

Calendar No. 28

106TH CONGRESS
1ST SESSION

S. 544

[Report No. 106–8]

Making emergency supplemental appropriations and rescissions for recovery from natural disasters and foreign assistance, for the fiscal year ending September 30, 1999, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 1999

Mr. STEVENS, from the Committee on Appropriations, reported the following original bill, which was read twice and placed on the calendar

A BILL

Making emergency supplemental appropriations and rescissions for recovery from natural disasters and foreign assistance, for the fiscal year ending September 30, 1999, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1999, and for other pur-
6 poses, namely:

1 TITLE I—EMERGENCY SUPPLEMENTAL
2 APPROPRIATIONS

3 CHAPTER 1

4 DEPARTMENT OF AGRICULTURE

5 OFFICE OF THE SECRETARY

6 EMERGENCY GRANTS TO ASSIST LOW-INCOME MIGRANT
7 AND SEASONAL FARMWORKERS

8 For emergency grants to assist low-income migrant
9 and seasonal farmworkers under section 2281 of the Food,
10 Agriculture, Conservation, and Trade Act of 1990 (42
11 U.S.C. 5177a), \$20,000,000: *Provided*, That the entire
12 amount shall be available only to the extent an official
13 budget request for \$20,000,000, that includes designation
14 of the entire amount of the request as an emergency re-
15 quirement as defined in the Balanced Budget and Emer-
16 gency Deficit Control Act of 1985, as amended, is trans-
17 mitted by the President to the Congress: *Provided further*,
18 That the entire amount is designated by Congress as an
19 emergency requirement pursuant to section 251(b)(2)(A)
20 of such Act.

21 FARM SERVICE AGENCY

22 SALARIES AND EXPENSES

23 For an additional amount for “Salaries and Ex-
24 penses”, \$42,753,000, to remain available until expended:
25 *Provided*, That the entire amount is designated by the

1 Congress as an emergency requirement pursuant to sec-
 2 tion 251(b)(2)(A) of the Balanced Budget and Emergency
 3 Deficit Control Act of 1985, as amended.

4 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

5 ACCOUNT

6 For additional gross obligations for the principal
 7 amount of direct and guaranteed loans as authorized by
 8 7 U.S.C. 1928–1929, to be available from funds in the
 9 Agricultural Credit Insurance Fund, as follows: farm own-
 10 ership loans, \$550,000,000, of which \$350,000,000 shall
 11 be for guaranteed loans; operating loans, \$370,000,000,
 12 of which \$185,000,000 shall be for subsidized guaranteed
 13 loans; and for emergency insured loans, \$175,000,000 to
 14 meet the needs resulting from natural disasters.

15 For the additional cost of direct and guaranteed
 16 loans, including the cost of modifying loans as defined in
 17 section 502 of the Congressional Budget Act of 1974, to
 18 remain available until expended, as follows: farm owner-
 19 ship loans, \$35,505,000, of which \$5,565,000 shall be for
 20 guaranteed loans; operating loans, \$28,804,000, of which
 21 \$16,169,000 shall be for subsidized guaranteed loans; and
 22 for emergency insured loans, \$41,300,000 to meet the
 23 needs resulting from natural disasters; and for additional
 24 administrative expenses to carry out the direct and guar-
 25 anteed loan programs, \$4,000,000: *Provided*, That the en-
 26 tire amounts are designated by the Congress as emergency

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

4 EMERGENCY CONSERVATION PROGRAM

5 For an additional amount for the “Emergency Con-
 6 servation Program” for expenses resulting from natural
 7 disasters, \$30,000,000, to remain available until ex-
 8 pended: *Provided*, That the entire amount shall be avail-
 9 able only to the extent that an official budget request for
 10 \$30,000,000, that includes designation of the entire
 11 amount of the request as an emergency requirement as
 12 defined in the Balanced Budget and Emergency Deficit
 13 Control Act of 1985, as amended, is transmitted by the
 14 President to the Congress: *Provided further*, That the en-
 15 tire amount is designated by the Congress as an emer-
 16 gency requirement pursuant to section 251(b)(2)(A) of
 17 such Act.

18 COMMODITY CREDIT CORPORATION FUND

19 LIVESTOCK INDEMNITY PROGRAM

20 An amount of \$3,000,000 is provided to implement
 21 a livestock indemnity program as established in Public
 22 Law 105–18: *Provided*, That the entire amount shall be
 23 available only to the extent an official budget request for
 24 \$3,000,000, that includes designation of the entire
 25 amount of the request as an emergency requirement as
 26 defined in the Balanced Budget and Emergency Deficit

1 Control Act of 1985, as amended, is transmitted by the
 2 President to the Congress: *Provided further*, That the en-
 3 tire amount is designated by Congress as an emergency
 4 requirement pursuant to section 251(b)(2)(A) of such Act.

5 NATURAL RESOURCES CONSERVATION SERVICE

6 WATERSHED AND FLOOD PREVENTION OPERATIONS

7 For an additional amount for “Watershed and Flood
 8 Prevention Operations” to repair damages to the water-
 9 ways and watersheds resulting from natural disasters,
 10 \$100,000,000, to remain available until expended: *Pro-*
 11 *vided*, That the entire amount shall be available only to
 12 the extent that an official budget request for
 13 \$100,000,000, that includes designation of the entire
 14 amount of the request as an emergency requirement as
 15 defined in the Balanced Budget and Emergency Deficit
 16 Control Act of 1985, as amended, is transmitted by the
 17 President to the Congress: *Provided further*, That the en-
 18 tire amount is designated by the Congress as an emer-
 19 gency requirement pursuant to section 251(b)(2)(A) of
 20 such Act.

21 RURAL HOUSING SERVICE

22 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

23 For additional gross obligations for the principal
 24 amount of direct and guaranteed loans as authorized by
 25 title V of the Housing Act of 1949, to be available from

1 funds in the rural housing insurance fund to meet needs
 2 resulting from natural disasters, as follows: \$10,000,000
 3 for loans to section 502 borrowers, as determined by the
 4 Secretary; and \$1,000,000 for section 504 housing repair
 5 loans.

6 For the additional cost of direct and guaranteed
 7 loans, including the cost of modifying loans, as defined
 8 in section 502 of the Congressional Budget Act of 1974,
 9 to remain available until expended, \$1,534,000, as follows:
 10 section 502 loans, \$1,182,000; and section 504 housing
 11 repair loans, \$352,000: *Provided*, That the entire amount
 12 shall be available only to the extent that an official budget
 13 request for \$1,534,000, that includes designation of the
 14 entire amount of the request as an emergency requirement
 15 as defined in the Balanced Budget and Emergency Deficit
 16 Control Act of 1985, as amended, is transmitted by the
 17 President to the Congress: *Provided further*, That the en-
 18 tire amount is designated by the Congress as an emer-
 19 gency requirement pursuant to section 251(b)(2)(A) of
 20 such Act.

21 RURAL HOUSING ASSISTANCE GRANTS

22 For an additional amount for grants for very low-in-
 23 come housing repair, as authorized by 42 U.S.C. 1474,
 24 to meet needs resulting from natural disasters,
 25 \$1,000,000: *Provided*, That the entire amount shall be
 26 available only to the extent that an official budget request

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

9 CHAPTER 2

10 FUNDS APPROPRIATED TO THE PRESIDENT

11 AGENCY FOR INTERNATIONAL DEVELOPMENT

12 CENTRAL AMERICA AND THE CARIBBEAN EMERGENCY

13 DISASTER RECOVERY FUND

14 (INCLUDING TRANSFERS OF FUNDS)

15 Notwithstanding section 10 of Public Law 91-672,
 16 for necessary expenses to address the effects of hurricanes
 17 in Central America and the Caribbean and the earthquake
 18 in Colombia, \$611,000,000, to remain available until Sep-
 19 tember 30, 2000: *Provided*, That the funds appropriated
 20 under this heading shall be subject to the provisions of
 21 chapter 4 of part II of the Foreign Assistance Act of 1961,
 22 as amended, and, except for section 558, the provisions
 23 of title V of the Foreign Operations, Export Financing,
 24 and Related Programs Act, 1999 (as contained in Division
 25 A, section 101(d) of the Omnibus Consolidated and Emer-
 26 gency Supplemental Appropriations Act, 1999 (Public

1 Law 105–277)): *Provided further*, That such assistance
2 may be made available notwithstanding such provisions of
3 law regulating the making, performance, amendment, or
4 modification of contracts as the Administrator of the
5 United States Agency for International Development
6 (USAID) may specify: *Provided further*, That at least five
7 days prior to any use of the authority in the preceding
8 proviso the Administrator of USAID shall report in writ-
9 ing to the Committees on Appropriations of his intent to
10 exercise such authority: *Provided further*, That up to
11 \$6,000,000 of the funds appropriated by this paragraph
12 may be transferred to “Operating Expenses of the Agency
13 for International Development”, to remain available until
14 September 30, 2000, to be used for administrative costs
15 of USAID in addressing the effects of those hurricanes,
16 of which up to \$1,000,000 may be used to contract di-
17 rectly for the personal services of individuals in the United
18 States: *Provided further*, That of the funds made available
19 under this heading, not less than \$2,000,000 should be
20 made available to support the clearance of landmines and
21 other unexploded ordnance in Nicaragua and Honduras:
22 *Provided further*, That funds appropriated under this
23 heading shall be obligated and expended subject to the
24 regular notification procedures of the Committees on Ap-
25 propriations: *Provided further*, That the entire amount

1 shall be available only to the extent that an official budget
 2 request for \$611,000,000, that includes designation of the
 3 entire amount of the request as an emergency requirement
 4 as defined in the Balanced Budget and Emergency Deficit
 5 Control Act of 1985, as amended, is transmitted by the
 6 President to the Congress: *Provided further*, That the en-
 7 tire amount is designated by the Congress as an emer-
 8 gency requirement pursuant to section 251(b)(2)(A) of the
 9 Balanced Budget and Emergency Deficit Control Act of
 10 1985, as amended.

11 INTERNATIONAL DISASTER ASSISTANCE

12 Notwithstanding section 10 of Public Law 91-672,
 13 for an additional amount for “International Disaster As-
 14 sistance” for necessary expenses for international disaster
 15 relief, rehabilitation, and reconstruction assistance, pursu-
 16 ant to section 491 of the Foreign Assistance Act of 1961,
 17 as amended, \$35,000,000, to remain available until ex-
 18 pended: *Provided*, That the entire amount shall be avail-
 19 able only to the extent that an official budget request for
 20 \$35,000,000, that includes designation of the entire
 21 amount of the request as an emergency requirement as
 22 defined in the Balanced Budget and Emergency Deficit
 23 Control Act of 1985, as amended, is transmitted by the
 24 President to the Congress: *Provided further*, That the en-
 25 tire amount is designated by the Congress as an emer-
 26 gency requirement pursuant to section 251(b)(2)(A) of the

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

3 OTHER BILATERAL ECONOMIC ASSISTANCE

4 ECONOMIC SUPPORT FUND

5 For necessary expenses to enable the President to
6 carry out chapter 4 of part II of the Foreign Assistance
7 Act of 1961, as amended, in addition to amounts other-
8 wise available for such purposes: to provide assistance to
9 Jordan, \$50,000,000, to remain available until September
10 30, 2001: *Provided*, That the entire amount made avail-
11 able for fiscal year 1999 herein is designated by the Con-
12 gress as an emergency requirement pursuant to section
13 251(b)(2)(A) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985, as amended.

15 MILITARY ASSISTANCE

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 FOREIGN MILITARY FINANCING PROGRAM

18 For necessary expenses for grants to enable the
19 President to carry out section 23 of the Arms Export Con-
20 trol Act, in addition to amounts otherwise available for
21 such purposes, \$50,000,000, to become available upon en-
22 actment of this Act and to remain available until Septem-
23 ber 30, 2001, which shall be for grants only for Jordan:
24 *Provided*, That funds appropriated under this heading
25 shall be nonrepayable, notwithstanding section 23(b) and
26 section 23(c) of the Arms Export Control Act: *Provided*

1 *further*, That the entire amount made available for fiscal
 2 year 1999 herein is designated by the Congress as an
 3 emergency requirement pursuant to section 251(b)(2)(A)
 4 of the Balanced Budget and Emergency Deficit Control
 5 Act of 1985, as amended.

6 DEPARTMENT OF THE TREASURY

7 DEBT RESTRUCTURING

8 Notwithstanding section 10 of Public Law 91–672,
 9 for an additional amount for “Debt Restructuring”,
 10 \$41,000,000, to remain available until expended and sub-
 11 ject to the terms and conditions under the same heading
 12 in the Foreign Operations, Export Financing, and Related
 13 Programs Appropriations Act, 1999, as included in Public
 14 Law 105–277, section 101(d): *Provided*, That up to
 15 \$25,000,000 may be used for a contribution to the Central
 16 America Emergency Trust Fund, administered by the
 17 International Bank for Reconstruction and Development:
 18 *Provided further*, That such funds shall be subject to the
 19 regular notification procedures of the Committees on Ap-
 20 propriations: *Provided further*, That the entire amount is
 21 designated by the Congress as an emergency requirement
 22 pursuant to section 251(b)(2)(A) of the Balanced Budget
 23 and Emergency Deficit Control Act of 1985, as amended.

1 GENERAL PROVISION, THIS CHAPTER

2 The value of articles, services, and military education
 3 and training authorized as of November 15, 1998, to be
 4 drawn down by the President under the authority of sec-
 5 tion 506(a)(2) of the Foreign Assistance Act of 1961, as
 6 amended, shall not be counted against the ceiling limita-
 7 tion of that section.

8 CHAPTER 3

9 DEPARTMENT OF THE INTERIOR

10 UNITED STATES FISH AND WILDLIFE SERVICE

11 CONSTRUCTION

12 For an additional amount for “Construction”,
 13 \$12,612,000, to remain available until expended, to repair
 14 damage due to rain, winds, ice, snow, and other acts of
 15 nature: *Provided*, That the entire amount is designated by
 16 the Congress as an emergency requirement pursuant to
 17 section 251(b)(2)(A) of the Balanced Budget and Emer-
 18 gency Deficit Control Act of 1985, as amended: *Provided*
 19 *further*, That the amount provided shall be available only
 20 to the extent that an official budget request that includes
 21 designation of the entire amount as an emergency require-
 22 ment pursuant to section 251(b)(2)(A) of the Balanced
 23 Budget and Emergency Deficit Control Act of 1985, as
 24 amended, is transmitted by the President to the Congress.

1 OTHER RELATED AGENCIES

2 UNITED STATES HOLOCAUST MEMORIAL COUNCIL

3 HOLOCAUST MEMORIAL COUNCIL

4 For an additional amount for “Holocaust Memorial
5 Council”, \$2,000,000, to remain available until expended,
6 for the Holocaust Museum to address security needs: *Pro-*
7 *vided*, That the entire amount is designated by the Con-
8 gress as an emergency requirement pursuant to section
9 251(b)(2)(A) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985, as amended: *Provided further*,
11 That the amount provided shall be available only to the
12 extent that an official budget request that includes des-
13 ignation of the entire amount as an emergency require-
14 ment pursuant to section 251(b)(2)(A) of the Balanced
15 Budget and Emergency Deficit Control Act of 1985, as
16 amended, is transmitted by the President to the Congress.

17 CHAPTER 4

18 INDEPENDENT AGENCY

19 FEDERAL EMERGENCY MANAGEMENT AGENCY

20 DISASTER ASSISTANCE FOR UNMET NEEDS

21 For “Disaster Assistance for Unmet Needs”,
22 \$313,600,000, which shall remain available until Septem-
23 ber 30, 2001, for use by the Director of the Federal Emer-
24 gency Management Agency (Director) only for disaster re-
25 lief, buyout assistance, long-term recovery, and mitigation

1 in communities affected by Presidentially-declared natural
2 disasters designated during fiscal years 1998 and 1999,
3 only to the extent those activities are not reimbursable by
4 or for which funds are not made available by the Federal
5 Emergency Management Agency (under its “Disaster Re-
6 lief” program), the Small Business Administration, or the
7 Army Corps of Engineers: *Provided*, That in administering
8 these funds the Director shall allocate these funds to
9 States to be administered by each State in conjunction
10 with its Federal Emergency Management Agency Disaster
11 Relief program: *Provided further*, That each State shall
12 provide not less than 25 percent in non-Federal public
13 matching funds or its equivalent value (other than admin-
14 istrative costs) for any funds allocated to the State under
15 this heading: *Provided further*, That the Director shall al-
16 locate these funds based on the unmet needs arising from
17 a Presidentially-declared disaster as identified by the Di-
18 rector as those which have not or will not be addressed
19 by other Federal disaster assistance programs and for
20 which it is deemed appropriate to supplement the efforts
21 and available resources of States, local governments and
22 disaster relief organizations: *Provided further*, That the
23 Director shall establish review groups within FEMA to re-
24 view each request by a State of its unmet needs and certify
25 as to the actual costs associated with the unmet needs as

1 well as the commitment and ability of each state to provide
2 its match requirement: *Provided further*, That the Director
3 shall implement all mitigation and buyout efforts in a
4 manner consistent with the requirements of section 404
5 of the Robert T. Stafford Disaster Relief and Emergency
6 Assistance Act: *Provided further*, That the Director shall
7 publish a notice in the Federal Register governing the allo-
8 cation and use of the funds under this heading, including
9 provisions for ensuring the compliance of the states with
10 the requirements of this program: *Provided further*, That
11 10 days prior to distribution of funds, the Director shall
12 submit a list to the House and Senate Committees on Ap-
13 propriations, setting forth the proposed uses of funds and
14 the most recent estimates of unmet needs: *Provided fur-*
15 *ther*, That the Director shall submit quarterly reports to
16 the Committees regarding the actual projects and needs
17 for which funds have been provided under this heading:
18 *Provided further*, That to the extent any funds under this
19 heading are used in a manner inconsistent with the re-
20 quirements of the program established under this heading
21 and any rules issued pursuant thereto, the Director shall
22 recapture an equivalent amount of funds from the State
23 from any existing funds or future funds awarded to the
24 State under this heading or any other program adminis-
25 tered by the Federal Emergency Management Agency:

1 *Provided further*, That the entire amount shall be available
 2 only to the extent an official budget request, that includes
 3 designation of the entire amount of the request as an
 4 emergency requirement as defined by the Balanced Budg-
 5 et and Emergency Deficit Control Act of 1985, as amend-
 6 ed, is transmitted by the President to the Congress: *Pro-*
 7 *vided further*, That the entire amount is designated by the
 8 Congress as an emergency requirement pursuant to sec-
 9 tion 251(b)(2)(A) of the Balanced Budget and Emergency
 10 Deficit Control Act of 1985, as amended.

11 GENERAL PROVISION, THIS TITLE

12 EMERGENCY STEEL LOAN GUARANTEE PROGRAM.

13 (a) SHORT TITLE.—This section may be cited as the
 14 “Emergency Steel Loan Guarantee Act of 1999”.

15 (b) CONGRESSIONAL FINDINGS.—Congress finds
 16 that—

17 (1) the United States steel industry has been
 18 severely harmed by a record surge of more than
 19 40,000,000 tons of steel imports into the United
 20 States in 1998, caused by the world financial crisis;

21 (2) this surge in imports resulted in the loss of
 22 more than 10,000 steel worker jobs in 1998, and
 23 was the imminent cause of 3 bankruptcies by me-
 24 dium-sized steel companies, Acme Steel, Laclede
 25 Steel, and Geneva Steel;

1 (3) the crisis also forced almost all United
2 States steel companies into reduced volume, lower
3 prices, financial losses, and an inability to obtain
4 credit for continued operations and reinvestment in
5 facilities;

6 (4) these steel bankruptcies, job losses, and fi-
7 nancial losses are also having serious negative ef-
8 fects on the tax base of cities, counties, and States,
9 and on the essential health, education, and municipi-
10 pal services that these government entities provide to
11 their citizens; and

12 (5) a strong steel industry is necessary to the
13 adequate defense preparedness of the United States
14 in order to have sufficient steel available to build the
15 ships, tanks, planes, and armaments necessary for
16 the national defense.

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

18 (1) the term “Board” means the Loan Guarant-
19 tee Board established under subsection (e);

20 (2) the term “Program” means the Emergency
21 Steel Guaranteed Loan Program established under
22 subsection (d); and

23 (3) the term “qualified steel company” means
24 any company that—

1 (A) is incorporated under the laws of any
2 State;

3 (B) is engaged in the production and man-
4 ufacture of a product defined by the American
5 Iron and Steel Institute as a basic steel mill
6 product, including ingots, slab and billets,
7 plates, flat-rolled steel, sections and structural
8 products, bars, rail type products, pipe and
9 tube, and wire rod; and

10 (C) has experienced layoffs, production
11 losses, or financial losses since the beginning of
12 the steel import crisis, after January 1, 1998.

13 (d) ESTABLISHMENT OF EMERGENCY STEEL GUAR-
14 ANTEED LOAN PROGRAM.—There is established the
15 Emergency Steel Guaranteed Loan Program, to be admin-
16 istered by the Board, the purpose of which is to provide
17 loan guarantees to qualified steel companies in accordance
18 with this section.

19 (e) LOAN GUARANTEE BOARD MEMBERSHIP.—There
20 is established a Loan Guarantee Board, which shall be
21 composed of—

22 (1) the Secretary of Commerce, who shall serve
23 as Chairman of the Board;

24 (2) the Secretary of Labor;

25 (3) the Secretary of the Treasury;

1 (4) the Chairman of the Board of Governors of
2 the Federal Reserve System; and

3 (5) the Comptroller General of the United
4 States.

5 (f) LOAN GUARANTEE PROGRAM.—

6 (1) AUTHORITY.—The Program may guarantee
7 loans provided to qualified steel companies by pri-
8 vate banking and investment institutions in accord-
9 ance with the procedures, rules, and regulations es-
10 tablished by the Board.

11 (2) TOTAL GUARANTEE LIMIT.—The aggregate
12 amount of loans guaranteed and outstanding at any
13 1 time under this section may not exceed
14 \$1,000,000,000.

15 (3) INDIVIDUAL GUARANTEE LIMIT.—The ag-
16 gregate amount of loans guaranteed under this sec-
17 tion with respect to a single qualified steel company
18 may not exceed \$250,000,000.

19 (4) MINIMUM GUARANTEE AMOUNT.—No single
20 loan in an amount that is less than \$25,000,000
21 may be guaranteed under this section.

22 (5) TIMELINES.—The Board shall approve or
23 deny each application for a guarantee under this
24 section as soon as possible after receipt of such ap-
25 plication.

1 (g) REQUIREMENTS FOR LOAN GUARANTEES.—A
2 loan guarantee may be issued under this section upon ap-
3 plication to the Board by a qualified steel company pursu-
4 ant to an agreement to provide a loan to that qualified
5 steel company by a private bank or investment company,
6 if the Board determines that—

7 (1) credit is not otherwise available to that
8 company under reasonable terms or conditions suffi-
9 cient to meet its financing needs, as reflected in the
10 financial and business plans of that company;

11 (2) the prospective earning power of that com-
12 pany, together with the character and value of the
13 security pledged, furnish reasonable assurance of re-
14 payment of the loan to be guaranteed in accordance
15 with its terms;

16 (3) the loan to be guaranteed bears interest at
17 a rate determined by the Board to be reasonable,
18 taking into account the current average yield on out-
19 standing obligations of the United States with re-
20 maining periods of maturity comparable to the ma-
21 turity of such loan; and

22 (4) the company has agreed to an audit by the
23 Department of the Treasury or the General Account-
24 ing Office, as determined by the Board, prior to the

1 issuance of the loan guarantee and annually while
2 any such guaranteed loan is outstanding.

3 (h) TERMS AND CONDITIONS OF LOAN GUARAN-
4 TEES.—

5 (1) LOAN DURATION.—All loans guaranteed
6 under this section shall be payable in full not later
7 than December 31, 2005, and the terms and condi-
8 tions of each such loan shall provide that the loan
9 may not be amended, or any provision thereof
10 waived, without the consent of the Board.

11 (2) LOAN SECURITY.—Any commitment to
12 issue a loan guarantee under this section shall con-
13 tain such affirmative and negative covenants and
14 other protective provisions that the Board deter-
15 mines are appropriate. The Board shall require secu-
16 rity for the loans to be guaranteed under this section
17 at the time at which the commitment is made.

18 (3) ADMINISTRATIVE FEES.—A qualified steel
19 company receiving a guarantee under this section
20 shall pay an administrative fee in an amount equal
21 to 0.5 percent of the outstanding principal balance
22 of the guaranteed loan to the Department of the
23 Treasury, to be used to offset the administrative
24 costs of the Program.

1 (i) REPORTS TO CONGRESS.—The Secretary of Com-
2 merce shall submit to Congress annually, a full report of
3 the activities of the Board under this section during fiscal
4 years 1999 and 2000, and annually thereafter, during
5 such period as any loan guaranteed under this section is
6 outstanding.

7 (j) SALARIES AND ADMINISTRATIVE EXPENSES.—
8 For necessary expenses to administer the Program,
9 \$5,000,000 is appropriated to the Department of Com-
10 merce, to remain available until expended, which may be
11 transferred to the Office of the Assistant Secretary for
12 Trade Development of the International Trade Adminis-
13 tration.

14 (k) TERMINATION OF GUARANTEE AUTHORITY.—
15 The authority of the Board to make commitments to guar-
16 antee any loan under this section shall terminate on De-
17 cember 31, 2001.

18 (l) REGULATORY ACTION.—The Board shall issue
19 such final procedures, rules, and regulations as may be
20 necessary to carry out this section not later than 60 days
21 after the date of enactment of this Act.

22 (m) EMERGENCY DESIGNATION.—The entire amount
23 made available to carry out this section—

24 (1) is designated by Congress as an emergency
25 requirement pursuant to section 251(b)(2)(A) of the

1 Balanced Budget and Emergency Deficit Control
2 Act of 1985 (2 U.S.C. 901(b)(2)(A)); and

3 (2) shall be available only to the extent that an
4 official budget request that includes designation of
5 the entire amount of the request as an emergency
6 requirement (as defined in the Balanced Budget and
7 Emergency Deficit Control Act of 1985) is transmit-
8 ted by the President to Congress.

9 TITLE II—SUPPLEMENTAL APPROPRIATIONS

10 CHAPTER 1

11 DEPARTMENT OF JUSTICE

12 IMMIGRATION AND NATURALIZATION SERVICE

13 SALARIES AND EXPENSES

14 ENFORCEMENT AND BORDER AFFAIRS

15 For an additional amount for “Salaries and Ex-
16 penses, Enforcement and Border Affairs” to support in-
17 creased detention requirements for criminal and illegal
18 aliens, \$80,000,000, which shall remain available until
19 September 30, 2000.

20 DEPARTMENT OF COMMERCE

21 NATIONAL OCEANIC AND ATMOSPHERIC

22 ADMINISTRATION

23 OPERATIONS, RESEARCH, AND FACILITIES

24 For the necessary expenses of additional research,
25 management, and enforcement activities in the Northeast
26 Multispecies fishery, and for the acquisition of shoreline

1 data for nautical charts, \$3,880,000, to remain available
 2 until expended.

3 THE JUDICIARY

4 SUPREME COURT OF THE UNITED STATES

5 SALARIES AND EXPENSES

6 For an additional amount for “Salaries and Ex-
 7 penses,” \$921,000, to remain available until expended.

8 CHAPTER 2

9 DEPARTMENT OF DEFENSE—MILITARY

10 MILITARY PERSONNEL

11 RESERVE PERSONNEL, ARMY

12 For an additional amount for “Reserve Personnel,
 13 Army”, \$2,900,000.

14 NATIONAL GUARD PERSONNEL, ARMY

15 For an additional amount for “National Guard Per-
 16 sonnel, Army”, \$7,300,000.

17 NATIONAL GUARD PERSONNEL, AIR FORCE

18 For an additional amount for “National Guard Per-
 19 sonnel, Air Force”, \$1,000,000.

20 OPERATION AND MAINTENANCE

21 OPERATION AND MAINTENANCE, ARMY

22 For an additional amount for “Operation and Main-
 23 tenance, Army”, \$50,000,000.

1 OPERATION AND MAINTENANCE, NAVY

2 For an additional amount for “Operation and Main-
3 tenance, Navy”, \$16,000,000.

4 OPERATION AND MAINTENANCE, AIR FORCE

5 For an additional amount for “Operation and Main-
6 tenance, Air Force”, \$8,000,000.

7 OPERATION AND MAINTENANCE, DEFENSE-WIDE

8 (INCLUDING TRANSFER OF FUNDS)

9 For an additional amount for “Operation and Main-
10 tenance, Defense-Wide”, \$21,000,000, of which
11 \$20,000,000 is available only for the CINC initiative fund.

12 OPERATION AND MAINTENANCE, ARMY NATIONAL

13 GUARD

14 For an additional amount for “Operation and Main-
15 tenance, Army National Guard”, \$20,000,000.

16 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

17 For an additional amount for “Overseas Humani-
18 tarian, Disaster, and Civic Aid”, \$37,500,000.

19 NEW HORIZONS EXERCISE TRANSFER FUND

20 (INCLUDING TRANSFER OF FUNDS)

21 For emergency expenses incurred by United States
22 military forces to participate in the New Horizons Exer-
23 cise programs to undertake relief, rehabilitation, and res-
24 toration operations and training activities in response to
25 disasters within the United States Southern Command

1 area of responsibility; \$46,000,000, to remain available for
 2 transfer until September 30, 1999: *Provided*, That the
 3 Secretary of Defense may transfer these funds to oper-
 4 ation and maintenance accounts: *Provided further*, That
 5 the funds transferred shall be merged with and shall be
 6 available for the same purposes and for the same time pe-
 7 riod, as the appropriation to which transferred: *Provided*
 8 *further*, That the transfer authority provided in this para-
 9 graph is in addition to any other transfer authority con-
 10 tained in Public Law 105–262.

11 GENERAL PROVISIONS, THIS CHAPTER

12 SEC. 201. Of the amounts appropriated or otherwise
 13 made available in the Department of Defense Appropria-
 14 tions Act, 1999 (Public Law 105–262) for “Operation and
 15 maintenance, defense-wide”, up to \$8,000,000 may be
 16 made available for the award of a grant to a consortium
 17 of non-profit, higher education institutions for the purpose
 18 of creating a computer network among such institutions
 19 to enhance teaching and learning opportunities in science,
 20 technology and communications.

21 SEC. 202. (a) UNITED STATES MILITARY ACAD-
 22 EMY.—Section 4344(b)(3) of title 10, United States Code,
 23 is amended by striking “five persons” and inserting “10
 24 persons”.

1 (b) UNITED STATES NAVAL ACADEMY.—Section
 2 6957(b)(3) of such title is amended by striking “five per-
 3 sons” and inserting “10 persons”.

4 (c) UNITED STATES AIR FORCE ACADEMY.—Section
 5 9344(b)(3) of such title is amended by striking “five per-
 6 sons” and inserting “10 persons”.

7 (d) EFFECTIVE DATE.—The amendments made by
 8 this section shall apply with respect to students from a
 9 foreign country entering the United States Military Acad-
 10 emy, the United States Naval Academy, or the United
 11 States Air Force Academy on or after May 1, 1999.

12 CHAPTER 3

13 DEPARTMENT OF THE INTERIOR

14 BUREAU OF INDIAN AFFAIRS

15 OPERATION OF INDIAN PROGRAMS

16 (TRANSFER OF FUNDS)

17 For an additional amount for “Operation of Indian
 18 Programs”, \$1,136,000, to remain available until ex-
 19 pended for suppression of western spruce budworm: *Pro-*
 20 *vided*, That such funds shall be derived by transfer of
 21 funds provided in previous appropriations acts under the
 22 heading “Forest Service, Wildland Fire Management”.

23 BUREAU OF LAND MANAGEMENT

24 MANAGEMENT OF LANDS AND RESOURCES

25 Of the funds provided under this heading in prior Ap-
 26 propriations Acts for the Automated Land and Mineral

1 Record System, \$1,000,000 shall be available until ex-
 2 pended to meet increased workload requirements stem-
 3 ming from the anticipated higher volume of Applications
 4 for Permits to Drill in the Powder River Basin: *Provided*,
 5 That unless there is an agreement in place between the
 6 coal mining operator and the gas producer, the funds
 7 made available herein shall not be used to approve Appli-
 8 cations for Permits to Drill for well sites that are located
 9 within an area covered by: (1) an existing coal lease, or
 10 (2) an existing coal mining permit, or (3) an existing
 11 Lease by Application for a coal mining lease, or (4) a fu-
 12 ture Lease by Application for an area adjacent to and
 13 within one mile of an area covered by (1), (2), or (3)
 14 above. Nothing in this paragraph shall be construed or
 15 operate as a restriction on current resources appropriated
 16 to the Department of the Interior.

17 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

18 INDIANS

19 FEDERAL TRUST PROGRAMS

20 For an additional amount for “Federal Trust Pro-
 21 grams”, \$6,800,000, to remain available until expended
 22 for activities pursuant to the Trust Management Improve-
 23 ment Project High Level Implementation Plan.

1 DEPARTMENT OF AGRICULTURE

2 FOREST SERVICE

3 WILDLAND FIRE MANAGEMENT

4 Of the funds made available under this heading for
5 fire operations in previous Acts of Appropriation (exclusive
6 of amounts for hazardous fuels reduction), \$100,000,000
7 shall be transferred to the Knutson-Vandenberg fund es-
8 tablished pursuant to Section 3 of Public Law 71–319 (16
9 U.S.C. 576 et. seq.) within 10 days of passage of this Act.

10 CHAPTER 4

11 RELATED AGENCY

12 CORPORATION FOR PUBLIC BROADCASTING

13 For an additional amount for the Corporation for
14 Public Broadcasting, to remain available until expended,
15 \$18,000,000: *Provided*, That such funds be made available
16 to National Public Radio, as the designated manager of
17 the Public Radio Satellite System, for acquisition of sat-
18 ellite capacity.

19 CHAPTER 5

20 DEPARTMENT OF DEFENSE

21 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

22 For an additional amount for “Military Construction,
23 Army National Guard” to cover the incremental costs aris-
24 ing from the consequences of Hurricane Georges,

1 \$11,300,000, as authorized by 10 U.S.C. 2854, to remain
 2 available until September 30, 2003.

3 CHAPTER 6
 4 DEPARTMENT OF HOUSING AND URBAN
 5 DEVELOPMENT
 6 MANAGEMENT AND ADMINISTRATION
 7 OFFICE OF INSPECTOR GENERAL

8 Under this heading in Public Law 105–276, add the
 9 words, “to remain available until September 30, 2000,”
 10 after “\$81,910,000.”

11 GENERAL PROVISIONS, THIS TITLE

12 SEC. 2001. The Department of the Interior and Re-
 13 lated Agencies Appropriations Act, 1999 (as contained in
 14 Division A, section 101(e) of the Omnibus Consolidated
 15 and Emergency Supplemental Appropriations Act, 1999
 16 (Public Law 105–277)) is amended under the heading
 17 “Forest Service, Reconstruction and Construction” by in-
 18 serting before the final period the following: “: *Provided*
 19 *further*, That notwithstanding any other provision of law,
 20 funds appropriated for Forest Service construction of a
 21 new forestry research facility at Auburn University, Au-
 22 burn, Alabama, shall be available for a direct payment to
 23 Auburn University for this purpose, but no more than
 24 \$4,000,000 shall be available for such payment prior to
 25 October 1, 1999: *Provided further*, That if within the life

1 of the facility the USDA Forest Service needs additional
2 space for collaborative laboratory activities on the Auburn
3 University campus, Auburn University shall provide such
4 laboratory space within the new facility constructed with
5 these funds, free of any charge for rent”.

6 SEC. 2002. None of the funds made available under
7 this or any other Act may be used by the Secretary of
8 the Interior to issue and finalize the rule to revise 43
9 C.F.R. Part 3809, published on February 9, 1999 at 64
10 Fed. Reg. 6421 or the Draft Environmental Impact State-
11 ment on Surface Management Regulations for Locatable
12 Mineral Operations, published in February, 1999, unless
13 the Secretary has provided a period of not less than 120
14 days for accepting public comment on the proposed rule
15 after the report of the National Academy of Sciences’
16 Committee on Hardrock Mining on Federal Lands, au-
17 thorized and required by the Department of the Interior
18 and Related Agencies Appropriations Act, 1999 (as con-
19 tained in Division A, section 101(e) of the Omnibus Con-
20 solidated and Emergency Supplemental Appropriations
21 Act, 1999 (Public Law 105–277)) is submitted to the ap-
22 propriate federal agencies, the Congress, and the Gov-
23 ernors of the affected states in accordance with the re-
24 quirements of that Act.

1 SEC. 2003. CIVIL LIBERTIES PUBLIC EDUCATION
 2 FUND.—Notwithstanding any other provision of law and
 3 in addition to any funds appropriated for this purpose,
 4 the Attorney General may transfer from any funds avail-
 5 able to the Department of Justice not more than
 6 \$4,300,000 to the Fund established under the Civil Lib-
 7 erties Act of 1988 (50 U.S.C. App. 1989b et seq.) for the
 8 purpose of paying restitution to individuals (1) who are
 9 eligible for restitution under such Act and have filed time-
 10 ly claims for the restitution, or (2) who are found eligible
 11 under the settlement agreement in the case of Carmen
 12 Mochizuki et al. vs. United States (Case No. 97–294C,
 13 United States Court of Federal Claims) and filed timely
 14 claims covered by the agreement.

15 SEC. 2004. Division A, Section 101(a), Title XI, Sec-
 16 tion 1122(c) is amended by inserting after “basis” “: *Pro-*
 17 *vided*, That no administrative costs shall be charged
 18 against this program which would have been incurred oth-
 19 erwise”.

20 SEC. 2005. None of the funds in this or any other
 21 Act shall be used to issue a notice of final rulemaking with
 22 respect to the valuation of crude oil for royalty purposes,
 23 including a rulemaking derived from proposed rules pub-
 24 lished in 63 Federal Register 6113 (1998), 62 Federal
 25 Register 36030, and 62 Federal Register 3742 (1997)

1 until October 1, 1999, or until there is a negotiated agree-
2 ment on the rule.

3 SEC. 2006. Of the \$2,200,000 appropriated in Public
4 Law 105–276 in accordance with H.R. Conference Report
5 No. 105–769 to meet sewer infrastructure needs associ-
6 ated with the 2002 Winter Olympic Games shall be award-
7 ed to Wasatch County, UT, for both water and sewer.

8 SEC. 2007. For the remainder of fiscal year 1999,
9 no funds may be used by the Department of the Interior
10 to implement Secretarial Order 3208, issued January 5,
11 1999, regarding the “Reorganization of the Office of the
12 Special Trustee for American Indians”. Fiscal year 1999
13 funds appropriated for purposes of reforming trust funds
14 management practices shall continue to be administered
15 as if the Order had not been issued.

16 SEC. 2008. EXTENSION OF AIRPORT IMPROVEMENT
17 PROGRAM. (a) AUTHORIZATION OF APPROPRIATIONS.—
18 Section 48103 of title 49, United States Code, as amended
19 by section 110(b)(1) of title I of division C of the Omnibus
20 Consolidated and Emergency Supplemental Appropria-
21 tions Act, 1999 (Public Law 105–277), is amended by
22 striking “\$1,205,000,000” and all that follows through
23 “October 1, 1998” and inserting “\$1,607,000,000 for the
24 8-month period beginning October 1, 1998.”.

1 (b) OBLIGATIONAL AUTHORITY.—Section 47104(c)
 2 of title 49, United States Code, as amended by section
 3 110(b)(2) of title I of division C of the Omnibus Consoli-
 4 dated and Emergency Supplemental Appropriations Act,
 5 1999 (Public Law 105–277), is amended by striking
 6 “March 31, 1999” and inserting “May 31, 1999”.

7 (c) LIQUIDATION OF CONTRACT AUTHORIZATION.—
 8 The Department of Transportation and Related Agencies
 9 Appropriations Act, 1999, as enacted in section 101(g) of
 10 Public Law 105–277, is amended as follows: Under the
 11 heading “Grants-in-Aid for Airports, (Liquidation of Con-
 12 tract Authorization), (Airport and Airway Trust Fund)”,
 13 delete the last proviso, and insert the following in lieu
 14 thereof: “: *Provided further*, That not more than
 15 \$1,300,000,000 of funds limited under this heading may
 16 be obligated before the enactment of a bill extending con-
 17 tract authorization for the Grants-in-Aid for airports pro-
 18 gram beyond May 31, 1999.”.

19 SEC. 2009. (a) Section (a) of section 149, Division
 20 C of Pubic Law 105–277 is amended by striking “April
 21 1, 1999” and inserting in lieu thereof “September 30,
 22 1999”.

23 (b) Section (b) of section 149, Division C of Public
 24 Law 105–277 is amended by striking “April 1, 1999”

1 each time it appears and inserting in lieu thereof “Septem-
2 ber 30, 1999”.

3 SEC. 2010. (a) Section 339(b)(3) of the Consolidated
4 Farm and Rural Development Act (7 U.S.C. 1989(b)(3))
5 is amended—

6 (1) by striking the comma and the remainder of
7 paragraph (3) following the comma; and

8 (2) by inserting a period after “(1)”.

9 (b) Section 353(c)(3)(C) of the Consolidated Farm
10 and Rural Development Act (7 U.S.C. 2001(c)(3)(C)) is
11 amended by striking “100 percent” and inserting “110
12 percent”.

13 SEC. 2011. PROHIBITION ON TREATING ANY FUNDS
14 RECOVERED FROM TOBACCO COMPANIES AS AN OVER-
15 PAYMENT FOR PURPOSES OF MEDICAID. (a) AMENDMENT
16 TO SOCIAL SECURITY ACT.—Section 1903(d)(3) of the
17 Social Security Act (42 U.S.C. 1396b(d)(3)) is amended—

18 (1) by inserting “(A)” after “(3)”; and

19 (2) by adding at the end the following:

20 “(B)(i) Subparagraph (A) and paragraph
21 (2)(B) shall not apply to any amount recovered or
22 paid to a State as part of the comprehensive settle-
23 ment of November 1998 between manufacturers of
24 tobacco products, as defined in section 5702(d) of
25 the Internal Revenue Code of 1986, and State Attor-

1 neys General, or as part of any individual State set-
 2 tlement or judgment reached in litigation initiated or
 3 pursued by a State against one or more such manu-
 4 facturers.

5 “(ii) Except as provided in subsection (i)(19), a
 6 State may use amounts recovered or paid to the
 7 State as part of a comprehensive or individual settle-
 8 ment, or a judgment, described in clause (i) for any
 9 expenditures determined appropriate by the State.”.

10 (b) PROHIBITION ON PAYMENT FOR ADMINISTRA-
 11 TIVE EXPENSES INCURRED IN PURSUING TOBACCO LITI-
 12 GATION.—Section 1903(i) of the Social Security Act (42
 13 U.S.C. 1396b(i)) is amended—

14 (1) in paragraph (18), by striking the period
 15 and inserting “; or”; and

16 (2) by inserting after paragraph (18) the fol-
 17 lowing new paragraph:

18 “(19) with respect to any amount expended on
 19 administrative costs to initiate or pursue litigation
 20 described in subsection (d)(3)(B).”.

21 (c) EFFECTIVE DATE.—This section and the amend-
 22 ments made by this section shall apply to amounts paid
 23 to a State prior to, on, or after the date of enactment
 24 of this Act.

1 TITLE III—RESCISSIONS AND OFFSETS

2 CHAPTER 1

3 DEPARTMENT OF AGRICULTURE

4 FOOD AND NUTRITION SERVICE

5 FOOD STAMP PROGRAM

6 (RESCISSION)

7 Of the amounts made available under this heading
8 in Division A, Section 101(a), Title IV of Public Law 105–
9 277, \$285,000,000 are rescinded.

10 CHAPTER 2

11 DEPARTMENT OF JUSTICE

12 OFFICE OF INSPECTOR GENERAL

13 (RESCISSION)

14 Of the unobligated balances available under this
15 heading, \$5,000,000 are rescinded.

16 IMMIGRATION AND NATURALIZATION SERVICE

17 SALARIES AND EXPENSES

18 ENFORCEMENT AND BORDER AFFAIRS

19 (RESCISSION)

20 Of the unobligated balances available under this
21 heading, excluding funds appropriated for equipment and
22 facilities, \$40,000,000 are rescinded.

1 CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND
2 PROGRAM DIRECTION
3 (RESCISSION)

4 Of the unobligated balances available under this
5 heading, excluding funds appropriated for equipment and
6 facilities, \$25,000,000 are rescinded.

7 DEPARTMENT OF COMMERCE
8 NATIONAL OCEANIC AND ATMOSPHERIC
9 ADMINISTRATION
10 OPERATIONS, RESEARCH AND FACILITIES
11 (RESCISSION)

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

14 PROCUREMENT, ACQUISITION, AND CONSTRUCTION

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

17 DEPARTMENT OF STATE AND RELATED
18 AGENCIES

19 INTERNATIONAL ORGANIZATIONS AND CONFERENCES
20 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS
21 (RESCISSION)

22 Of the unobligated balances available under this
23 heading, excluding funds appropriated for arrearages,
24 \$22,000,000 are rescinded.

1 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

2 ACTIVITIES

3 (RESCISSION)

4 Of the unobligated balances available under this
5 heading, excluding funds appropriated for arrearages,
6 \$21,000,000 are rescinded.

7 INTERNATIONAL BROADCASTING OPERATIONS

8 (RESCISSION)

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

11 CHAPTER 3

12 DEPARTMENT OF DEFENSE—MILITARY

13 OPERATION AND MAINTENANCE

14 OPERATION AND MAINTENANCE, DEFENSE-WIDE

15 (RESCISSION)

16 Of the funds provided in Public Law 105–262, the
17 following funds are hereby rescinded as of the date of en-
18 actment of this Act from the following account: Under the
19 heading, “Operation and Maintenance, Defense-Wide”,
20 \$209,700,000.

1 CHAPTER 4
2 BILATERAL ECONOMIC ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 OTHER BILATERAL ASSISTANCE
5 ECONOMIC SUPPORT FUND
6 (RESCISSION)

7 Of the funds made available for Haiti under this
8 heading in Public Law 105–118 and in the Omnibus Con-
9 solidated and Emergency Supplemental Appropriations
10 Act, 1999 (Public Law 105–277), \$10,000,000 are re-
11 scinded.

12 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
13 STATES
14 (RESCISSION)

15 Of the funds made available for Bosnia and
16 Herzegovina under this heading in Public Law 105–118
17 and in the Omnibus Consolidated and Emergency Supple-
18 mental Appropriations Act, 1999 (Public Law 105–277),
19 \$10,000,000 are rescinded.

20 ASSISTANCE FOR THE NEW INDEPENDENT STATES OF
21 THE FORMER SOVIET UNION
22 (RESCISSION)

23 Of the funds made available for Russia under this
24 heading in Public Law 103–306, Public Law 105–118 and
25 in the Omnibus Consolidated and Emergency Supple-

1 mental Appropriations Act, 1999 (Public Law 105–277),
 2 \$10,000,000 are rescinded.

3 MULTILATERAL ECONOMIC ASSISTANCE
 4 FUNDS APPROPRIATED TO THE PRESIDENT
 5 INTERNATIONAL FINANCIAL INSTITUTIONS
 6 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
 7 RECONSTRUCTION AND DEVELOPMENT
 8 GLOBAL ENVIRONMENT FACILITY
 9 (RESCISSION)

10 Of the funds made available under this heading in
 11 the Omnibus Consolidated and Emergency Supplemental
 12 Appropriations Act, 1999 (Public Law 105–277),
 13 \$60,000,000 are rescinded.

14 INTERNATIONAL ORGANIZATIONS AND PROGRAMS
 15 (RESCISSION)

16 Of the funds made available under this heading in
 17 the Omnibus Consolidated and Emergency Supplemental
 18 Appropriations Act, 1999 (Public Law 105–277),
 19 \$10,000,000 are rescinded.

20 CHAPTER 5

21 DEPARTMENT OF THE INTERIOR

22 BUREAU OF LAND MANAGEMENT

23 MANAGEMENT OF LANDS AND RESOURCES

24 (RESCISSION)

25 Of the amounts appropriated under this heading in
 26 previous appropriations acts, \$6,800,000 are rescinded.

1 CHAPTER 6
2 DEPARTMENT OF LABOR
3 EMPLOYMENT AND TRAINING ADMINISTRATION
4 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
5 SERVICE OPERATIONS
6 Under this heading in section 101(f) of Public Law
7 105–277, delete “\$3,132,076,000” and insert
8 “\$3,116,076,000”; and delete “\$180,933,000” and insert
9 “\$164,933,000”.
10 DEPARTMENT OF HEALTH AND HUMAN
11 SERVICES
12 ADMINISTRATION FOR CHILDREN AND FAMILIES
13 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
14 (DEFERRAL)
15 Of the funds made available for grants to States for
16 Temporary Assistance for Needy Families under section
17 403(a)(1) of the Social Security Act, \$350,000,000 shall
18 not become available for obligation until October 1, 2001,
19 in amounts bearing the same proportion to \$350,000,000
20 as such unobligated balance for such State bears to the
21 sum of such unobligated balances for all States.

1 DEPARTMENT OF EDUCATION
2 EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT
3 (RESCISSION)

4 Of the funds made available under this heading in
5 section 101(f) of Public Law 105–277, \$8,000,000 are re-
6 scinded.

7 CHAPTER 7
8 DEPARTMENT OF DEFENSE

9 BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV
10 (RESCISSION)

11 Of the funds made available under this heading in
12 Public Law 105–237, \$11,300,000 are rescinded.

13 CHAPTER 8
14 DEPARTMENT OF HOUSING AND URBAN
15 DEVELOPMENT

16 COMMUNITY PLANNING AND DEVELOPMENT
17 COMMUNITY DEVELOPMENT BLOCK GRANTS
18 (RESCISSION)

19 Of the unobligated balances available under this
20 heading in the 1998 Supplemental Appropriations and Re-
21 sciissions Act (Public Law 105–174), \$63,600,000 are re-
22 scinded.

23 Of the unobligated balances available under this
24 heading in Division B, of the Omnibus Consolidated and
25 Emergency Supplemental Appropriations, 1999 (Public
26 Law 105–277), \$250,000,000 are rescinded.

1 INDEPENDENT AGENCY
2 ENVIRONMENTAL PROTECTION AGENCY
3 SCIENCE AND TECHNOLOGY
4 (RESCISSION)

5 Of the funds made available in Public Law 105–277,
6 \$10,000,000 for research associated with the Climate
7 Change Technology Initiative are rescinded.

8 GENERAL PROVISIONS, THIS TITLE

9 SEC. 3001. Division B, Title V, Chapter 1 of the Om-
10 nibus Consolidated and Emergency Supplemental Appro-
11 priations Act, 1999 (Public Law 105–277) is repealed.

12 SEC. 3002. Of the funds appropriated with an emer-
13 gency designation in Division B of Public Law 105–277,
14 other than those appropriated to the Department of De-
15 fense—Military, \$343,000,000 are rescinded: *Provided*,
16 That these reductions shall be applied proportionally to
17 each appropriation account and budget activity being re-
18 duced by this section: *Provided further*, That within 30
19 days of enactment of this Act, the Director of the Office
20 of Management and Budget shall submit to the Commit-
21 tees on Appropriations a listing of the amounts by account
22 of the reductions made pursuant to this section.

23 SEC. 3003. Of the funds appropriated or otherwise
24 made available for fiscal year 1999 for the non-defense
25 discretionary category, \$100,000,000 are rescinded as a
26 result of revised economic assumptions from inflation ad-

1 justed accounts: *Provided*, That within 30 days of enact-
 2 ment of this Act, the Director of the Office of Manage-
 3 ment and Budget shall submit to the Committees on Ap-
 4 propriations a listing of the amounts by account of the
 5 reductions made pursuant to this section.

6 SEC. 3004. GAO AND INSPECTOR GENERAL
 7 AUDIT.—The Inspector General of the Department of
 8 Housing and Urban Development and the Comptroller
 9 General of the United States shall conduct an audit of
 10 the Department of Housing and Urban Development to
 11 assess the extent the Department has been in compliance
 12 with the Department of Housing and Urban Development
 13 Reform Act of 1989 over the last two years. The Inspector
 14 General of the Department of Housing and Urban Devel-
 15 opment and the Comptroller General of the United States
 16 shall issue a preliminary report to the Congress on this
 17 assessment within 6 months and a final report within 12
 18 months.

19 TITLE IV—TECHNICAL CORRECTIONS

20 SEC. 4001. The Agriculture, Rural Development,
 21 Food and Drug Administration, and Related Agencies Ap-
 22 propriations Act, 1999 (as contained in Division A, section
 23 101(a) of the Omnibus Consolidated and Emergency Sup-
 24 plemental Appropriations Act, 1999 (Public Law 105–
 25 277)) is amended:

1 (a) in Title III, under the heading “Rural Com-
 2 munity Advancement Program (Including Transfer
 3 of Funds)”, by inserting “1926d,” after “1926c,”;
 4 by inserting “, 306(a)(2), and 306D” after
 5 “381E(d)(2)” the first time it appears in the para-
 6 graph; and by striking “, as provided in 7 U.S.C.
 7 1926(a) and 7 U.S.C. 1926C”,

8 (b) in Title VII, in section 718 by striking “this
 9 Act” and inserting in lieu thereof “annual appro-
 10 priations Acts”,

11 (c) in Title VII, in section 747 by striking
 12 “302” and inserting in lieu thereof “203”, and

13 (d) in Title VII, in section 763(b)(3) by striking
 14 “section 402(d) of Public Law 94–265” and insert-
 15 ing in lieu thereof “section 116(a) of Public Law
 16 104–297”.

17 SEC. 4002. The Foreign Operations, Export Financ-
 18 ing, and Related Programs Appropriations Act, 1999 (as
 19 contained in Division A, section 101(d) of the Omnibus
 20 Consolidated and Emergency Supplemental Appropria-
 21 tions Act, 1999 (Public Law 105–277)) is amended:

22 (a) in Title II under the heading “Burma” by
 23 striking ‘headings “Economic Support Fund” and’
 24 and inserting in lieu thereof ‘headings “Child Sur-

1 vival and Disease Programs Fund”, “Economic Sup-
2 port Fund”, and’,

3 (b) in Title V in section 587 by striking “199–
4 339” and inserting in lieu thereof “99–399”,

5 (c) in Title V in subsection 594(a) by striking
6 “subparagraph (C)” and inserting in lieu thereof
7 “subsection (c)”,

8 (d) in Title V in subsection 594(b) by striking
9 “subparagraph (a)” and inserting in lieu thereof
10 “subsection (a)”, and

11 (e) in Title V in subsection 594(c) by striking
12 “521 of the annual appropriations Act for Foreign
13 Operations, Export Financing, and Related Pro-
14 grams” and inserting in lieu thereof “520 of this
15 Act”.

16 SEC. 4003. Subsection 1706(b) of title XVII of the
17 International Financial Institutions Act (22 U.S.C. 262r–
18 262r–2), as added by section 614 of the Foreign Oper-
19 ations, Export Financing, and Related Programs Appro-
20 priations Act, 1999, is amended by striking “June 30”
21 and inserting in lieu thereof “September 30”.

22 SEC. 4004. The Department of the Interior and Re-
23 lated Agencies Appropriations Act, 1999 (as contained in
24 Division A, section 101(e) of the Omnibus Consolidated

1 and Emergency Supplemental Appropriations Act, 1999
2 (Public Law 105–277)) is amended:

3 (a) in the last proviso under the heading
4 “United States Fish and Wildlife Service, Adminis-
5 trative Provisions” by striking “section
6 104(c)(50)(B) of the Marine Mammal Protection
7 Act (16 U.S.C. 1361–1407)” and inserting in lieu
8 thereof “section 104(c)(5)(B) of the Marine Mam-
9 mal Protection Act of 1972 (16 U.S.C. 1361–
10 1407)”.

11 (b) under the heading “Bureau of Indian Af-
12 fairs, Operation of Indian Programs”, by striking
13 “\$94,010,000” and inserting in lieu thereof
14 “\$94,046,000”, by striking “\$114,871,000” and in-
15 serting in lieu thereof “\$114,891,000”, by striking
16 “\$387,365,000” and inserting in lieu thereof
17 “\$389,307,000”, and by striking “\$52,889,000”
18 and inserting in lieu thereof “\$53,039,000”.

19 (c) in section 354(a) by striking “16 U.S.C.
20 544(a)(2))” and inserting in lieu thereof “16 U.S.C.
21 544b(a)(2))”.

22 (d) The amendments made by subsections (a),
23 (b), and (c) of this section shall take effect as if in-
24 cluded in Public Law 105–277 on the date of its en-
25 actment.

1 SEC. 4005. The Departments of Labor, Health and
2 Human Services, Education, and Related Agencies Appro-
3 priations Act, 1999 (as contained in Division A, section
4 101(f) of the Omnibus Consolidated and Emergency Sup-
5 plemental Appropriations Act, 1999 (Public Law 105–
6 277)) is amended:

7 (a) in Title I, under the heading “Federal Un-
8 employment Benefits and Allowances”, by striking
9 “during the current fiscal year” and inserting in lieu
10 thereof “from October 1, 1998, through September
11 30, 1999”;

12 (b) in Title II under the heading “Office of the
13 Secretary, General Departmental Management” by
14 striking “\$180,051,000” and inserting in lieu there-
15 of “\$188,051,000”;

16 (c) in Title II under the heading “Children and
17 Families Services Programs, (Including Rescis-
18 sions)” by striking “notwithstanding section
19 640(a)(6), of the funds made available for the Head
20 Start Act, \$337,500,000 shall be set aside for the
21 Head Start Program for Families with Infants and
22 Toddlers (Early Head Start): *Provided further,*
23 *That*”;

24 (d) in Title II under the heading “Office of the
25 Secretary, General Departmental Management” by

1 inserting after the first proviso the following: “*Pro-*
 2 *vided further*, That of the funds made available
 3 under this heading for carrying out title XX of the
 4 Public Health Service Act, \$10,831,000 shall be for
 5 activities specified under section 2003(b)(2), of
 6 which \$9,131,000 shall be for prevention service
 7 demonstration grants under section 510(b)(2) of
 8 title V of the Social Security Act, as amended, with-
 9 out application of the limitation of section 2010(c)
 10 of said title XX.”;

11 (e) in Title III under the heading “Special Edu-
 12 cation” by inserting before the period at the end of
 13 the paragraph the following: “: *Provided further*,
 14 That \$1,500,000 shall be for the recipient of funds
 15 provided by Public Law 105–78 under section
 16 687(b)(2)(G) of the Act to provide information on
 17 diagnosis, intervention, and teaching strategies for
 18 children with disabilities”;

19 (f) in Title II under the heading “Public Health
 20 and Social Services Emergency Fund” by striking
 21 “\$322,000” and inserting in lieu thereof
 22 “\$180,000”;

23 (g) in Title III under the heading “Education
 24 Reform” by striking “\$491,000,000” and inserting
 25 in lieu thereof “\$459,500,000”;

1 (h) in Title III under the heading “Vocational
 2 and Adult Education” by striking “\$6,000,000” the
 3 first time that it appears and inserting in lieu there-
 4 of “\$14,000,000”, and by inserting before the period
 5 at the end of the paragraph the following: “: *Pro-*
 6 *vided further*, That of the amounts made available
 7 for the Perkins Act, \$4,100,000 shall be for tribally
 8 controlled postsecondary vocational institutions
 9 under section 117”;

10 (i) in Title III under the heading “Higher Edu-
 11 cation” by inserting after the first proviso the fol-
 12 lowing: “*Provided further*, That funds available for
 13 part A, subpart 2 of title VII of the Higher Edu-
 14 cation Act shall be available to fund awards for aca-
 15 demic year 1999–2000 for fellowships under part A,
 16 subpart 1 of title VII of said Act, under the terms
 17 and conditions of part A, subpart 1:”;

18 (j) in Title III under the heading “Education
 19 Research, Statistics, and Improvement” by inserting
 20 after the third proviso the following: “*Provided fur-*
 21 *ther*, That of the funds appropriated under section
 22 10601 of title X of the Elementary and Secondary
 23 Education Act of 1965, as amended, \$1,000,000
 24 shall be used to conduct a violence prevention dem-
 25 onstration program: *Provided further*, That of the

1 funds appropriated under section 10601 of title X of
 2 the Elementary and Secondary Education Act of
 3 1965, as amended, \$50,000 shall be awarded to the
 4 Center for Educational Technologies to conduct a
 5 feasibility study and initial planning and design of
 6 an effective CD ROM product that would com-
 7 plement the book, *We the People: The Citizen and the*
 8 *Constitution*”;

9 (k) in Title III under the heading “Reading Ex-
 10 cellence” by inserting before the period at the end
 11 of the paragraph the following: “: *Provided*, That up
 12 to one percent of the amount appropriated shall be
 13 available October 1, 1998 for peer review of applica-
 14 tions”;

15 (l) in Title V in section 510(3) by inserting
 16 after “Act” the following: “or subsequent Depart-
 17 ments of Labor, Health and Human Services, Edu-
 18 cation, and Related Agencies Appropriations Acts”;
 19 and

20 (m)(1) in Title VIII in section 405 by striking
 21 subsection (e) and inserting in lieu thereof the fol-
 22 lowing:

23 “(e) OTHER REFERENCES TO TITLE VII OF THE
 24 STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT.—
 25 The table of contents of the Stewart B. McKinney Home-

1 less Assistance Act (42 U.S.C. 11301 et seq.) is
2 amended—

3 “(1) by striking the items relating to title VII
4 of such Act, except the item relating to the title
5 heading and the items relating to subtitles B and C
6 of such title; and

7 “(2) by striking the item relating to the title
8 heading for title VII and inserting in lieu thereof the
9 following:

10 “TITLE VII—EDUCATION AND TRAINING”.

11 (2) The amendments made by subsection
12 (m)(1) of this section shall take effect as if included
13 in Public Law 105–277 on the date of its enact-
14 ment.

15 SEC. 4006. The last sentence of section 5595(b) of
16 title 5, United States Code (as added by section 309(a)(2)
17 of the Legislative Branch Appropriations Act, 1999, Pub-
18 lic Law 105–275) is amended by striking “(a)(1)(G)” and
19 inserting in lieu thereof “(a)(1)(C)”.

20 SEC. 4007. Division B, Title II, Chapter 5 of the Om-
21 nibus Consolidated and Emergency Supplemental Appro-
22 priations Act, 1999 (Public Law 105–277) is amended
23 under the heading “Capitol Police Board, Security En-
24 hancements” by inserting before the period at the end of
25 the paragraph “: *Provided further*, That for purposes of

1 carrying out the plan or plans described under this head-
2 ing and consistent with the approval of such plan or plans
3 pursuant to this heading, the Capitol Police Board shall
4 transfer the portion of the funds made available under this
5 heading which are to be used for personnel and overtime
6 increases for the United States Capitol Police to the head-
7 ing “Capitol Police Board, Capitol Police, Salaries” under
8 the Act making appropriations for the legislative branch
9 for the fiscal year involved, and shall allocate such portion
10 between the Sergeant at Arms of the House of Represent-
11 atives and the Sergeant at Arms and Doorkeeper of the
12 Senate in such amounts as may be approved by the Com-
13 mittee on Appropriations of the House of Representatives
14 and the Committee on Appropriations of the Senate”.

15 SEC. 4008. Division B, Title 1, Chapter 3 of the Om-
16 nibus Consolidated and Emergency Supplemental Appro-
17 priations Act, 1999 (Public Law 105–277) is amended
18 under the heading “Family Housing, Navy and Marine
19 Corps” by striking the word “Hurricane” and inserting
20 in lieu thereof “Hurricanes Georges and”.

21 SEC. 4009. The Department of Transportation and
22 Related Agencies Appropriations Act, 1999, as contained
23 in Division A, section 101(g) of the Omnibus Consolidated
24 and Emergency Supplemental Appropriations Act, 1999
25 (Public Law 105–277), is amended in Title I under the

1 heading “Capital Investment Grants (Including Transfer
 2 of Funds)” within the project description of project num-
 3 ber 127, by inserting the words “and bus facilities” after
 4 the word “replacements”, and within the project descrip-
 5 tion of project number 261 by striking the words
 6 “Multimodal Center” and inserting “buses and bus related
 7 facilities”.

8 SEC. 4010. The Department of Transportation and
 9 Related Agencies Appropriations Act, 1999, as contained
 10 in Division A, section 101(g) of the Omnibus Consolidated
 11 and Emergency Supplemental Appropriations Act, 1999
 12 (Public Law 105–277), is amended in Title I under the
 13 heading “Federal-Aid Highways (Limitation on Obliga-
 14 tions) (Highway Trust Fund)” by striking “not more than
 15 \$38,000,000 shall be available for the implementation and
 16 execution of the Ferry Boat and Ferry Terminal Facility
 17 Program”, and inserting in lieu thereof, “not more than
 18 \$59,290,000 shall be available for the implementation and
 19 execution of the Ferry Boat and Ferry Terminal Facility
 20 Program”.

21 SEC. 4011. (a) AMERICAN FISHERIES ACT.—The
 22 American Fisheries Act (title II of division C of Public
 23 Law 105–277) is amended—

24 (1) in section 202(b) by inserting a comma
 25 after “United States Code”;

1 (2) in section 207(d)(1)(A) by striking “Fishery
2 Conservation and Management”;

3 (3) in section 208(b)(1) by striking “615085”
4 and inserting “633219”;

5 (4) in section 213(c)(1) by striking “title” and
6 inserting “subtitle”; and

7 (5) in section 213(c)(2) by striking “title” and
8 inserting “subtitle”.

9 (b) TITLE 46.—Section 12122(c) of title 46, United
10 States Code, is amended by inserting a comma after
11 “statement or representations”.

12 SEC. 4012. Section 113 of the Department of Justice
13 Appropriations Act, 1999 (section 101(b) of division A of
14 Public Law 105–277) is amended by striking “section
15 102(2) of the Federally Recognized Indian Tribe List Act
16 of 1994 (25 U.S.C. 479a(2))” and inserting “section 4(b)
17 of the Indian Self-Determination and Education Assist-
18 ance Act (25 U.S.C. 450b(b))”.

19 SEC. 4013. DENALI COMMISSION.—The Denali Com-
20 mission Act of 1998 (title III of division C of Public Law
21 105–277) is amended—

22 (1) in section 303(b)(1)(D) by striking in two
23 instances “Alaska Federation or Natives” and in-
24 serting “Alaska Federation of Natives”;

1 (2) in section 303(c) by striking “Members”
 2 and inserting “The Federal Cochairperson shall
 3 serve for a term of four years and may be re-
 4 appointed. All other members”;

5 (3) in section 306(a) by inserting after the first
 6 sentence the following: “The Federal Cochairperson
 7 shall be compensated at the annual rate prescribed
 8 for level IV of the Executive Schedule under section
 9 5315 of title 5, United States Code.”;

10 (4) in section 306(c)(2) by striking “Chairman”
 11 and inserting “Federal Cochairperson”;

12 (5) by inserting at the end of section 306 the
 13 following new subsections:

14 “(g) ADMINISTRATIVE EXPENSES AND RECORDS.—
 15 The Commission is hereby prohibited from using more
 16 than 5 percent of the amounts appropriated under the au-
 17 thority of this Act or transferred pursuant to section 329
 18 of the Department of Transportation and Related Agen-
 19 cies Appropriations Act, 1999 (section 101(g) of division
 20 A of this Act) for administrative expenses. The Commis-
 21 sion and its grantees shall maintain accurate and complete
 22 records which shall be available for audit and examination
 23 by the Comptroller General of his or her designee.

24 “(h) INSPECTOR GENERAL.—Section 8G(a)(2) of the
 25 Inspector General Act of 1978 (5 U.S.C. App. 3, section

1 8G(a)(2)) is amended by inserting ‘the Denali Commis-
2 sion,’ after ‘the Corporation for Public Broadcasting.’’;
3 and

4 (6) in section 307(b) by inserting immediately
5 before “The Commission” the following: “Funds
6 transferred to the Commission pursuant to section
7 329 of the Department of Transportation and Relat-
8 ed Agencies Appropriations Act, 1999 (section
9 101(g) of division A of this Act) shall be available
10 without further appropriation and until expended.”.

11 SEC. 4014. Section 3347(b) of title 5, United States
12 Code, as added by the Federal Vacancies Reform Act of
13 1998, is amended by striking “provision to which sub-
14 section (a)(2) applies” and inserting “provision to which
15 subsection (a)(1) applies”.

16 This Act may be cited as the “Emergency Supple-
17 mental Appropriations Act for Fiscal Year 1999”.

Calendar No. 28

106TH CONGRESS
1ST Session

S. 544

[Report No. 106-8]

A BILL

Making emergency supplemental appropriations and rescissions for recovery from natural disasters and foreign assistance, for the fiscal year ending September 30, 1999, and for other purposes.

MARCH 4, 1999

Read twice and placed on the calendar