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105TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPORT 105–469

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1998, AND FOR OTHER PURPOSES

MARCH 27, 1998.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. LIVINGSTON, from the Committee on Appropriations, submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H.R. 3579]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes.

BILL HIGHLIGHTS

The bill recommended by the Committee includes $2,865,628,000 of emergency supplemental appropriations for fiscal year 1998. In the National Security area $2,288,252,000 is included for peacekeeping operations in Southwest Asia, for peacekeeping operations in Bosnia, for recovery at military installations from Typhoon Paka in Guam, and for recovery at other military installations from El Nino and other natural disasters. The bill also includes $575,376,000 in domestic assistance for recovery from natural disasters for highway and railroad repairs, agriculture losses, flood control facility repairs, National Park repairs, wildlife refuge restoration, and reforestation.

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BILL SUMMARY

Activity	Amount
Domestic:	
Emergency Agriculture Disaster Loans	$21,000,000
Emergency Conservation Program	20,000,000
Tree Assistance Program	4,700,000
Livestock Disaster Assistance	4,000,000
Dairy Production Disaster Assistance	6,800,000
Watershed and Flood Prevention Operations	65,000,000
Corps of Engineers Operations and Maintenance	84,457,000
Bureau of Reclamation Water and Related resources	4,520,000
Fish and Wildlife Service Construction	28,938,000
National Park Service Construction	8,500,000
US Geological Society Surveys	1,000,000
National Forest Service System	10,461,000
State and Private Forestry	48,000,000
Federal-aid Highways Emergency Relief Program	259,000,000
Emergency railroad rehabilitation and repair	9,000,000
Subtotal Domestic	(570,115,000)
National Security:	
Military Personnel	226,400,000
Operation and Maintenance	1,971,465,000
Revolving and Management Funds	31,467,000
Defense Health Program	1,900,000
Reserve Mobilization Income Insurance Program	37,000,000
Family Housing	19,000,000
Base Realignment and Closure Account	1,020,000
Subtotal National Security	(2,288,252,000)
Grand total	2,858,367,000

Some of the appropriations included in the bill are greater than the amounts requested by the President. This is because the estimates for the recovery from natural disasters is continuously being refined and additional disasters have occurred since the President submitted his request.

The emergency spending in the bill is offset with $2,865,000,000 of rescissions. They are $1,930,000,000 of excess Section 8 Housing Program reserves, $335,000,000 of excess contract authority for the Airport Grants-In-Aid Program, $275,000,000 of reduced obligation limits for the Airport Grants-In-Aid Program, $250,000,000 for the Corporation for National Service (Americorps), and $75,000,000 for Bilingual Education.

TITLE I—EMERGENCY SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

EMERGENCY CONSERVATION PROGRAM

The Committee provides $20,000,000 for the Emergency Conservation Program. This would provide cost-sharing assistance to farmers and ranchers whose lands were damaged by ice storms in the Northeastern United States, tornadoes in Florida, El Nino driven rains in California, and other recent natural disasters. Under the Emergency Conservation Program's flood authority provisions, funds can be used for cleaning debris, mending fences, land shaping and grading, and restoring conservation structures (including some cover crops). These funds would also be used to address any subsequent spring flooding, after the heavy winter snowpack melts.

TREE ASSISTANCE PROGRAM

The Committee provides $4,700,000 for the emergency tree assistance program. Similar assistance was authorized and provided through the tree assistance program in the Disaster Assistance Act of 1988 (P.L. 100–387), the Disaster Assistance Act of 1989 (P.L. 101–82), and by authorizations in the 101st and 102nd Congresses.

The Committee expects the Department to administer the program with provisions enacted in past disaster assistance acts. This program should not duplicate payments that may be received under this authority and the forestry incentives program, environmental quality incentives program, or other Federal programs.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The Committee provides an $87,000,000 in additional emergency loans. These funds will assist family farmers who have sustained financial losses because of ice storms in the upper Northeastern United States, tornadoes in Florida, and flooding in California and other states. These funds would allow the Farm Service Agency to provide low-interest loans to farmers who would be unable to obtain credit elsewhere for repair of farm structures damaged by natural disasters and for farm operating expenses.

COMMODITY CREDIT CORPORATION FUND

LIVESTOCK DISASTER ASSISTANCE PROGRAM

The Committee provides $4,000,000 for Livestock Disaster Assistance. These funds would provide financial assistance to farmers

and ranchers whose livestock (including ratities) were lost as a result of the ice storms in the Northeastern United States, tornadoes in Florida, El Nino-driven rains and mudslides in California, heavy snows in the southwest and other natural disasters that occurred between November 27, 1997, and the enactment of this emergency supplemental request.

This program should be operated on the same terms and conditions as P.L. 105–18. However, the Department applied a gross income cap of $2,500,000 for producers of livestock with losses. Due to the differing size of livestock and dairy operations across the country, the limitation has caused inequities in eligibility for disaster assistance. The use of the $2,500,000 income cap is administrative and arbitrary. The Committee expects the Department to review the use of the cap and adjust accordingly.

The Committee is aware of severe flooding in the State of Florida and the damage caused to the state's livestock population, particularly in the cattle grazing lands from Suwanee County to Highlands County in the southern region of the state. The Committee expects the Secretary to provide all appropriate assistance to Florida ranchers affected by storm and flood damage.

DAIRY PRODUCTION INDEMNITY ASSISTANCE PROGRAM

The Committee recommends $6,800,000 for a dairy loss indemnity program. The recent disasters affecting the country have caused severe losses to dairy farmers. The losses seem to be unprecedented. The Committee provides for partial loss adjustment to compensate producers for losses of milk that has been produced but not marketed or for diminished production (including diminished future production due to mastitis) that was caused as a result of natural disasters.

The program should be operated in the same terms and conditions as P.L. 105–18 for the livestock indemnity program. However, the Department applied a gross income cap of $2,500,000 for producers of livestock with losses. Due to the differing size of dairy operations across the country, the limitation would cause inequities in eligibility for disaster assistance. The use of the $2,500,000 income cap is administrative and arbitrary. The Committee expects the Department to review the use of the cap and adjust accordingly.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

The Committee provides $65,000,000 for emergency Watershed and Flood Prevention Operations to repair damage to waterways and watersheds. These funds would provide disaster assistance to communities to reduce hazards to life and property in watersheds damaged by ice storms in the Northeastern United States, tornadoes in Florida, and El Nino-driven rains and mudslides in California, heavy snows in the southwest and other natural disasters that occurred between November 27, 1997, and the enactment of this emergency supplemental request. Emergency work would include opening dangerously restricted channels and waterways, repairing diversions and levees, and erosion control on denuded, steep slopes.

Funds may also be used to purchase flood plain easements. Easements may be offered to landowners where the cost of cropland restoration and levee repair are greater than the value of the land; lands selected must offer important environmental benefits and high flood mitigation value for the surrounding area.

CHAPTER 2

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

SUPPLEMENTAL REQUESTS

The President requested supplemental fiscal year 1998 appropriations for the Department of Defense under the jurisdiction of the Subcommittee on National Security totaling $2,004,047,000. This includes $1,848,300,000 in emergency supplemental appropriations to finance unbudgeted personnel, operations, and equipment drawdown costs associated with contingency operations in Bosnia and Southwest Asia. The President also requested $155,747,000 for the repair of defense facilities damaged by natural disasters: of this amount, $105,747,000 was requested as emergency supplemental appropriations, and $50,000,000 was requested as contingent emergency appropriations (to be made available upon the President's submission of a subsequent budget request designating the entire amount as an emergency requirement).

Concurrent with transmittal of these requests, the President also forwarded to the Congress his request for fiscal year 1999 budget amendments, providing for $1,858,600,000 in emergency appropriations for the estimated fiscal year 1999 costs of U.S. military operations in support of the NATO-led peacekeeping operation in Bosnia. The Committee defers action on the proposed fiscal year 1999 budget amendments until its consideration of the fiscal year 1999 Defense Appropriations bill.

COMMITTEE OBSERVATIONS

For the fourth consecutive year, the Committee finds itself confronted with a sizable request for supplemental appropriations for the Department of Defense. The requirement for supplemental funds this year is due to the substantial movement of forces to the Persian Gulf region from November 1997–March 1998 (in response to Iraq's refusal to comply with United Nations' mandates regarding arms inspections); the President's decision to extend U.S. participation in the NATO-led peacekeeping effort in Bosnia beyond the previously-planned end date of June 1998; and severe storm damage incurred over the past six months at a number of DoD installations.

The Committee applauds the professionalism and courage of the men and women of our armed forces who are skillfully carrying out operations in Southwest Asia and Bosnia. These missions have been conducted while the overall size and resources of the U.S. military continue to decline, and they have contributed in no small degree to the continued high pace of U.S. military operational and personnel tempo which are at the highest peacetime levels in re-

cent history. These operations, and the performance of American forces, provide vivid testament that the post-Cold War era remains a volatile and dangerous period in which a well-trained and equipped U.S. military is essential.

In order to finance these deployments, the Department of Defense has been forced to use fiscal year 1998 funds originally intended for military pay and benefits, readiness training, facilities and equipment maintenance, and day-to-day base operations. If these funds are not replenished as proposed in the supplemental request, there will be an immediate detrimental impact on U.S. forces due to the shortage of funds for payrolls, personnel moves, training and other readiness related activities in the remaining months of this fiscal year.

In recent testimony before the Committee, the Secretary of Defense and the Vice Chairman of the Joint Chiefs of Staff described in graphic terms the difficulties which will ensue should supplemental appropriations not be provided. Planned exercises and training, equipment maintenance and spare parts replenishment for non-forward deployed units will be sharply reduced, with many units forced into "C–3" or "C–4" readiness status. The Committee believes it is imperative this be avoided, and therefore approves the majority of the supplemental request.

SUMMARY OF COMMITTEE RECOMMENDATIONS

The following describes the Committee's recommendations by category.

Bosnia.—The Committee recommends $486,900,000 for supporting operations in Bosnia, the requested amount, which will fund the deployment of U.S. forces past the previously scheduled withdrawal date of June 30, 1998, through the end of fiscal year 1998.

Southwest Asia.—The Committee recommends $1,312,400,000 for operations in Southwest Asia. This recommendation fully funds the supplemental request, with the exception of $50,000,000 requested for drawdown costs, which the Committee denies due to its belief these funds are not required given the current pace of operations in Southwest Asia.

Natural Disasters.—The Committee recommends a total of $174,932,000. This includes $105,747,000, as requested, for damage incurred by Typhoon Paka on Guam and from ice storms in the northeast United States. The Committee also recommends $69,185,000, as contingent emergency appropriations, for additional storm and flood damages due principally to the effects of El Nino storms. This differs from the supplemental request, which proposed $50,000,000 on a contingent emergency basis for a transfer account, from which funds would then be transferred to the military services as expenses from El Nino and other natural disasters were determined. The Committee notes the services have already documented expenses in excess of the amount requested, and sees no need to use an administrative mechanism, such as the transfer account, which would delay getting funds to those who need them. The Committee, therefore, recommends providing the full requirement of $69,185,000 directly into the appropriate service accounts.

Reserve Mobilization Income Insurance Fund.—The Committee recommends $37,000,000 in order to fully finance the remaining ob-

ligations of the Reserve Mobilization Income Insurance Fund. This program was established by Congress in fiscal year 1996 to help mitigate economic losses for Reservists when they are involuntarily called to active duty. However, from its inception numerous problems arose which risked the solvency of the fund, and in the fiscal year 1998 National Defense Authorization Act this program was terminated. Nonetheless, there are still outstanding financial obligations owed to Reservists who have been involuntarily called up in response to the operation in Bosnia, and the Committee's recommendation will permit payment of known outstanding requirements.

Classified Programs.—Recommended adjustments by the Committee to classified activities requested by the Administration are contained in a classified annex to this report.

The following table provides details of the supplemental appropriations in title I, chapter 2 of the bill, by relevant category and appropriations account:

FISCAL YEAR 1998 DEPARTMENT OF DEFENSE SUPPLEMENTAL

[In millions of dollars]

	Budget request	Committee recommendation
Contingency Operations:		
Military Personnel:		
Army	$184.0	$184.0
Navy	22.3	22.3
Marine Corps	5.1	5.1
Air Force	10.9	10.9
Navy Reserve	4.1	4.1
Total	226.4	226.4
Operation and maintenance:		
Overseas Contingency Operations Transfer Fund	1,621.9	1,829.9
Total, Contingency Operations	1,848.3	2,056.3
Natural Disasters:		
Operation and maintenance:		
Defense-Wide (contingent disaster fund)	50.0	0.0
Army	1.9	2.6
Navy	48.1	53.8
Marine Corps	0.0	26.8
Air Force	27.4	49.2
Defense-Wide	1.4	1.4
Army Reserve	0.7	0.7
Air Force Reserve	0.2	0.2
Army National Guard	0.2	5.9
Air National Guard	0.0	1.0
Total	129.8	141.6
Working Capital Funds:		
Navy Working Capital Fund	23.0	30.5
Defense-Wide Working Capital Fund	1.0	1.0
Total	24.0	31.5
Defense Health Program	1.9	1.9

FISCAL YEAR 1998 DEPARTMENT OF DEFENSE SUPPLEMENTAL—Continued

[In millions of dollars]

	Budget request	Committee recommendation
Total, Natural Disasters	155.7	174.9
Other Supplemental Appropriations:		
Reserve Mobilization Income Insurance	0.0	37.0
Grand Total	2,004.0	2,268.2

PERSIAN GULF BURDENSHARING

Since the successful conclusion of the Gulf War in 1991, the United States has been in the forefront of efforts to implement the terms of the Gulf War cease fire. The presence of U.S. forces in the Gulf has added to the stability and security of all countries in the region, as they confront the threat of aggressive intentions by Iraq coupled with its attempts to acquire weapons of mass destruction. The Committee firmly believes in the validity of the mission of these forces presently in the Gulf, as well as their continued deployment until such time that Iraq complies with the United Nations agreement regarding its weapons of mass destruction program.

This deployment, however, has been undertaken at a substantial cost, stretching both the capabilities of available U.S. forces and financial resources. The Committee is concerned that this strain will continue indefinitely unless measures are taken to increase support for our troops in the region. The Committee expects the Administration to undertake vigorous diplomatic initiatives to seek financial, in-kind, and other contributions from Gulf State allies, as well as other members of the world community, to share more fully in the costs of U.S. deployments in the Gulf region. The Committee acknowledges the existing contributions made by our allies, but also notes that the recent heightened operations demand a greater assumption of the financial burden by our partners. Therefore, the Committee recommends that the Administration undertake a comprehensive review of its burdensharing arrangements for operations in Southwest Asia. The Secretaries of State and Defense shall jointly submit a report to Congress not later than 60 days following enactment of this bill, describing the actions taken and the results of its efforts to more equitably share the burden of the common defense against the threat of weapons of mass destruction in the Gulf region.

BOSNIA WITHDRAWAL BENCHMARKS

In his certification to Congress that the continued presence of U.S. armed forces in Bosnia is required after June 1998, the President identified "concrete and achievable" benchmarks which, once accomplished, would establish the conditions under which implementation of the Dayton Accords could continue without the support of a NATO military force. The Committee wishes to be informed on a regular basis as to the progress made in achieving these benchmarks, and directs the Department of Defense, on be-

half of the executive branch, to submit a quarterly report to the Committees on Appropriations of the House and Senate detailing the progress made in each of the benchmark areas as defined in the President's report to Congress in response to Section 8132 of the Department of Defense Appropriations Act for Fiscal Year 1998. The first submission of this report is to occur no later than June 30, 1998, and every quarter thereafter, until the NATO force mission in Bosnia is complete.

BOSNIAN NATIONAL ELECTIONS

The national elections to be held in the Republic of Bosnia and Herzegovina in September 1998 will be a key indicator of the prospects for stable government in Bosnia and a self-sustaining peace in the region. Democratic elections held at all levels are crucial to establishing an environment for continued progress.

The Committee directs the Administration to submit a report to the Committees on Appropriations of the House and Senate not later than 30 days after the completion of national elections in Bosnia, detailing: (a) the results of the elections; (b) any evidence that the elections were conducted by means not in accordance with democratic norms; and (c) impediments faced in installing duly elected officials, if any.

FUTURE FORCE DEPLOYMENTS

The Committee is concerned about recent events in the Serbian province of Kosovo and the potential for future involvement of U.S. forces in that area. Recent statements by Administration officials raise the possibility that U.S. troops could be employed in Kosovo and U.S. force levels increased in the Former Yugoslav Republic of Macedonia. This suggests that policy options regarding the future commitment and deployment of U.S. forces are being weighed without the participation of Congress. While the recent violence in Kosovo is clearly a serious matter, the Committee expects any decisions altering the present deployment of the U.S. force in the Balkan region or in any other contingency operation will be made in full consultation with the Congress. It is not acceptable that these decisions, and the attendant financial implications which are the ultimate responsibility of Congress, occur without appropriate notification to and consultation with the Congress.

LOW LEVEL FLIGHT TRAINING

The Committee notes with concern the tragic accident near Aviano, Italy, which according to preliminary findings appears to have been the result of U.S. military personnel conducting flight operations in violation of established low level flight training procedures. The Committee is concerned that military flight crews may not be fully aware of the proper low level flight training procedures. The Committee directs that the Department of Defense take immediate action to advise all flight crews of proper low level flight training procedures, and strictly enforce compliance with these procedures.

CIVIL AIR PATROL

The Committee understands that the Air Force has initiated an effort to substantially revise the policies and procedures for funding the Civil Air Patrol. The Committee is concerned about the objectives of this effort as well as the possible consequences of such a revision. The Committee is further aware that this is a matter of some urgency since the Department of Defense program review, which is now underway, may be affected by the proposed changes. Therefore, the Committee directs the Air Force to discontinue efforts to implement changes to funding policies and procedures for the Civil Air Patrol. Concerns involving Civil Air Patrol accountability for, and use of, appropriated funds should be resolved under the 1991 Air Force-Civil Air Patrol Memorandum of Understanding.

GENERAL PROVISIONS—THIS CHAPTER

Section 201 of the General Provisions has been included which limits the availability of funds provided in this chapter to the current fiscal year unless otherwise specified.

Section 202 of the General Provisions has been included providing technical language regarding obligation of funds in this bill for intelligence-related programs.

Section 203 of the General Provisions has been included which appropriates funds for the Reserve Mobilization Income Insurance Fund for additional personnel costs.

Section 204 of the General Provisions has been included which establishes an independent panel to evaluate the quality of health care initiatives begun by the Department of Defense.

MILITARY HEALTH CARE QUALITY ASSURANCE COMMISSION

A high quality military health care delivery system is critically important to maintaining a fit, capable military force that is ready to fight and has high morale. Improving this system is a major challenge in the face of declining budgets, higher medical costs, and the transformation that has occurred within the entire U.S. health care industry. Recently, several system weaknesses have been brought to the Committee's attention calling into question the quality of care being provided by the Military Health Services System. In response, the Department acknowledged many of the alleged shortcomings and has undertaken a 13-point corrective program known as the Access and Quality Improvement Initiative. The Committee believes the issues that have been raised are significant and must be addressed fully and completely in order to retain the full confidence and trust in the military health care system.

The Committee has included Section 204 in the General Provisions, requiring the Secretary of Defense to establish an independent panel of experts to assess the corrective measures taken by the Department and make any recommendations it deems appropriate. This panel shall be composed of nine members appointed by the Secretary. Five members shall be persons of national reputation in the medical community who have no current affiliation with the Department of Defense and who possess experience in setting health care standards. The remaining members shall be users of

the Military Health Services System representing each of the military services. The Committee urges the Secretary to ensure that the viewpoints of enlisted personnel are fully represented in the appointments of the panel. The Committee bill provides $5,000,000 for the Defense Health Program, to be derived by transfer from the fiscal year 1998 Navy research, development, test and evaluation account (Surface Combatant Combat System Engineering, TBMD/UYQ–70), to cover administrative expenses of the panel and to finance upgrades or improvements identified by the panel and concurred in by the Secretary.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

1998 appropriation to date	$1,740,025,000
1998 supplemental estimate	30,000,000
Committee recommendation	84,457,000

The recommendation includes funds for emergency needs identified subsequent to submission of the 1998 supplemental request by the Administration.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

1998 appropriation to date	$694,348,000
1998 supplemental estimate	2,340,000
Committee recommendation	4,520,000

The recommendation includes funds for emergency needs identified subsequent to submission of the 1998 supplemental request by the Administration.

CHAPTER 4

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

The Committee recommends $28,938,000 for construction instead of $28,688,000 as proposed by the Administration, of which $3,938,000 is to repair damages to the property and structures of the Guam National Wildlife Refuge resulting from Typhoon Paka; and $25,000,000, contingent on the Presidential declaration of an emergency, is to repair damage to National Wildlife Refuges, National Fish Hatcheries and other Fish and Wildlife Service properties and structures caused by the January 1998 ice storms in the northeastern United States, El Nino-related storms in California,

tornadoes in Florida and other natural disasters. The funds are needed for debris cleanup, recreation facility restoration, demolition of unsafe buildings, habitat restoration and road repair. The additional $250,000 above the Administration's request recommended by the Committee is for the Guam NWR.

NATIONAL PARK SERVICE

CONSTRUCTION

The Committee recommends $8,500,000 for construction, contingent on the Presidential declaration of an emergency, to repair damages to National Park property and structures caused by the January 1998 ice storms in the northeastern United States, El Nino-related storms in California, tornadoes in Florida and other natural disasters. The funds are needed for debris cleanup, recreation facility restoration, demolition of unsafe buildings, habitat restoration and road repair.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

The Committee recommends $1,000,000 for surveys, investigations, and research, contingent on the Presidential declaration of an emergency, to repair damages to United States Geological Survey facilities and monitoring equipment, and for other emergency activities related to the January 1998 ice storms in the northeastern United States, El Nino-related storms in California, tornadoes in Florida and other natural disasters.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

The Committee recommends $48,000,000 for State and private forestry, of which $28,000,000 is contingent on the Presidential declaration of an emergency, to repair damages caused by the January 1998 ice storms in the northeastern United States. The funds are needed for assisting with disaster relief efforts for forest resources on State, local government and private lands including cleanup and replacement of trees, trail and road clearing, maple sugar operation assistance, and technical assistance to assess damage and develop recovery and stewardship plans.

NATIONAL FOREST SYSTEM

The Committee recommends $10,461,000 for the National forest system, of which $5,461,000 is contingent on the Presidential declaration of an emergency, to repair damages caused by the January 1998 ice storms in the northeastern United States, and by extreme winds in October 1997 which damaged about 20,000 acres of timber and recreation areas, mostly within the Mount Zirkle wilderness area of the Routt National Forest in Colorado.

In addition, the Committee notes the severe damage incurred by the Daniel Boone National Forest in Kentucky as a result of a devastating February snow storm. Over 1,100 miles of trails and roads, recreation and wildlife areas require critical cleanup funds, and the Committee expects $461,000 provided in this section to be used for these purposes.

CHAPTER 5

DEPARTMENT OF DEFENSE—MILITARY CONSTRUCTION

The Committee recommends appropriations totaling $20,020,000 in new budget authority solely to cover costs arising from El Nino and Typhoon Paka related damage, as follows:

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III

The Committee recommends $1,020,000 for repairs to the ongoing project to provide an Aircraft Parking Apron at Camp Pendleton Marine Corps Air Station, California, for replacement of a protective berm surrounding the fuel farm facility, which was damaged as a result of El Nino. This funding was requested under "Operation and Maintenance, Defense-wide", as a contingent emergency.

Guam.—The Committee understands that the Government of Guam contends that the costs of repairs to certain typhoon-damaged BRACC properties are the responsibility of the U.S. Navy, but that the U.S. Navy does not concur. Accordingly the Committee is not providing funding for this purpose. If, based on further discussions, the U.S. Navy and the Government of Guam agree that certain of these expenses are appropriate U.S. Navy expenses, the Committee would entertain a request for funds in the fiscal year 1999 appropriations bill.

FAMILY HOUSING, NAVY AND MARINE CORPS

The Committee recommends $15,600,000, as requested, for repair of family housing units, fences, damaged landscaping, and debris removal at Naval Station Marianas, Guam, as a result of Typhoon Paka. In addition, the Committee recommends $1,000,000 for repair of foundation slabs, pipes, erosion, and family housing units in California, associated with damages from El Nino. This funding was requested under "Operation and Maintenance, Defense-wide", as a contingent emergency.

FAMILY HOUSING, AIR FORCE

The Committee recommends $1,500,000, as requested, for the repair of family housing units, debris removal, and replacement of furnishings at Andersen AFB, Guam, as a result of Typhoon Paka. In addition, the Committee recommends $900,000 for repair of family housing units at Vandenberg AFB, California, associated with damages from El Nino. This funding was requested under "Operation and Maintenance, Defense-wide", as a contingent emergency.

CHAPTER 6

DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

(HIGHWAY TRUST FUND)

The bill includes $259,000,000 in additional funds for the emergency relief program to repair highway damage resulting from recent floods in California and the northeastern United States and other natural disasters nationwide. Of the amount provided, $224,000,000 has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. The bill provides that the remaining $35,000,000 is available only if designated by the President as an emergency requirement. The bill includes a provision that allows emergency relief obligations to be incurred after May 1, 1998. The bill also includes a provision that lifts the cap of $100,000,000 for the state of California as a result of flooding caused by El Nino between the fall of 1997 through the winter of 1998.

FEDERAL RAILROAD ADMINISTRATION

EMERGENCY RAILROAD REHABILITATION AND REPAIR

The bill provides $9,000,000 for emergency expenses to repair and rebuild rail lines damaged as a result of floods in 1997 through the winter of 1998. Of this total, not more than $2,650,000 shall be for damage incurred in the Northern Plains States in March and April 1997 and not more than $6,350,000 shall be for damage incurred as a result of El Nino in the fall of 1997 through the winter of 1998. These funds should be awarded on a case-by-case basis at the discretion of the Secretary of Transportation. The Committee believes, however, that to the extent practicable, the Secretary should give priority consideration to publicly-owned trackage and rights-of-way.

TITLE II—RESCISSIONS

DEPARTMENT OF EDUCATION

BILINGUAL AND IMMIGRANT EDUCATION

(RESCISSION)

The bill includes a rescission of $75,000,000 for Bilingual Education programs authorized under title VII of the Elementary and Secondary Education Act. Overall, the funding level for this account will increase from $261,700,000 in fiscal year 1997 to $279,000,000 in fiscal year 1998 even if this rescission is adopted. Individual activities proposed for reduction are, as follows:

Instructional Services	−18,350,000
Support Services	−6,650,000
Professional Development	−20,000,000
Immigrant Education	−30,000,000

The Committee is aware that the Department of Education plans to obligate funds for this activity in the next several weeks. The Committee directs the Department to withhold obligation of the funds proposed for rescission under the same rules and procedures that would be in effect if the President had proposed the rescission. It is essential that discretion of the Congress to make funding decisions must be preserved.

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

The bill rescinds $610,000,000 in unused contract authority for grants-in-aid for airports. These funds are in excess of the annual obligation limitations placed on the program by the fiscal year 1998 Department of Transportation and Related Agencies Appropriations Act, as amended by this Act, and are therefore not available for obligation for fiscal year 1998.

GRANTS-IN-AID FOR AIRPORTS

(LIMITATION ON OBLIGATIONS)

The bill reduces the fiscal year 1998 obligation limitation for grants-in-aid for airports by $275,000,000. This reduction will result in a final funding level for fiscal year 1998 of $1,425,000,000.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

SECTION 8 RESERVE PRESERVATION ACCOUNT

(RESCISSION)

The Committee recommends a rescission of $1,930,000,000 in unobligated and unexpected section 8 reserves. These funds have become available as HUD has reviewed its financial systems. Furthermore, the funds are unnecessary to renew section 8 certificates, vouchers or contracts during FY 1998.

INDEPENDENT AGENCY

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(RESCISSION)

The bill rescinds $250,000,000 in funds made available in Public Law 105–65 for the Corporation for National and Community Service.

TITLE III—GENERAL PROVISIONS

Section 3002 prohibits the use of funds in the bill for offensive operations against Iraq in order to obtain compliance with UN Security Council Resolutions relating to the inspection and destruction of weapons of mass destruction unless such operations are authorized by law.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3 of rule XXI of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law.

Language has been included under title I, chapter 2, Department of Defense-Military, to include a number of provisions which makes portions of the appropriations subject to enactment upon receipt of an official budget request by the President to the Congress.

Language has been included under title I, chapter 2, Department of Defense-Military, to add the Defense Health Program, Procurement, and Research, Development, Test and Evaluation appropriations to the "Overseas Contingency Operations Transfer Fund".

Language has been included under title I, chapter 2, Department of Defense-Military, a new appropriations paragraph, "Navy Working Capital Fund", which provides funds for hurricane and flood damages.

Language has been included under title I, chapter 2, Department of Defense-Military, a new appropriations paragraph, "Defense-Wide Working Capital Fund", which provides funds for hurricane damages.

Language has been included (Section 201) under title I, chapter 2, Department of Defense-Military, which limits the availability of funds provided in this chapter to the current fiscal year unless otherwise specified.

Language has been included (Section 202) under title I, chapter 2, Department of Defense-Military, concerning funds for intelligence-related programs.

Language has been included (Section 203) under title I, chapter 2, Department of Defense-Military, which appropriates additional funds for the Reserve Mobilization Income Insurance Fund for personnel costs related to operations in Bosnia.

Language has been included (Section 204) under title I, chapter 2, Department of Defense-Military, which establishes an independent panel to evaluate the quality of health care initiatives begun by the Department of Defense.

Language has been included under Federal Highway Administration, Federal-aid highways that allows emergency relief obligations to be incurred after May 1, 1998.

Language has been included that lifts the emergency relief cap of $100,000,000 for the State of California.

Language has been included in Title III that would prohibit the use of funds in the bill for offensive operations against Iraq in order to obtain compliance with UN Security Council Resolutions relating to the inspection and destruction of weapons of mass destruction unless such operations are authorized by law.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3 of rule XXI of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law:

DEPARTMENT OF AGRICULTURE

Tree Assistance Program
Livestock Disaster Assistance Program
Dairy Production Indemnity Assistance Program

DEPARTMENT OF DEFENSE—MILITARY

Military Personnel, Army
Military Personnel, Navy
Military Personnel, Marine Corps
Military Personnel, Air Force
Military Personnel, Navy Reserve
Operation and Maintenance, Army
Operation and Maintenance, Navy
Operation and Maintenance, Marine Corps
Operation and Maintenance, Air Force
Operation and Maintenance, Defense-Wide
Operation and Maintenance, Army Reserve
Operation and Maintenance, Air Force Reserve
Operation and Maintenance, Army National Guard
Operation and Maintenance, Air National Guard
Overseas Contingency Operations Transfer Fund
Navy Working Capital Fund
Defense-Wide Working Capital Fund
Defense Health Program
General Provisions, Section 203

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration, Emergency Railroad Rehabilitation and Repair

TRANSFER OF FUNDS

Pursuant to clause 1(b) of rule X of the Rules of the House of Representatives, the following is submitted describing the transfer of funds provided in the accompanying bill.

The following table shows the appropriations affected by the transfers:

Appropriations to which transfer is made	Amount	Appropriations from which transfer is made	Amount
Department of Defense—Military Defense Health Program.	$5,000,000	Research, Development, Test and Evaluation, Navy.	$5,000,000

RESCISSIONS

Pursuant to clause 1(b) of rule X of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Rescissions recommended in the bill

Department and activity	*Amounts recommended for rescission*
Department of Education: Bilingual and Immigrant Education	$75,000,000
Department of Transportation: Federal Aviation Administration, Grants-in-Aid for Airports (Airport and Airways Trust Fund)	610,000,000
Department of Housing and Urban Development: Public and Indian Housing, Section 8 Reserve Preservation Account	1,930,000,000
Corporation for National and Community Service, National and Community Service Programs Operating Expenses	250,000,000

COMPARISON WITH THE BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, requires that the report accompanying a bill providing new budget authority contain a statement detailing how that authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. All budget authority provided in the accompanying bill is designated emergency funding requirements under the procedures set forth in section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and are exempt from the Committee's section 302(a) allocation. However, the bill includes rescissions in excess of the amount of emergency funding in the bill, so it is offset entirely in budget authority.

FIVE-YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

[In thousands]

Budget Authority	−1
Outlays:	
Fiscal year 1998	593
Fiscal year 1999	1,388
Fiscal year 2000	−1,636
Fiscal year 2001	−4
Fiscal year 2002 and future years	−6

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, the financial assistance to State and local governments is as follows:

[In millions]

New budget authority	−726
Fiscal year 1998 outlays resulting therefrom	−35

CONSTITUTIONAL AUTHORITY

Clause 2(l)(4) of rule XI of the Rules of the House of Representatives states that:

> Each report of a committee on a bill or joint resolution of a public character, shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America which states:

> No money shall be drawn from the Treasury but in consequence of Appropriations made by law * * *

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 1

Date: March 24, 1998.

Measure: Making Emergency Supplemental Appropriations for Fiscal Year 1998.

Motion by: Mr. Livingston.

Description of Motion: To provide rescissions to fully offset the budget authority in the bill.

Results: Adopted 33 yeas to 26 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Cramer
Mr. Bonilla	Ms. DeLauro
Mr. Callahan	Mr. Dicks
Mr. Cunningham	Mr. Dixon
Mr. DeLay	Mr. Edwards
Mr. Dickey	Mr. Fazio
Mr. Forbes	Mr. Hefner
Mr. Frelinghuysen	Mr. Hoyer
Mr. Hobson	Miss Kaptur
Mr. Istook	Mrs. Lowey
Mr. Knollenberg	Mrs. Meek
Mr. Kolbe	Mr. Mollohan
Mr. Latham	Mr. Moran
Mr. Lewis	Mr. Murtha
Mr. Livingston	Mr. Obey
Mr. McDade	Mr. Olver
Mr. Miller	Mr. Pastor
Mr. Nethercutt	Ms. Pelosi
Mr. Neumann	Mr. Price
Mrs. Northup	Mr. Sabo
Mr. Packard	Mr. Serrano
Mr. Parker	Mr. Skaggs
Mr. Porter	Mr. Stokes
Mr. Regula	Mr. Torres
Mr. Rogers	Mr. Visclosky
Mr. Skeen	Mr. Yates
Mr. Taylor	
Mr. Tiahrt	
Mr. Walsh	
Mr. Wamp	
Mr. Wicker	
Mr. Wolf	
Mr. Young	

ROLLCALL NO. 2

Date: March 24, 1998.

Measure: Making Emergency Supplemental Appropriations for Fiscal year 1998.

Motion by: Mr. Obey.

Description of Motion: To include the text of the 1998 Supplemental and Rescissions Bill in this bill.

Results: Rejected 25 yeas to 31 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Cramer	Mr. Aderholt
Ms. DeLauro	Mr. Bonilla
Mr. Dixon	Mr. Callahan
Mr. Edwards	Mr. Cunningham
Mr. Fazio	Mr. DeLay
Mr. Hefner	Mr. Dickey
Mr. Hoyer	Mr. Forbes
Miss Kaptur	Mr. Frelinghuysen
Mrs. Lowey	Mr. Hobson
Mrs. Meek	Mr. Istook
Mr. Mollohan	Mr. Knollenberg
Mr. Moran	Mr. Kolbe
Mr. Murtha	Mr. Latham
Mr. Obey	Mr. Lewis
Mr. Olver	Mr. Livingston
Mr. Pastor	Mr. McDade
Ms. Pelosi	Mr. Miller
Mr. Price	Mr. Neumann
Mr. Sabo	Mrs. Northup
Mr. Serrano	Mr. Packard
Mr. Skaggs	Mr. Parker
Mr. Stokes	Mr. Porter
Mr. Torres	Mr. Regula
Mr. Visclosky	Mr. Rogers
Mr. Yates	Mr. Skeen
	Mr. Taylor
	Mr. Walsh
	Mr. Wamp
	Mr. Wicker
	Mr. Wolf
	Mr. Young

ROLLCALL NO. 3

Date: March 24, 1998.

Measure: Making Emergency Supplemental Appropriations for Fiscal Year 1998.

Motion by: Mr. Stokes.

Description of Motion: To provide $1.632 billion for Disaster Relief administered by the Federal Emergency Management Agency.

Results: Rejected 22 yeas to 33 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Cramer	Mr. Aderholt
Ms. DeLauro	Mr. Bonilla
Mr. Dixon	Mr. Callahan
Mr. Edwards	Mr. Cunningham
Mr. Fazio	Mr. DeLay
Mr. Hoyer	Mr. Dickey
Mrs. Lowey	Mr. Forbes
Mrs. Meek	Mr. Frelinghuysen
Mr. Mollohan	Mr. Hobson
Mr. Moran	Mr. Istook
Mr. Murtha	Mr. Knollenberg
Mr. Obey	Mr. Kolbe
Mr. Olver	Mr. Latham
Mr. Pastor	Mr. Lewis
Ms. Pelosi	Mr. Livingston
Mr. Price	Mr. McDade
Mr. Sabo	Mr. Miller
Mr. Serrano	Mr. Nethercutt
Mr. Skaggs	Mr. Neumann
Mr. Stokes	Mrs. Northup
Mr. Torres	Mr. Packard
Mr. Visclosky	Mr. Parker
	Mr. Porter
	Mr. Regula
	Mr. Rogers
	Mr. Skeen
	Mr. Taylor
	Mr. Tiahrt
	Mr. Walsh
	Mr. Wamp
	Mr. Wicker
	Mr. Wolf
	Mr. Young

ROLLCALL NO. 4

Date: March 24, 1998.

Measure: Making Emergency Supplemental Appropriations for Fiscal Year 1998.

Motion by: Mr. Young.

Description of Motion: That the bill be reported and the Chairman be authorized to move that the Committee agreed to a conference requested by the Senate.

Results: Adopted 29 yeas to 21 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Cramer
Mr. Bonilla	Ms. DeLauro
Mr. Cunningham	Mr. Dixon
Mr. DeLay	Mr. Edwards
Mr. Dickey	Mr. Hoyer
Mr. Forbes	Miss Kaptur
Mr. Frelinghuysen	Mrs. Lowey
Mr. Hobson	Mrs. Meek
Mr. Istook	Mr. Mollohan
Mr. Knollenberg	Mr. Murtha
Mr. Kolbe	Mr. Obey
Mr. Latham	Mr. Olver
Mr. Lewis	Mr. Pastor
Mr. Livingston	Ms. Pelosi
Mr. Miller	Mr. Price
Mr. Nethercutt	Mr. Sabo
Mr. Neumann	Mr. Serrano
Mrs. Northup	Mr. Skaggs
Mr. Packard	Mr. Stokes
Mr. Parker	Mr. Torres
Mr. Porter	Mr. Visclosky
Mr. Regula	
Mr. Rogers	
Mr. Skeen	
Mr. Tiahrt	
Mr. Walsh	
Mr. Wamp	
Mr. Wolf	
Mr. Young	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL

H. Doc.	Department or activity (1)	Budget estimates (2)	Recommended in the bill (3)	Bill compared with estimates (4)
	FY 1998 EMERGENCY SUPPLEMENTAL APPROPRIATIONS			
	TITLE I - EMERGENCY APPROPRIATIONS			
	CHAPTER 1			
	DEPARTMENT OF AGRICULTURE			
	Farm Service Agency			
104-220	Emergency conservation program (contingent emergency appropriations)	20,000,000	20,000,000	.....
.....	Tree assistance program (contingent emergency appropriations)	.....	4,700,000	+4,700,000
	Agricultural Credit Insurance Fund Program Account:			
	Emergency insured loans:			
104-220	(Loan authorization)	(87,000,000)	(87,000,000)	.....
104-220	Loan subsidy (emergency appropriations)	6,000,000	.....	-6,000,000
104-220	Contingent emergency appropriations	15,000,000	21,000,000	+6,000,000
	Total, Agricultural Credit Insurance Fund Program Account	21,000,000	21,000,000	.....
	Total, Farm Service Agency	41,000,000	45,700,000	+4,700,000
	Commodity Credit Corporation Fund			
104-220	Dairy and livestock disaster assistance program (emergency appropriations)	4,000,000	.....	-4,000,000
.....	Livestock disaster assistance fund (contingent emergency appropriations)	.....	4,000,000	+4,000,000

.....	Dairy production indemnity assistance program (contingent emergency appropriations)	.....	6,800,000	+6,800,000
	Total, Commodity Credit Corporation	4,000,000	10,800,000	+6,800,000
	Natural Resources Conservation Service			
104-220	Watershed and flood prevention operations (emergency appropriations)	5,000,000	.....	-5,000,000
104-220	Contingent emergency appropriations	35,000,000	65,000,000	+30,000,000
	Total, Natural Resources Conservation Service	40,000,000	65,000,000	+25,000,000
	Total, Chapter 1:			
	New budget (obligational) authority	85,000,000	121,500,000	+36,500,000
	Emergency appropriations	(15,000,000)	.....	(-15,000,000)
	Contingent emergency appropriations	(70,000,000)	(121,500,000)	(+51,500,000)
	(Loan authorization)	(87,000,000)	(87,000,000)	.....
	CHAPTER 2			
	DEPARTMENT OF DEFENSE - MILITARY			
	Military Personnel			
104-220	Military personnel, Army (emergency appropriations)	184,000,000	184,000,000	.....
104-220	Military personnel, Navy (emergency appropriations)	22,300,000	22,300,000	.....
104-220	Military personnel, Marine Corps (emergency appropriations)	5,100,000	5,100,000	.....
104-220	Military personnel, Air Force (emergency appropriations)	10,900,000	10,900,000	.....
104-220	Reserve personnel, Navy (emergency appropriations)	4,100,000	4,100,000	.....
	Total, Military personnel	226,400,000	226,400,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

H. Doc.	Department or activity (1)	Budget estimates (2)	Recommended in the bill (3)	Bill compared with estimates (4)
	Operation and Maintenance			
104-220	Operation and maintenance, Army (emergency appropriations)	1,886,000	1,886,000	.....
.....	Contingent emergency appropriations	.....	700,000	+700,000
104-220	Operation and maintenance, Navy (emergency appropriations)	48,100,000	48,100,000	.....
.....	Contingent emergency appropriations	.....	5,700,000	+5,700,000
.....	Operation and maintenance, Marine Corps (contingent emergency appropriations)	.....	26,810,000	+26,810,000
104-220	Operation and maintenance, Air Force (emergency appropriations)	27,400,000	27,400,000	.....
.....	Contingent emergency appropriations	.....	21,800,000	+21,800,000
104-220	Operation and maintenance, Defense-wide (emergency appropriations)	1,390,000	1,390,000	.....
104-220	Contingent emergency appropriations	50,000,000	.....	-50,000,000
104-220	Operation and maintenance, Army Reserve (emergency appropriations)	650,000	650,000	.....
104-220	Operation and maintenance, Air Force Reserve (emergency appropriations)	229,000	229,000	.....
104-220	Operation and maintenance, Army National Guard (emergency appropriations)	175,000	175,000	.....
.....	Contingent emergency appropriations	.....	5,750,000	+5,750,000
.....	Operations and maintenance, Air National Guard (contingent emergency appropriations)	.....	975,000	+975,000

104-220	Overseas contingency operations transfer fund (emergency appropriations)	1,621,900,000	1,829,900,000	+208,000,000
	Total, Operation and maintenance	1,751,730,000	1,971,465,000	+219,735,000
	Emergency appropriations	(1,701,730,000)	(1,909,730,000)	(+208,000,000)
	Contingent emergency appropriations	(50,000,000)	(61,735,000)	(+11,735,000)
	Revolving and Management Funds			
104-220	Navy working capital fund (emergency appropriations)	23,017,000	23,017,000	.....
.....	Contingent emergency appropriations	.....	7,450,000	+7,450,000
104-220	Defense-wide working capital fund (emergency appropriations)	1,000,000	1,000,000	.....
	Total, Revolving and management funds	24,017,000	31,467,000	+7,450,000
	Other Department of Defense Programs			
	Defense Health Program:			
104-220	Operation and maintenance (emergency appropriations)	1,900,000	1,900,000	.....
.....	(By transfer) (sec. 204(f))	.....	(5,000,000)	(+5,000,000)
	General Provisions			
.....	Reserve mobilization income insurance fund (contingent emergency appropriations) (sec. 203)	.....	37,000,000	+37,000,000
	Total, Chapter 2:			
	New budget (obligational) authority	2,004,047,000	2,268,232,000	+264,185,000
	Emergency appropriations	(1,954,047,000)	(2,162,047,000)	(+208,000,000)
	Contingent emergency appropriations	(50,000,000)	(106,185,000)	(+56,185,000)
	(By transfer)	.....	(5,000,000)	(+5,000,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

H. Doc.	Department or activity (1)	Budget estimates (2)	Recommended in the bill (3)	Bill compared with estimates (4)
	CHAPTER 3			
	DEPARTMENT OF DEFENSE - CIVIL			
	DEPARTMENT OF THE ARMY			
	Corps of Engineers - Civil			
104-220	Operation and maintenance, general (contingent emergency appropriations)	25,000,000	84,457,000	+59,457,000
104-220	(By transfer) (contingent emergency appropriations)	(5,000,000)	.....	(-5,000,000)
	DEPARTMENT OF THE INTERIOR			
	Bureau of Reclamation			
104-220	Water and related resources (contingent emergency appropriations)	2,340,000	4,520,000	+2,180,000
	Total, Chapter 3:			
	New budget (obligational) authority	27,340,000	88,977,000	+61,637,000
	(By transfer) (contingent emergency appropriations)	(5,000,000)	.....	(-5,000,000)
	CHAPTER 4			
	DEPARTMENT OF THE INTERIOR			
	United States Fish and Wildlife Service			
104-216	Construction (emergency appropriations)	3,688,000	3,938,000	+250,000
104-220	Contingent emergency appropriations	25,000,000	25,000,000	.....
	National Park Service			
104-220	Construction (contingent emergency appropriations)	8,500,000	8,500,000	.....

	United States Geological Service			
104-220	Surveys, investigations, and research (contingent emergency appropriations)	1,000,000	1,000,000	.....
	Total, Department of the Interior	38,188,000	38,438,000	+250,000
	DEPARTMENT OF AGRICULTURE			
	Forest Service			
104-220	State and private forestry (emergency appropriations)	20,000,000	20,000,000	.....
104-220	Contingent emergency appropriations	28,000,000	28,000,000	.....
104-220	National forest system (emergency appropriations)	5,000,000	5,000,000	.....
104-220	Contingent emergency appropriations	5,000,000	5,461,000	+461,000
	Total, Forest Service	58,000,000	58,461,000	+461,000
	Total, Chapter 4:			
	New budget (obligational) authority	96,188,000	96,899,000	+711,000
	Emergency appropriations	(28,688,000)	(28,938,000)	(+250,000)
	Contingent emergency appropriations	(67,500,000)	(67,961,000)	(+461,000)
	CHAPTER 5			
	DEPARTMENT OF DEFENSE - MILITARY			
.....	Base realignment and closure account, Part III (contingent emergency appropriations)	.....	1,020,000	+1,020,000
	Family Housing			
104-220	Family housing, Navy and Marine Corps (emergency appropriations)	15,600,000	15,600,000	.....
.....	Contingent emergency appropriations	.....	1,000,000	+1,000,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

H. Doc.	Department or activity (1)	Budget estimates (2)	Recommended in the bill (3)	Bill compared with estimates (4)
104-220	Family housing, Air Force (emergency appropriations)	1,500,000	1,500,000	.....
.....	Contingent emergency appropriations	.....	900,000	+900,000
	Total, Family housing	17,100,000	19,000,000	+1,900,000
	Total, Chapter 5:			
	New budget (obligational) authority	17,100,000	20,020,000	+2,920,000
	Emergency appropriations	(17,100,000)	(17,100,000)	.....
	Contingent emergency appropriations	.....	(2,920,000)	(+2,920,000)
	CHAPTER 6			
	DEPARTMENT OF TRANSPORTATION			
	Federal Highway Administration			
	Federal-aid highways (Highway Trust Fund):			
104-220	Emergency relief program (emergency appropriations)	224,000,000	224,000,000	.....
104-220	Contingent emergency appropriations	35,000,000	35,000,000	.....
	Total, Federal Highway Administration	259,000,000	259,000,000	.....
	Federal Railroad Administration			
.....	Emergency railroad rehabilitation and repair (contingent emergency appropriations)	.....	9,000,000	+9,000,000

	Total, Chapter 6:			
	New budget (obligational) authority	259,000,000	268,000,000	+9,000,000
	Emergency appropriations	(224,000,000)	(224,000,000)	.....
	Contingent emergency appropriations	(35,000,000)	(44,000,000)	(+9,000,000)
	Total, title I:			
	New budget (obligational) authority	2,488,675,000	2,863,628,000	+374,953,000
	Emergency appropriations	(2,238,835,000)	(2,432,085,000)	(+193,250,000)
	Contingent emergency appropriations	(249,840,000)	(431,543,000)	(+181,703,000)
	(By transfer)	.....	(5,000,000)	(+5,000,000)
	(By transfer) (contingent emergency appropriations)	(5,000,000)	.....	(-5,000,000)
	(Loan authorization)	(87,000,000)	(87,000,000)	.....
	TITLE II - RESCISSIONS			
	DEPARTMENT OF EDUCATION			
.....	Bilingual and immigrant education (rescission)	.....	-75,000,000	-75,000,000
	DEPARTMENT TRANSPORTATION			
	Federal Aviation Administration			
	Grants-in-aid for airports (Airport and Airway Trust Fund):			
.....	Rescission of contract authorization	.....	-610,000,000	-610,000,000
.....	(Limitation on obligations)	.....	(1,425,000,000)	(+1,425,000,000)
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
	Public and Indian Housing			
.....	Section 8 reserve preservation account (rescission)	.....	-1,930,000,000	-1,930,000,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

H. Doc.	Department or activity (1)	Budget estimates (2)	Recommended in the bill (3)	Bill compared with estimates (4)
	INDEPENDENT AGENCY			
	Corporation for National and Community Service			
	National and community service programs operating expenses			
.....	(rescission)	.....	-250,000,000	-250,000,000
	Total, title II:			
	New budget (obligational) authority	.....	-2,865,000,000	-2,865,000,000
	Rescissions	.....	(-2,255,000,000)	(-2,255,000,000)
	Rescission of contract authorization	.....	(-610,000,000)	(-610,000,000)
	(Limitation on obligations)	.....	(1,425,000,000)	(+1,425,000,000)
	Grand total:			
	New budget (obligational) authority	2,488,675,000	-1,372,000	-2,490,047,000
	Emergency appropriations	(2,238,835,000)	(2,432,085,000)	(+193,250,000)
	Contingent emergency appropriations	(249,840,000)	(431,543,000)	(+181,703,000)
	Rescissions	.....	(-2,255,000,000)	(-2,255,000,000)
	Rescission of contract authorization	.....	(-610,000,000)	(-610,000,000)
	(By transfer)	.....	(5,000,000)	(+5,000,000)
	(By transfer) (contingent emergency appropriations)	(5,000,000)	.....	(-5,000,000)
	(Limitation on obligations)	.....	(1,425,000,000)	(+1,425,000,000)
	(Loan authorization)	(87,000,000)	(87,000,000)	.....

RECAP			
Gross emergency appropriations	2,488,675,000	2,863,628,000	+374,953,000
Defense	(2,021,147,000)	(2,288,252,000)	(+267,105,000)
Non-defense	(467,528,000)	(575,376,000)	(+107,848,000)
Non-defense rescissions	.....	-2,865,000,000	-2,865,000,000

DISSENTING VIEWS OF THE HON. DAVID OBEY

I strongly support the provisions of the bill providing emergency supplemental appropriations for disaster assistance and for costs associated with the vital missions our armed forces are undertaking in Bosian and the Persian Gulf.

However, I must vigorously dissent from the "offset" provisions of the bill; provisions which I understand were added at the last minutes on the orders of the Majority leadership against the best judgment of the leadership of the committee. These offsets jeopardize housing assistance for more than 800,000 people (many of whom are elderly or disabled), disrupt funding to state and local governments for badly needed airport improvements, virtually shut down the AmeriCorps national service program, and make major cuts in bilingual education.

These harmful rescissions are unnecessary under the budget rules, which allow emergency appropriations to proceed without offsets. Further, the Majority relies entirely on cuts on domestic spending to offset defense as well as domestic emergencies—thereby breaching the "firewalls" between the two categories enacted into law last year.

These offsets are strongly opposed by the President. The Senate included no such offsets in its version of the bill, and shows no sign of changing its mind on the subject. Therefore, the decision of the Republican leadership to inject this new and divisive issue into the emergency appropriations bill will only slow down the legislation and complicate its passage. The cost of appeasing the faction in the Republican party demanding more cuts in domestic priorities is to delay the funds our troops in the field need to operate and our citizens at home need to help recover from natural disasters.

The bill is also deficient because it does not include the $1.6 billion requested by the President to replenish the Federal Emergency Management Administration (FEMA) disaster relief account. This money—which represents an acceleration of funds previously requested for FY 1999—is needed to make sure that FEMA has enough resources on hand to meet the needs caused by disasters that have already occurred and any further disasters that may still occur before the fiscal year is over. The supplemental appropriation is needed to make sure that FEMA does not find itself out of money before the end of FY 1998. There is no justification for the Majority's failure to include this item in the bill reported by the committee.

Jeopardizing section 8 housing assistance

Fully two thirds of the proposed offsets come from rescinding $1.9 billion in reserves from the section 8 housing assistance program. This rescission, if allowed to stand, puts more than 800,000 people helped by that program in jeopardy of losing their homes.

Section 8 is our largest rental assistance program. It helps make housing affordable for 2.8 million households, containing more than six million people. Under the program, residents generally pay 30 percent of their income for rent, and HUD provides a subsidy to the landlord to make up the difference between the resident's payment and the "fair market rent".

Of the 2.8 million households assisted by section 8, almost one third are elderly, and another 11 percent are disabled. Most of the rest are families with children. The median household income of section 8 residents is just over $7,500 per year.

The reserves being rescinded are designated in the HUD budget to help offset the cost of renewing section 8 assistance contracts that are coming due in FY 1999. Renewing these contracts will cost $10.8 billion in budget authority. This amount is needed just to keep the program level, not to increase the number of people assisted.

The $1.9 billion rescission would take away close to 20 percent of the amount needed to renew section 8 contracts next year. Unless this money can be found somewhere else, the rescission means contracts for almost 20 percent of the units coming up for renewal in 1999 cannot be renewed. That, in turn, means that more than 360,000 households with more than 800,000 people lose their housing assistance. They will be faced with paying large rent increases to keep their homes.

Supporters of this rescission tell us not to worry, that enough money will be found somewhere to renew all section 8 contracts expiring in 1999. Where will that money come from? From elsewhere in the federal housing budget? That's truly a case of robbing Peter to pay Paul. What other housing and community development programs would be cut to keep section 8 whole—homeless assistance, the community development block grant (CDBG), the HOME block grant, housing for the elderly and disabled? However, the money is reshuffled, its hard to see how this rescission can avoid harming people and communities with truly urgent needs for our assistance.

Cutting bilingual and immigrant education

More than 3 million children with limited English proficiency in this country need some type of special instruction designed to teach them English and prepare them to enter all-English classrooms. These children come to our schools with different degrees of proficiency in English, at different ages, and with different levels of educational achievement. A single instructional model will not address all of their needs. The goal of federally-supported bilingual education programs is to help children to learn English and achieve to the same high standards as all other students, using a variety of approaches that are centered on the needs of children.

Local governments should not be saddled with the financial consequences of the Federal Government's decision to allow immigrants and refugees to enter America. The Federal Government should not run from its responsibilities.

Last year's Labor-HHS-Education Appropriations Bill, and the Balanced Budget Agreement that designated Bilingual and Immigrant Education as a protected, priority program, recognized the additional financial burden faced by schools that have dispropor-

tionate numbers of students with limited English proficiency. This bill breaks those bipartisan agreements reached less than a year ago by cutting fiscal year 1998 funds for Bilingual and Immigrant Education by $75 million or 21 percent.

These cuts will hurt more than 400,000 children who need the special help that the Bilingual and Immigrant Education program provides, and they will disproportionately hurt schools in states that have large or significant increases in populations of limited English proficient students—including California, New York, Texas, Arizona, Florida, Illinois, New Mexico, Oklahoma and Washington.

The arguments advanced by the Majority that bilingual education programs are ineffective are simply not accurate. For example, the National Research Council just released a recent report, Preventing Reading Difficulties in Young Children, that concluded that teaching limited English proficient students in their native languages is an effective instructional method to teach them to read. These programs are successful and are needed. We have only to look at a few examples to know that many schools are making good use of these funds:

Project Mariposa at the Ysleta Independent School District in Texas has been so successful in its two-way bilingual education program, which develops proficiency in both English and Spanish, that the board of trustees and superintendent changed the district's vision statement to read, "all students who enroll in our schools will graduate from high school fully bilingual and prepared to enter a four-year college or university." Ysleta has succeeded in boosting the passing rates for all students in the district on statewide reading and math exams from 26 percent to 55 percent over the past three years.

Project Wolf at White Oak Public Schools in Oklahoma has produced dramatic gains in scores on the Iowa Test of Basic Skills. One class of third graders had ranked so low on these tests for two years that the state education agency was poised to intervene. However, the project succeeded in raising scores of these students to the 60th percentile on this nationally normed test, eliminating the need for intervention.

Project Access at San Dieguito Union High School District in Encinitas, California serves 120 limited English proficient students in grades 7–12. Approximately 75 percent of the formerly limited English proficient students who graduated from high school will be attending college. Despite exceedingly high drop out rates for limited English proficient students nationally, the LEP drop out rate among such students at Torrey Pines was only 1 percent during the last two years.

The cuts advanced by the Majority are not only unfair, but they are also untimely. They come just as the Department of Education is preparing to award grants to school districts across the country. More than 70 projects to enhance bilingual instructional programs will be canceled if these cuts become law. In addition, the amount of bilingual education funding that goes to every state education agency will be cut by 50 percent, limiting the technical assistance that they can provide to schools. Over 5,000 educators will be affected by the proposed rescission of bilingual education professional

development funds that are critical in addressing the shortage of appropriately trained bilingual educators. These cuts should be restored.

Taking back money for airport improvements

Most Americans are well aware that our nation's airports are teeming with passengers and struggling to keep pace with the growing need for safety, security and capacity enhancements. All one needs to do is to step inside of an airport—as over 500 million leisure and business passengers will do this year—to see that now is not the time to cut federal spending for airport improvement projects, as the Majority would do in this bill.

If enacted into law, this bill would rescind $610 million in contract authority for the Airport Improvement Program (AIP), and cut the fiscal year 1998 obligation limitation for AIP grants by $275 million—reducing it from $1.7 billion to $1.425 billion. This action would reduce annual spending for airport improvement grants to its lowest level since 1990 and negatively affect every major airport and smaller airports in every state.

It is ironic that at a time when the Majority wants to increase spending on highways and roads by $25 billion in outlays over the amounts agreed to in last year's bipartisan budget agreement, the Majority would reverse course and cut spending on an equally important part of our nation's transportation infrastructure.

The aviation sector is a critical component of our national and global economy. Like other transportation sectors, aviation has a broad impact on the U.S. economy. The nation's airlines, aerospace manufacturers, and airports drive significant local, regional and national economic activity. Aviation and related industries are 6 percent of the Gross Domestic Product, employ nearly 9 million people who earn $230 billion in wages and salaries, and generate over $770 billion in economic activity.

This economic activity is expected to become increasingly global in character. U.S. airlines already carry 50 percent of the world's air traffic and this share is expected to grow. The world's air travelers are expected to double from one billion to more than two billion over the next twenty years. The total economic impact of air transport on the world economy was $1.14 trillion in 1994. This is expected to increase to $1.7 trillion by the year 2010.

However, the National Civil Aviation Review Commission (NCARC) recently reported that our "aviation system is headed toward financial and physical gridlock", with underinvestment in our airport infrastructure certainly leading to further congestion in the aviation system.

The AIP program is the cornerstone of the federal government's effort to help airports make the capital investments needed to keep the aviation system safe, secure, efficient, and growing. The General Accounting Office has estimated that up to $10 billion in total airport infrastructure investments are needed annually with financing from federal, state, local sources. The NCARC recommended a $2 billion annual federal investment in AIP grants.

However, if the cuts proposed by the Majority become law, critical airport runway construction, security installations, and noise-abatement projects will be deferred, delayed and deep-sixed, par-

ticularly at smaller airports that rely more heavily on AIP grants. The ability of some primary airports to meet increased traffic and reduce congestion also will be undermined. According to preliminary estimates by the Federal Aviation Administration (FAA), the $275 million cut in AIP funding will have the following impacts:

419 primary airports will lost $76 million in formula and discretionary grants—a 9 percent cut;

100 cargo airports will lost $8 million—a 19 percent cut;

900 general aviation airports will lost $60 million—a 19 percent cut;

12 military airports will lose $11 million—a 43 percent cut; and

Noise projects will lose $86 million—a 42 percent cut.

Some airports and states may well have to return funds already obligated. Further, the following airports anticipating 1998 Letters-Of-Intent for federal financing commitments from the FAA may not receive them:

Anchorage International Airport, Alaska;
Ft. Myers-Southwest Florida Regional Airport, Florida;
Orlando International Airport, Florida;
Lambert-St. Louis International Airport, Missouri;
Las Vagas-McCarran International Airport, Nevada;
Las Vegas-Henderson Airport, Nevada;
Salt Lake City International Airport, Utah;
Newark International Airport, New Jersey;
Minneapolis-St. Paul International Airport, Minnesota; and
St. Croix Airport, Virgin Islands.

Because we are six months into the fiscal year, we believe that the AIP rescissions planned by the Majority are particularly ill-advised. Many airport managers are now concerned about whether they should bid construction contracts under the cloud of unanticipated cuts in AIP grants.

They have reason to be even more alarmed because the FAA's authorizing statute expires on September 30, 1998. Under the Majority's action, every penny of the "excess" contract authority authorized for the AIP program would be rescinded. This $335 million in spending authority currently unavailable due to obligation limits becomes a vital lifeline for continued program operations in the next fiscal year in the absence of the enactment of new spending authority. Thus, the rescissions in this bill could actually cause airport construction projects to come to a halt this fall if Congress fails to enact a new authorization in a timely fashion by October 1. And, given the Majority's record in enacting a timely highway bill, we have little confidence that airport managers will suffer a better fate than those state highway managers whose highway construction programs have been disrupted or put on hold due to delays in reauthorizing ISTEA.

Last fall, the Fiscal Year 1998 Department of Transportation Appropriations Act was approved by a strong vote of 401 to 21. The overwhelming majority of the House voted to support a $1.7 billion level for airport infrastructure investments that clearly are needed to accommodate one of the largest expansions in commercial aviation. There is no reason to reverse course now with a $275 million cut that is unfair and unwarranted.

Closing down AmeriCorps

Concerning House Republican's treatment of the Corporation for National and Community Service—AmeriCorps—increasingly it can be said (as it was of the Bourbon kings of France) "they have learned nothing, and forgotten nothing."

The proposed rescission of $250 million in AmeriCorps funding represents 60 percent of total fiscal year 1998 funding and virtually all remaining unobligated money in the program. It is tantamount to killing the program. No other recommendation in this supplemental is as blatant a political slap in the face of the President.

During the past three years, House conservatives have tried to accomplish the termination of AmeriCorps several times. Each time they have come up against a threatened Presidential veto and have had to back down. Possibly they think it will be different this time around, but the Administration has given no sign of wavering in its support of the program. AmeriCorps remains one of the President's top domestic priorities.

While it is true some start-up difficulties were experienced, the Corporation is getting its financial house in order. The program is producing results and is popular with most state and local officials, regardless of party affiliation. This rescission especially cries out that the extreme segment of the Majority party that appears to be dictating legislative strategy in the House is more concerned with pushing their ideology than with meeting the pressing needs of the nation. It must be rejected.

We shouldn't cut domestic priorities to pay for defense

The cuts in domestic programs don't just pay for the domestic emergency appropriations, which represent only one-fifth of the total bill. Rather, they are also used to offset the much larger emergency appropriations for defense.

This approach violates the budget rules adopted last year, which built a "firewall" between defense and domestic appropriations for this year and next, saying that cuts in one category would not be used to pay for extra spending in another. The bill reported by the committee turns these firewalls into one-way valves, allowing funds to flow from the domestic to the military side of the budget.

But the bill doesn't just defy the budget rules. More important, it also defies common sense. If the Majority is going to insist on providing offsets—which it does not need to do and should not do—then it should not be looking to the domestic budget to provide offsets for increased defense spending.

The Majority's decision to look only to the domestic side of the budget seems to be based on the far-fetched notion that the Defense Department is so well and efficiently managed that they can't even find a nickel of savings to be made in defense. That's preposterous. Just last week, the Defense Department Inspector General came out with the latest version of the "$600 toilet seats" story that so dramatized defense waste in the 1980s. The Inspector General found that—

DoD was paying $76 apiece for set screws that should have cost 57 cents apiece;

DoD was paying $714 apiece for electric helicopter bells that should have cost only $47 apiece; and

DoD paid $38,000 for aircraft springs worth $1,500.

Just this limited audit by the Defense IG found that the Pentagon had bought $6.1 million worth of commercial spare parts for nearly three times the estimated "fair and reasonable" price they should have paid.

In light of this and other voluminous information about waste at the Defense Department, it is absurd for the Majority to maintain that defense must be completely exempted from their search for offsets, and that the burden of their misguided quest for offsets must fall only on law-income families seeking housing assistance, local governments seeking help with airport improvements and bilingual education needs, and young people seeking to participate in President Clinton's national service initiative.

Rescissions are unnecessary under the budget rules

The offsets contained in the bill are not just wrong-headed, they're also unnecessary. The appropriations contained in this bill fully qualify as emergency spending that, under the applicable budget rules, does not require offsetting cuts. Indeed, the bill itself invokes this emergency exception for every single item of appropriations it contains. (It does this so that the defense appropriations do not count against the defense spending cap, which they would violate if they did count.)

Special treatment for emergency spending has been contained in the budget rules ever since they were adopted in their current form back in 1990. The basic idea is that spending for emergency items such as disaster relief and military operations are not subject to the statutory limits on discretionary appropriations or to the allocations in the congressional budget resolution—as long as both the President and Congress agree that the items are truly emergency in nature. This rule has been used repeatedly since that time.

One reason for the emergency spending rule is that finding offsets when an emergency occurs well into a fiscal year can be very disruptive to ongoing programs. This bill is a good example. This bill will not be enacted until the fiscal year is more than half over (and the way the House Majority leadership is handling the matter, we'll be lucky if its enacted by Labor Day). The cuts in this bill illustrate the disruption caused by sudden mid-year rescissions. They require pulling back money already allocated to and planned on by state and local governments for airport improvements, and virtually shutting down the AmeriCorps program in mid-year.

A second reason to handle some spending on a emergency basis is to avoid appropriating extra money before its needed. The alternative of providing money in "contingency funds" or the like carries the risk that reasons will be found to spend that money, regardless of whether a real emergency situation arises. Therefore, while we do provide regular (non-emergency) appropriations every year for on-going disaster assistance programs such as those of FEMA, we generally do not make appropriations for other emergency needs such as overseas military operations before they occur.

This practice of requesting supplemental appropriations for emergency or unanticipated costs is a longstanding one. For example, President Reagan requested supplemental defense appropriations in seven of his eight years in office.

The situation with this supplemental appropriations bill provides a vivid illustration of the reasons for the budget rules allowing emergency spending. The funds it provides are urgently needed to protect vital national interests in the Persian Gulf, respond to a horrendous human rights situation in Bosnia, and help citizens facing natural disasters here at home. Our ability to do these things should not be held hostage to whether we can suddenly find a way to make mid-year cuts in other important federal programs.

We spend a lot of money to maintain the most powerful and most effective armed forces in the world. We should be able to use these forces to respond to urgent situations that arise, without having to stop and debate whether to jeopardize housing assistance for the elderly and bilingual education for children in order to offset any unexpected cost.

While some in the Majority now say that they disagree with the current emergency spending rules, the fact is that these rules were revised and re-enacted just last year, in legislation written by the Majority as part of the 1997 Budget Agreement. Perhaps they've changed their minds since then. But all that I am recommending is to follow the rules that the Majority wrote less than twelve months ago. Under these rules, CBO now tells us that we will have a surplus this year—a surplus which will occur regardless of whether we use the longstanding emergency exception to allow this supplemental appropriations bill to go forward without offsets.

Another North Dakota stalemate

In summary, for all of these reasons, the bill forced out of committee by the Majority leadership is a very bad idea. The emergency supplemental appropriations are sound and urgently needed. But the offset package is a disaster by itself, and it will bring the bill to a disastrous end.

I don't know why the leadership on the Majority side finds it irresistible to meddle with emergency supplemental appropriations bills, but they do. Last year, we delayed for weeks much needed emergency disaster relief for North Dakota and other states hard hit by floods, while the leadership on the other side tried to force the President to accept totally unrelated legislative riders dealing with how the census will be conducted in the year 2000.

This Congress has much work to do. The bulk of its work will be focused on passing crucial appropriations bills for the coming fiscal year. We need to get on with that task. Before we can, we must finish action on this emergency appropriation. To do that requires a spirit of cooperation, not confrontation. Sadly, this bill gives us just the opposite.

My fear is that the Majority leadership's tactics will lead into another stalemate on this supplemental. That is unfortunate for the people in the military who need these funds to sustain their missions in Bosnia and Iraq. A delay will put an unnecessary squeeze on the operations of the Defense Department, which will have to dramatically curtail important training and slow procurement and R&D efforts. And it will cause yet more hardship for people throughout the country—from Maine to Florida to California—who were unlucky enough to experience the weather-related disasters of the past several months.

THE HOUSE LEADERSHIP INTELLIGENCE SPENDING ADD-ON

This bill includes a substantial amount of money for intelligence programs that was not requested by the Administration.

Even though some details of this significant spending add-on were reported by the press, the entire amount is classified thereby restricting public discussion of the specific projects and the total dollar amounts included in the bill.

The process by which these funds found their way into this bill is not classified. It is one of the most unusual stories I have heard in my 28 years of serving on this Committee, and I think it deserves the attention and understanding of all Members.

The President's supplemental request

On March 3, after a rigorous internal review, the Administration transmitted to Congress a budget request for emergency FY 1998 supplemental appropriations totaling $2.5 billion. This included approximately $1.86 billion for unanticipated needs of the Department of Defense to support their deployments in Bosnia and Southwest Asia, and $640 million (including $130 million for the Department of Defense) for emergency assistance to help people recover from recent flooding, ice storms, El Nino, tornadoes, typhoons, and other natural disasters. Of the total Presidential request of $2.5 billion, about $1.97 billion is categorized as "defense" expenditures and $520 million is categorized as "non-defense".

The Speaker's special "request" for more intelligence funding

The reaction of the House Major leadership to the Administration's supplemental budget request was surprising.

Instead of perhaps taking issue that the Administration's budget scrubbers too tough on emergency disaster aid to help the victims of El Nino floods and storms around the country (which they were), or complaining that the Administration had not proposed paying for this extra spending, the Speaker personally called the White House to demand that the Administration amend its budget proposal to add a very substantial amount of money for intelligence programs.

This unusual intelligence funding demand wasn't linked to any specific unfunded emergency intelligence need for Bosnia, the Middle East or anywhere else. There was no demand for specific program increases, only to add funds in the abstract. And no demand was made to the Administration that this extra spending be paid for with cuts to other programs.

The Administration answered the Speaker's special request by giving him an expensive list of additional intelligence items that can best be described as "nice things to have." The Administration made it quite clear however that they were not asking these additional intelligence items be funded. It essentially provided them for

information purposes directly to the Speaker, who promptly ordered the Committee to insert them in this bill.

And these funds are indeed in this bill, to be paid for by additional cuts in domestic housing, airport, and education programs.

After this list was transmitted, the CIA testified that much of this windfall spending add-on does not restore things the Majority cut out of last year's intelligence budget. Instead, it is for enhancement of other ongoing programs or projects.

The Republican leadership is embarrassed

Why did the House Majority leadership go to such extraordinary and secretive measures to add this additional spending? I think there are several reasons.

First and foremost, the House Majority leadership is quietly trying to repair a situation they have been very embarrassed about. They are embarrassed because their political rhetoric that they are stronger supporters of our intelligence programs than the Clinton administration is simply not true.

The Majority's rhetoric is very strong. Just weeks ago the Speaker condemned the President's intelligence structure in the press as "completely inadequate", implying that the Clinton intelligence budget levels have been grossly insufficient.

But the facts speak differently. Last year, this Congress actually cut back the intelligence budget below the Administration's request by a very substantial sum. Even after last year's Balanced Budget Agreement negotiated by President Clinton and the Congressional leadership added $2.6 billion to the President's original 1998 Defense spending request, this Congress still cut the intelligence program below the President's original FY 1998 budget request.

So the Speaker knows that if the intelligence program is "completely inadequate" as he claims it is very much the doing of his own party.

The Chairman and other members of the National Security Appropriations Subcommittee should not be faulted for recommending these intelligence cuts. Leaders of both the House and Senate Appropriations Committees were put in very difficult positions due to the spending demands of their own leadership. They had to make some difficult choices. It is obvious that the Committee was forced to cut the intelligence budget to fit in all the congressional demands for extra money for the defense contractors—especially demands from the Republican congressional leadership.

Intelligence cuts seem tough but fair

Despite all of this, the Majority's intelligence cuts were found to be tough but defensible to most people. Congress passed them. The President signed them into law. No objections were raised on the floor when the bill was finally passed. And the Administration did not see fit to propose a supplemental budget request to redress any these budget cuts.

Why Congress didn't have more intelligence money last year

But the question still remains: Why did this Committee not have sufficient budget room to produce a spending bill hat was at least close to the President's intelligence budget request?

There are two big reasons why intelligence programs had to be cut last year—the DDG–51 destroyer program supported by the Majority Leader of the Senate and the desire to buy many extra C–130 aircraft supported by the Speaker of the House.

The Committee was essentially ordered to add these two parochial items to last year's Defense Appropriations Act costing a total of $1.25 BILLION in extra money above the budget request. Those funds weren't free, they had to come from somewhere and the money to pay this bill came out of the intelligence budget.

$720 million for extra destroyer

Last year, the Congress added $720 million to the Navy budget to buy a fourth new DDG–51 destroyer instead of the three destroyers requested by the Navy. The facts surrounding how we wound up buying this extra destroyer are well known in the defense community and were the subject of several news articles.

Essentially, the Senate majority leader expressed extreme dissatisfaction to the Navy for having awarded a major new multi-billion dollar shipbuilding contract for LPD–17 amphibious assault ships to Avondale Shipyard, Louisiana instead of Ingalls Shipyard, Mississippi.

According to news accounts, after the Navy awarded the lucrative LPD–17 contract to Avondale, the Senator is reported to have presented the Pentagon with a written list of demands for the Navy to shift other work to Ingalls Shipyard as recompense. Here's how one news account characterized this course of events: "The Lott paper doesn't explicitly threaten to punish the Navy if it doesn't comply. However rumors on Capitol Hill describe the Senate majority leader as so angry with the sea service that he may seek to cut several of its major acquisition programs and hold up some future promotions requiring congressional approval." (Wall Street Journal, April 23, 1997)

It was also reported that this written list of demands sent to the Navy concluded with an underscored written statement: "How to make an unhappy man happy." (Wall Street Journal, April 23, 1997)

Shortly after this list of demands was received, the Navy sent word that they would not oppose a congressional budget add-on of $720 million to build another destroyer at Ingalls, and if this destroyer were added, they would simply add it to heir overall inventory, and not cut out a destroyer in a future budget to offset it.

"Oinker Award"

This sad saga in pork barrel politics earned an "Oinker Award" from the Citizens Against Government Waste as the leading example of pork barrel waste last year.

$500 million for extra C–130's

But the House Majority leadership was not far behind. Over half a billion dollars was redirected in last year's defense bill to buy nine C–130 aircraft that the Department of Defense never asked for in their budget.

According to press accounts, the C–130 manufacturer located in Marietta, Georgia, has a unique marketing strategy for these

planes: "Build it and they will come." The manufacturer is so confident the Congress will override the Pentagon's decision not to buy extra C–130 aircraft that they reportedly build the planes ahead of time with no buyers, and simply park them on he ramp until Congress comes through with the extra funds.

Topsy-turvy national security priorities

In a world of unconstrained budgets and unlimited revenue, buying either of these expensive items—the DDG–51 destroyer or more C–130 aircraft—could be defended. I am confident the Navy and the various units receiving the C–130 aircraft will do their best to use this extra equipment effectively. The problem is that we don't have unlimited funds and that Congress must have the discipline to apply our resources to the country's top national security priorities. In this case, the intelligence budget was sacrificed to make room for much lower priority, but very expensive equipment.

No defense offsets?

To add insult to injury, the House Republican leadership would squeeze elderly and low-income Americans by cutting critical domestic housing programs and make further cuts in education and airport development to pay for repairing their embarrassment about cutting the intelligence budget.

To say that the quarter of a trillion dollars a year spent by our Defense Agencies is so efficiently and well spent that not so much as a nickel of savings can be found is patently absurd.

If the Committee must have offsets to pay for these legitimate emergency costs, it could start looking for savings from the C–130 and DDG–51 programs.

But if these programs are deemed unacceptable as sources, the Committee might Want to review recent audits of he Inspector General which found that, nearly a decade after the famous $600 toilet seat purchases, the Defense Department still does not use its buying power to purchase spare parts at the lowest cost. Most recently, the Inspector General uncovered $8.7 million in excess payments by the Pentagon including:

Paying 76 dollars apiece for 57-cent setscrews;
Paying $714 apiece for $47 electric helicopter bells; or
Paying $38,000 for $1,500 worth of aircraft springs.

and the IG reportedly testified that this represents the tip of a much bigger iceberg. So we still have "$600 toilets seats" galore in he Pentagon budget, yet this Congress is willing to close its eyes and look the or there way.

EXPLANATION OF ROLLCALL VOTES

Three amendments to this bill were decided by rollcall votes in full committee.

Rollcall No. 1—Domestic Program Cuts To Pay For Defense Spending: The first amendment, offered by Mr. Livingston, provided $2.9 billion in domestic program rescissions to offset the emergency spending in the bill. About 80 percent of the spending in this bill ($2.3 billion out of $2.9 billion) is classified as defense spending.

The amendment would cut funds available for Section 8 low income and elderly housing by $1.9 billion, reduce budget authority for airport improvements by $610 million, reduce the 1998 spending levels for airport grants by $275 million, cut $250 million from the AmeriCorps program, and reduce funding for bilingual and immigrant education by $75 million.

The immediate program effect of this amendment would be to take away almost 20% of the funds intended to be used for Section 8 housing assistance in FY 1999; cut the funds available for airport development programs in FY 1998 by 16%, reduce funds for bilingual and immigrant education for over 400,000 children; and shut down the popular AmeriCorps program.

The Livingston amendment was strongly opposed by the Administration on the grounds that it would break the procedure agreed to in Bipartisan Budget Agreement and could result in legislative gridlock in which disaster aid to US citizens is delayed similar to events that occurred last year.

The amendment was adopted, 33 to 26.

Rollcall No. 2—Merger of IMF/UN Supplemental bill with the Bosnia/Southwest Asia/Disaster Relief Supplemental bill: The second amendment, offered by Mr. Obey, would merge this emergency spending measure with the IMF/UN supplemental bill as reported by the Committee earlier in the day.

Because this emergency spending bill is expected to be considered by the full House in the near future, this amendment would have the effect of bringing the IMF/UN supplemental before the House prior to the upcoming recess. Concern has been raised that plans of the Republican leadership to indefinitely delay consideration of the IMB/UN supplemental bill could lead to unnecessary instability in global markets and could serve to make trade deficits even worse, with significant negative effects on U.S. businesses and American jobs.

Rollcall No. 3—Additional Disaster Relief Funds for FEMA: The third amendment was offered by Mr. Stokes, of Ohio. The amendment would have added to $1.6 billion in additional disaster relief funds that the President had recently requested for the Federal Emergency Management Agency. The funds were requested for FEMA emergency response and recovery efforts throughout the

United States. These funds would be used for unmet requirements from previously declared disasters and anticipated requirements in the remaining months of the current fiscal year.

The amendment was defeated, 22 to 33.

Votes of individual Members on these amendments are listed in this report immediately preceding this section and the budget summary table.

DAVE OBEY.

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