance through funding legislation.

I would ask that my colleagues join me in support of H.R. 1871, the Emergency Supplemental Appropriations.

Ms. PELOSI. Mr. Speaker, Send It Clean. This is not a complicated message: Send It Clean, Mr. Speaker. It's been 85 days since the President asked the Congress for a disaster relief bill, and for 85 days the Republican leadership has played politics with the lives of suffering Americans. These people have asked for only one thing: Relief. What has the GOP responded with? More pain and suffering.

This is not a complicated message: Send It Clean, Mr. Speaker. This is what the President has been saying; This is what the American people have been saying; This is what House Democrats have been saying; This is what Republicans have been ignoring for 85 days.

Disaster Relief was never the place for the Republican agenda to be advanced. Extraneous bills should be argued on their own merits, and be allowed to stand or fall on those merits.

The folks trying to rebuild their lives in California, North Dakota, Minnesota, Arkansas, and Louisiana are waiting for word that the Democrats are not the only ones listening.

The SPEAKER pro tempore (Mr. LAHOOD). All time for debate has expired.

Pursuant to the order of the House of today, the bill is considered read for amendment, and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV the yeas and nays are ordered.

The vote was taken by electronic device, and there were— yeas 348, nays 74, answered ''present'' 1, not voting 11, as follows:

[Roll No. 203]

YEAS—348

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Calvert
Camp
Canady
Capps
Cardin
Carson
Castle
Chabot
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Foglietta
Foley
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHale
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Payne
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thune
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—74

Archer
Armey
Barr
Bartlett
Barton
Bass
Bilbray
Boehner
Bonilla
Brady
Burr
Burton
Buyer
Callahan
Campbell
Cannon
Chambliss
Christensen
Coburn
Collins
Combest
Cox
Crane
Deal
DeLay
Duncan
Goodling
Graham
Hastert
Hefley
Hilleary
Hoekstra
Hulshof
Hunter
Inglis
Istook
Johnson, Sam
Jones
Kingston
Klug
Largent
McInnis
McIntosh
Mica
Miller (FL)
Myrick
Neumann
Norwood
Nussle
Paul
Paxon
Pease
Petri
Riley
Rohrabacher
Royce
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shays
Smith (MI)
Snowbarger
Stearns
Stenholm
Thornberry
Tiahrt
Upton
Weldon (FL)

ANSWERED ''PRESENT''—1

Souder

NOT VOTING—11

Farr
Flake
Forbes
LaFalce
Martinez
McDade
McDermott
Miller (CA)
Pelosi
Rush
Schiff

☐ 1707

Messrs. CALLAHAN, WELDON of Florida, RILEY, HUNTER, and BARTLETT of Maryland changed their vote from ''yea'' to ''nay.''

Mr. DOOLEY of California and Mr. SKAGGS changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I rise for the purposes of inquiring what the schedule will be for tomorrow and the remainder of the week and for next week. Mr. Speaker, I am primarily interested in the time issue as much as I am in substance, and I think it would