

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS  
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1999, AND  
FOR OTHER PURPOSES

\_\_\_\_\_  
MAY 14, 1999.—Ordered to be printed  
\_\_\_\_\_

Mr. YOUNG of Florida, from the Committee of Conference,  
submitted the following

CONFERENCE REPORT

[To accompany H.R. 1141]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1141) “making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes,” having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

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

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1999, and for other purposes, namely:*

*TITLE I—EMERGENCY SUPPLEMENTAL APPROPRIATIONS*

*CHAPTER 1*

*DEPARTMENT OF AGRICULTURE*

*OFFICE OF THE SECRETARY*

*EMERGENCY GRANTS TO ASSIST LOW-INCOME MIGRANT AND SEASONAL FARMWORKERS*

*For emergency grants to assist low-income migrant and seasonal farmworkers under section 2281 of the Food, Agriculture, Conservation, and Trade Act of 1990 (42 U.S.C. 5177a),*

*\$20,000,000: Provided, That the entire amount shall be available only to the extent an official budget request for \$20,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.*

*AGRICULTURAL MARKETING SERVICE*

*FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY*

*(SECTION 32)*

*For an additional amount for the fund maintained for funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), \$145,000,000: Provided, That the entire amount shall be available only to the extent an official budget request for \$145,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement under section 251(b)(2)(A) of such Act: Provided further, That the Secretary of Agriculture may waive the limitation established under the second sentence of the second paragraph of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), on the amount of funds that may be devoted during fiscal year 1999 to any one agricultural commodity or product thereof.*

*FARM SERVICE AGENCY*

*SALARIES AND EXPENSES*

*For an additional amount for "Salaries and Expenses", \$42,753,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT*

*(INCLUDING TRANSFERS OF FUNDS)*

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

*For the additional cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, to remain available until September 30, 2000, as follows: farm ownership loans, \$35,505,000, of which \$5,565,000 shall be for guaranteed loans; operating loans,*

\$28,804,000, of which \$16,169,000 shall be for subsidized guaranteed loans; and for emergency insured loans, \$41,300,000 to meet the needs resulting from natural disasters; and for additional administrative expenses to carry out the direct and guaranteed loan programs, \$4,000,000: Provided, That of the total amount appropriated, up to \$29,998,000 may be transferred to the "Farm Service Agency Salaries and Expenses" account with prior notification to the House and Senate Committees on Appropriations: Provided further, That the entire amounts are designated by the Congress as emergency requirements pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Funds appropriated by this Act or by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Public Law 105-277) to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs with the prior approval of the House and Senate Committees on Appropriations.

#### EMERGENCY CONSERVATION PROGRAM

For an additional amount for the "Emergency Conservation Program" for expenses resulting from natural disasters, \$28,000,000, to remain available until expended: Provided, That funds made available under this heading by Public Law 105-174 to provide cost-sharing assistance to maple producers to replace taps and tubing that were damaged by ice storms in northeastern States in 1998 may be used to carry out any activity authorized under the Emergency Conservation Program: Provided further, That funds made available under this heading may be used for restoration of streambanks in the Northeast in non-flood prone areas as determined by the county committees: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$28,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

#### COMMODITY CREDIT CORPORATION FUND

##### LIVESTOCK INDEMNITY PROGRAM

An amount of \$3,000,000 is appropriated to the Secretary to implement a livestock indemnity program. Such program shall be effective only for losses beginning on May 2, 1998, through the date of the enactment of this Act from natural disasters declared pursuant to a Presidential or Secretarial declaration requested prior to the date of the enactment of this Act. The Secretary shall, to the extent practicable, provide benefits at a level and in a manner similar to the Livestock Indemnity Programs carried out during 1997 and 1998: Provided, That in administering the program, the Secretary shall, to the extent practicable, utilize gross income and payment limitations conditions established for the Disaster Reserve Assist-

*ance Program for the 1996 crop year: Provided further, That the entire amount shall be available only to the extent an official budget request for \$3,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.*

*NATURAL RESOURCES CONSERVATION SERVICE*

*WATERSHED AND FLOOD PREVENTION OPERATIONS*

*For an additional amount for "Watershed and Flood Prevention Operations" to repair damages to the waterways and watersheds resulting from natural disasters, \$95,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent that an official budget request for \$95,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.*

*RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS*

*RURAL COMMUNITY ADVANCEMENT PROGRAM*

*For an additional amount for the cost of direct loans and grants of the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), as provided in 7 U.S.C. 1926(a) and 7 U.S.C. 1926C for distribution through the national reserve, \$30,000,000, of which \$25,000,000 shall be for grants under such program: Provided, That the entire amount shall be available only to the extent an official budget request for \$30,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.*

*RURAL HOUSING SERVICE*

*RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

*For additional gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund to meet needs resulting from natural disasters, as follows: \$10,000,000 for loans to section 502 borrowers, as determined by the Secretary; and \$1,000,000 for section 504 housing repair loans.*

*For the additional cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to remain available until expended,*

\$1,534,000, as follows: section 502 loans, \$1,182,000; and section 504 housing repair loans, \$352,000: Provided, That the entire amount shall be available only to the extent that an official budget request for \$1,534,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

#### RURAL HOUSING ASSISTANCE GRANTS

For an additional amount for grants for very low-income housing repair, as authorized by 42 U.S.C. 1474, to meet needs resulting from natural disasters, \$1,000,000: Provided, That the entire amount shall be available only to the extent that an official budget request for \$1,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

#### GENERAL PROVISIONS, THIS CHAPTER

**SEC. 101. (a) CROP LOSS ASSISTANCE FOR CERTAIN MULTIYEAR LOSSES.**—From funds remaining in a reserve held under subsection (c) of section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105-277; 112 Stat. 2681-43), for errors, omissions, and appeals, the Secretary of Agriculture may use not more than 15 percent of the reserve funds to provide assistance to a producer described in subsection (b) who incurred losses to a commodity due to disasters in two crop years during the five crop year period beginning with the 1994 crop year.

(b) **ELIGIBILITY CRITERIA.**—A producer on a farm is eligible for assistance under subsection (a) only if—

(1) the producer received a federally insured indemnity payment for crop losses in two crop years of such five-crop year period;

(2) the producer acquired federally insured crop insurance in one additional crop year during such period, but did not receive a federally insured indemnity payment;

(3) the producer received a non-federally insured indemnity payment for crop losses in the crop year referred to in paragraph (2); and

(4) the producer does not receive a payment under subsection (b) or (c) of such section 1102.

(c) **CROP YEARS COVERED; PAYMENT RATE.**—Any payment to a producer under subsection (a) may be paid only for losses incurred during the crop years described in paragraph (1) of subsection (b). The payment rate may not exceed the payment rate used under subsection (c) of such section 1102.

(d) **EFFECT ON EXISTING AUTHORITY.**—Nothing in this section authorizes the Secretary to delay the provision of crop loss assist-

ance under such section 1102, and the Secretary shall complete the payment of multiyear assistance under subsection (c) of such section 1102 before making any payment under the authority of this section.

(e) DESIGNATION AS EMERGENCY REQUIREMENT.—Such sums as are necessary to carry out the amendments made by subsection (a): Provided, That such amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement under section 251(b)(2)(A) of such Act.

SEC. 102. Notwithstanding section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i), an additional \$28,000,000 shall be provided through the Commodity Credit Corporation in fiscal year 1999 for technical assistance activities performed by any agency of the Department of Agriculture in carrying out the Conservation Reserve Program or the Wetlands Reserve Program funded by the Commodity Credit Corporation: Provided, That an additional \$35,000,000 shall be provided through the Commodity Credit Corporation on October 1, 1999, for technical assistance activities performed by any agency of the Department of Agriculture in carrying out the Conservation Reserve Program or the Wetlands Reserve Program funded by the Commodity Credit Corporation: Provided further, That the entire amounts shall be available only to the extent an official budget request, that includes designation of the entire amounts of the request as emergency requirements as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amounts are designated by the Congress as emergency requirements pursuant to section 251(b)(2)(A) of such Act

SEC. 103. Notwithstanding any other provision of law, monies available under section 763 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Public Law 105-277), shall be provided by the Secretary of Agriculture directly to any State determined by the Secretary of Agriculture to have been materially affected by the commercial fishery failure or failures declared by the Secretary of Commerce in September, 1998 under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act. Such State shall disburse the funds to individuals with family incomes below the Federal poverty level who have been adversely affected by the commercial fishery failure or failures: Provided, That the entire amount shall be available only to the extent an official budget request for such amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 104. For an additional amount for the Livestock Assistance Program under Public Law 105-277, \$70,000,000: Provided, That for the purposes of section 1103 of the Agriculture, Rural De-

velopment, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Public Law 105–277), notwithstanding any other provision of law or regulation, the definition of “livestock” shall include “reindeer”: Provided further, That the entire amount shall be available only to the extent an official budget request for \$70,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 105. DENALI COMMISSION. (a) The Denali Commission Act of 1998 (title III of division C of Public Law 105–277) is amended—

(1) in section 303(b)(1)(D) by striking in two instances “Alaska Federation or Natives” and inserting “Alaska Federation of Natives”;

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

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

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

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

“(g) ADMINISTRATIVE EXPENSES AND RECORDS.—The Commission is hereby prohibited from using more than 5 percent of the amounts appropriated under the authority of this Act or transferred pursuant to section 329 of the Department of Transportation and Related Agencies Appropriations Act, 1999 (section 101(g) of division A of this Act) for administrative expenses. The Commission and its grantees shall maintain accurate and complete records which shall be available for audit and examination by the Comptroller General or his or her designee.

“(h) INSPECTOR GENERAL.—Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App. 3, section 8G(a)(2)) is amended by inserting ‘the Denali Commission,’ after ‘the Corporation for Public Broadcasting,’; and

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

(7) in section 305 by inserting at the end a new section (d) as follows:

“(d) The Commission, acting through the Federal Cochairperson, is authorized to enter into contracts and cooperative agreements, award grants, and make payments necessary to carry out the purposes of the Commission. With respect to funds appropriated to the Commission for fiscal year 1999, the Commission, acting through the Federal Cochairperson, is authorized to enter into con-

*tracts and cooperative agreements, award grants, and make payments to implement an interim work plan for fiscal year 1999 approved by the Commission.”*

*(b) Amounts made available by this section are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided, That such amounts shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

## CHAPTER 2

### DEPARTMENT OF JUSTICE

#### IMMIGRATION AND NATURALIZATION SERVICE

##### SALARIES AND EXPENSES

##### ENFORCEMENT AND BORDER AFFAIRS

*For an additional amount for “Salaries and Expenses, Enforcement and Border Affairs” to support increased detention requirements for Central American criminal aliens and to address the expected influx of illegal immigrants from Central America as a result of Hurricane Mitch, \$80,000,000, which shall remain available until expended and which shall be administered by the Attorney General: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

## CHAPTER 3

### DEPARTMENT OF DEFENSE—MILITARY

#### MILITARY PERSONNEL

##### RESERVE PERSONNEL, ARMY

*For an additional amount for “Reserve Personnel, Army”, \$8,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$5,100,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

##### NATIONAL GUARD PERSONNEL, ARMY

*For an additional amount for “National Guard Personnel, Army”, \$7,300,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section*

*251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$1,300,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

*NATIONAL GUARD PERSONNEL, AIR FORCE*

*For an additional amount for “National Guard Personnel, Air Force”, \$1,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*OPERATION AND MAINTENANCE*

*OPERATION AND MAINTENANCE, ARMY*

*For an additional amount for “Operation and Maintenance, Army”, \$50,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*OPERATION AND MAINTENANCE, NAVY*

*For an additional amount for “Operation and Maintenance, Navy”, \$13,900,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*OPERATION AND MAINTENANCE, MARINE CORPS*

*For an additional amount for “Operation and Maintenance, Marine Corps”, \$2,400,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$2,100,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

*OPERATION AND MAINTENANCE, AIR FORCE*

*For an additional amount for “Operation and Maintenance, Air Force”, \$8,800,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*OPERATION AND MAINTENANCE, DEFENSE-WIDE*

*For an additional amount for "Operation and Maintenance, Defense-Wide", \$21,000,000, of which \$20,000,000 is available only for the CINC initiative fund: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

*For an additional amount for "Operation and Maintenance, Army National Guard", \$20,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$20,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

*OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

*For an additional amount for "Overseas Humanitarian, Disaster, and Civic Aid", \$37,500,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*NEW HORIZONS EXERCISE TRANSFER FUND*

*(INCLUDING TRANSFER OF FUNDS)*

*For emergency expenses incurred by United States military forces to participate in the New Horizons Exercise programs to undertake relief, rehabilitation, and restoration operations and training activities in response to disasters within the United States Southern Command area of responsibility, \$46,000,000, to remain available for transfer until September 30, 1999: Provided, That the Secretary of Defense may transfer these funds to operation and maintenance accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority contained in Public Law 105-262: Provided further, That the entire amount made available under this heading is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$46,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

## GENERAL PROVISIONS, THIS CHAPTER

SEC. 301. (a) *The Secretary of each military department may designate not to exceed five eligible academy students from foreign countries for the purposes of this section. Each student so designated shall be considered, for purposes of a waiver of the foreign student reimbursement requirement, to be in addition to the number of persons for whom an unlimited waiver may otherwise be in effect at any one time.*

(b) *A person is an eligible academy student from a foreign country if the person is admitted from a foreign country during the period beginning on May 1, 1999, and ending on September 30, 1999, for instruction at a service academy under section 4344, 6957, or 9344 of title 10, United States Code (relating to selection of persons from foreign countries).*

(c) *For purposes of this section—*

(1) *The foreign student reimbursement requirement is the requirement under paragraph (2) of the applicable foreign student reimbursement statute that a foreign country from which a person is permitted to enroll for instruction under section 4434, 6957, or 9344 of title 10, United States Code, reimburse the United States for the cost of providing such instruction.*

(2) *An unlimited waiver is a waiver of the foreign student reimbursement requirement by the Secretary of Defense (as authorized by such paragraph (2)) without regard to the percentage limitation on such a waiver specified in paragraph (3) of the applicable foreign student reimbursement statute, and the number of persons for whom such a waiver may otherwise be in effect at any one time is the number of persons specified in such paragraph (3).*

(3) *The foreign student reimbursement statute is—*

(A) *section 4434(b) of title 10, United States Code, in the case of the United States Military Academy;*

(B) *section 6957(b) of such title, in the case of the United States Naval Academy; and*

(C) *section 9344(b) of such title, in the case of the United States Air Force Academy.*

(4) *The service academies are the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy.*

SEC. 302. *Notwithstanding any other provision of law, a military technician (dual status) (as defined in section 10216 of title 10, United States Code) performing active duty without pay while on leave from technician employment under section 6323(d) of title 5, United States Code, may, in the discretion of the Secretary concerned, be authorized a per diem allowance under this title, in lieu of commutation for subsistence and quarters as described in section 1002(b) of title 37, United States Code.*

SEC. 303. (a) *DISPOSAL AUTHORIZED.—Subject to subsection (c), the President may dispose of the material in the National Defense Stockpile specified in the table in subsection (b).*

(b) *TABLE.—The total quantity of the material authorized for disposal by the President under subsection (a) is as follows:*

**AUTHORIZED STOCKPILE DISPOSAL**

<i>Material for disposal</i>	<i>Quantity</i>
Zirconium ore .....	17,383 short dry tons

(c) *MINIMIZATION OF DISRUPTION AND LOSS.*—The President may not dispose of material under subsection (a) to the extent that the disposal will result in—

(1) undue disruption of the usual markets of producers, processors, and consumers of the material proposed for disposal; or

(2) avoidable loss to the United States.

(d) *RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.*—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding the material specified in such subsection.

(e) *NATIONAL DEFENSE STOCKPILE DEFINED.*—In this section, the term “National Defense Stockpile Transaction Fund” means the fund in the Treasury of the United States established under section 9(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(a)).

SEC. 304. Notwithstanding any other provision of law, from funds appropriated by Public Law 105–262, Public Law 105–56, and Public Law 104–208, under the heading “Aircraft Procurement, Air Force”, \$50,700,000 is available for recording, adjusting, and liquidating obligations incurred as of the date of this Act for the fiscal years 1995 and 1996 production quantities of Joint Surveillance Target Attack Radar System (JSTARS) aircraft: Provided, That the Secretary of the Air Force shall notify the congressional defense committees of all of the specific sources of funds to be used for the JSTARS obligations and follow normal reprogramming procedures.

**CHAPTER 4****BILATERAL ECONOMIC ASSISTANCE****FUNDS APPROPRIATED TO THE PRESIDENT****AGENCY FOR INTERNATIONAL DEVELOPMENT****INTERNATIONAL DISASTER ASSISTANCE**

For an additional amount for “International Disaster Assistance”, \$25,000,000, to remain available until expended.

**OTHER BILATERAL ECONOMIC ASSISTANCE****ECONOMIC SUPPORT FUND**

For an additional amount for “Economic Support Fund”, in addition to amounts otherwise available for such purposes, to provide assistance to Jordan, \$50,000,000, to remain available until September 30, 2001.

CENTRAL AMERICA AND THE CARIBBEAN EMERGENCY  
DISASTER RECOVERY FUND

*Notwithstanding section 10 of Public Law 91-672, for necessary expenses to address the effects of hurricanes in Central America and the Caribbean and the earthquake in Colombia, \$621,000,000, to remain available until September 30, 2000: Provided, That the funds appropriated under this heading shall be subject to the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, and, except for section 558, the provisions of title V of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in division A, section 101(d) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)): Provided further, That, notwithstanding any other proviso under this heading, up to \$10,000,000 may be transferred to "Export-Import Bank of the United States, Subsidy Appropriation" for the cost of direct loans, loan guarantees, and insurance, subject to the terms and conditions applicable to funds made available under that heading in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in division A, section 101(d) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)): Provided further, That up to \$5,500,000 of the funds appropriated by this paragraph may be transferred to "Operating Expenses of the Agency for International Development", to remain available until September 30, 2000, to be used for administrative costs of USAID in addressing the effects of those hurricanes, of which up to \$1,000,000 may be used to contract directly for the personal services of individuals in the United States: Provided further, That up to \$1,500,000 of the funds appropriated by this paragraph may be transferred to "Operating Expenses of the Agency for International Development Office of Inspector General", to remain available until expended, to be used for costs of audits, inspections, and other activities associated with the expenditure of the funds appropriated by this paragraph: Provided further, That up to \$500,000 of the funds appropriated by this paragraph shall be made available to the Comptroller General for purposes of monitoring the provision of assistance using funds appropriated by this paragraph: Provided further, That funds appropriated under this heading shall be obligated and expended subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds made available under this heading, not less than \$2,000,000 should be made available to support the clearance of landmines and other unexploded ordnance in Nicaragua and Honduras: Provided further, That the funds appropriated under this heading, and the supplemental funds appropriated in this Act that are in addition to the funds made available under title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in division A, section 101(d) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)), shall be subject to the funding ceiling contained in section 580 of that Act, notwithstanding section 545 of that Act: Provided further, That funds appropriated under this heading may be charged to finance obliga-*

tions for which appropriations available for other accounts under part I of the Foreign Assistance Act of 1961, as amended, were charged after April 30, 1999, to finance obligations to address the effects of the hurricanes in Central America and the Caribbean and the earthquake in Colombia: Provided further, That the provisions of section 110 of the Foreign Assistance Act of 1961, as amended, shall not be applicable to any assistance furnished to address the effects of the hurricanes in Central America and the Caribbean and the earthquake in Colombia: Provided further, That none of the funds appropriated under this heading may be made available for nonproject assistance: Provided further, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

#### DEPARTMENT OF STATE

##### INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for "International Narcotics Control and Law Enforcement", \$23,000,000, for additional counterdrug research and development activities: Provided, That such amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

#### DEPARTMENT OF THE TREASURY

##### DEBT RESTRUCTURING

For an additional amount for "Debt Restructuring", \$41,000,000, to remain available until expended: Provided, That up to \$25,000,000 may be used for a contribution to the Central America Emergency Trust Fund, administered by the International Bank for Reconstruction and Development, subject to the regular notification procedures of the Committees on Appropriations.

#### MILITARY ASSISTANCE

##### FUNDS APPROPRIATED TO THE PRESIDENT

##### FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", for grants to enable the President to carry out section 23 of the Arms Export Control Act, in addition to amounts otherwise available for such purposes, for grants only for Jordan, \$50,000,000, to remain available until September 30, 2001: Provided, That funds appropriated under this heading shall be non-repayable, notwithstanding section 23(b) and section 23(c) of the Arms Export Control Act.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 401. *The funds appropriated in this chapter are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

SEC. 402. *The value of articles, services, and military education and training authorized as of November 15, 1998, to be drawn down by the President under the authority of section 506(a)(2) of the Foreign Assistance Act of 1961, as amended, shall not be counted against the ceiling limitation of that section.*

SEC. 403. *For an additional amount for "Economic Support Fund", \$6,500,000, to remain available until September 30, 2000, for assistance for election monitoring and related activities for East Timor: Provided, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

SEC. 404. *Section 832(a) of the Western Hemisphere Drug Elimination Act (Public Law 105-277) is amended—*

(1) *in the first sentence—*

(A) *by striking "Secretary of Agriculture" and inserting "Secretary of State"; and*

(B) *by striking "the Agricultural Research Service of the Department of Agriculture" and inserting "the Department of State"; and*

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

*"Any record related to a contract entered into, or to an activity funded, under this subsection shall be exempted from disclosure as described in section 552(b)(3) of title 5, United States Code."*

CHAPTER 5

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

*For an additional amount for "Construction", \$12,612,000, to remain available until expended, to repair damage due to rain, winds, ice, snow, and other acts of nature, and to replace and repair power generation equipment: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the amount provided shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## RECONSTRUCTION AND CONSTRUCTION

*For an additional amount for "Reconstruction and Construction", \$5,611,000, to remain available until expended, to address damages from Hurricane Georges and other natural disasters in Puerto Rico: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the amount provided shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That funds in this account may be transferred to and merged with the "Forest and Rangeland Research" account and the "National Forest System" account as needed to address emergency requirements in Puerto Rico.*

## OTHER RELATED AGENCY

## UNITED STATES HOLOCAUST MEMORIAL COUNCIL

## HOLOCAUST MEMORIAL COUNCIL

*For an additional amount for "Holocaust Memorial Council", \$2,000,000, to remain available until expended, for the Holocaust Museum to address security needs: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the amount provided shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

## GENERAL PROVISION, THIS CHAPTER

*SEC. 501. GLACIER BAY. (a) DUNGENESS CRAB FISHERMEN.—Section 123(b) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105–277) is amended—*

*(1) in paragraph (1)—*

*(A) by striking "February 1, 1999" and inserting "August 1, 1999"; and*

*(B) by striking "1996" and inserting "1998"; and*

*(2)(A) by striking "of any Dungeness crab pots or other Dungeness crab gear, and of not more than one Dungeness crab fishing vessel,"; and*

*(B) by striking "the period January 1, 1999, through December 31, 2004, based on the individual's net earnings from*

*the Dungeness crab fishery during the period January 1, 1991, through December 31, 1996.” and inserting “for the period beginning January 1, 1999 that is equivalent in length to the period established by such individual under paragraph (1), based on the individual’s net earnings from the Dungeness crab fishery during such established period. In addition, such individual shall be eligible to receive from the United States fair market value for any Dungeness crab pots, related gear, and not more than one Dungeness crab fishing vessel if such individual chooses to relinquish to the United States such pots, related gear, or vessel.”.*

*(b) OTHERS AFFECTED BY FISHERY CLOSURES AND RESTRICTIONS.—Section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105–277), as amended, is amended further by redesignating subsection (c) as subsection (d) and inserting immediately after subsection (b) the following new subsection:*

*“(c) OTHERS AFFECTED BY FISHERY CLOSURES AND RESTRICTIONS.—The Secretary of the Interior is authorized to provide \$23,000,000 for a program developed with the concurrence of the State of Alaska to fairly compensate United States fish processors, fishing vessel crew members, communities, and others negatively affected by restrictions on fishing in Glacier Bay National Park. For the purpose of receiving compensation under the program required by this subsection, a potential recipient shall provide a sworn and notarized affidavit to establish the extent of such negative effect.”.*

*(c) IMPLEMENTATION.—Section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105–277), as amended, is amended further by inserting at the end the following new subsection:*

*“(e) IMPLEMENTATION AND EFFECTIVE DATE.—The Secretary of the Interior shall publish an interim final rule for the federal implementation of paragraphs (2) through (5) of subsection (a) and shall provide an opportunity for public comment of no less than 45 days on such interim final rule. The final rule for the federal implementation of paragraphs (2) through (5) of subsection (a) shall be published in the Federal Register no later than September 30, 1999 and shall take effect on September 30, 1999, except that the limitations in paragraphs (3) through (5) of such subsection shall not apply with respect to halibut fishing until November 15, 1999 or salmon troll fishing until December 31, 1999. In the event that any individual eligible for compensation under subsection (b) has not received full compensation by June 15, 1999, the Secretary shall provide partial compensation on such date to such individual and shall expeditiously provide full compensation thereafter.”.*

*(d) For the purposes of making the payments authorized in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999, as amended by this section, an additional \$26,000,000 is hereby appropriated to “Departmental Management, Department of the Interior”, to remain available until expended, of which \$3,000,000 shall be an additional amount for compensation authorized by section 123(b) of such Act, as amended, and of which \$23,000,000 shall be for compensation authorized by section 123(c) of such Act, as amended. The entire amount made available in this*

*subsection is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended (2 U.S.C. 901(b)(2)(A)), and shall be available only if the President transmits to the Congress an official budget request that includes designation of the entire amount as an emergency requirement as defined in such Act.*

## CHAPTER 6

### INDEPENDENT AGENCY

#### FEDERAL EMERGENCY MANAGEMENT AGENCY

##### DISASTER RELIEF

*For an additional amount for “Disaster relief” for tornado-related damage in Oklahoma, Kansas, Texas and Tennessee, and for other disasters, \$900,000,000 to remain available until expended, which shall be available only to the extent that the President designates an amount as an emergency requirement as defined in section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to such Act.*

##### DISASTER ASSISTANCE FOR UNMET NEEDS

*For “Disaster assistance for unmet needs”, \$230,000,000, which shall remain available until September 30, 2001, for use by the Director of the Federal Emergency Management Agency (Director) only for disaster relief, buyout assistance, long-term recovery, and mitigation in communities affected by Presidentially-declared natural disasters designated during fiscal years 1998 and 1999, only to the extent funds are not made available for those activities by the Federal Emergency Management Agency (under its “Disaster relief” program), the Small Business Administration, or the Army Corps of Engineers: Provided, That in administering these funds the Director shall allocate these funds to States to be administered by each State in conjunction with its Federal Emergency Management Agency Disaster Relief program: Provided further, That each State shall provide not less than 25 percent in non-Federal public matching funds or its equivalent value (other than administrative costs) for any funds allocated to the State under this heading: Provided further, That the Director shall allocate these funds based on the unmet needs arising from a Presidentially-declared disaster as identified by the Director as those which have not or will not be addressed by other Federal disaster assistance programs and for which it is deemed appropriate to supplement the efforts and available resources of States, local governments and disaster relief organizations: Provided further, That the Director shall establish review groups within FEMA to review each request by a State of its unmet needs and certify as to the actual costs associated with the unmet needs as well as the commitment and ability of each state to provide its match requirement: Provided further, That the Director shall implement all mitigation and buyout efforts in a manner consistent*

*with the intent of the hazard mitigation grant program as authorized by section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended: Provided further, That the Director shall publish a notice in the Federal Register governing the allocation and use of the funds under this heading, including provisions for ensuring the compliance of the states with the requirements of this program: Provided further, That 10 days prior to distribution of funds, the Director shall submit a list to the House and Senate Committees on Appropriations, setting forth the proposed uses of funds and the most recent estimates of unmet needs: Provided further, That the Director shall submit quarterly reports to said Committees regarding the actual projects and needs for which funds have been provided under this heading: Provided further, That to the extent any funds under this heading are used in a manner inconsistent with the requirements of the program established under this heading and any rules issued pursuant thereto, the Director shall recapture an equivalent amount of funds from the State from any existing funds or future funds awarded to the State under this heading or any other program administered by the Federal Emergency Management Agency: Provided further, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

**TITLE II—EMERGENCY NATIONAL SECURITY  
SUPPLEMENTAL APPROPRIATIONS**

**CHAPTER 1**

**DEPARTMENT OF AGRICULTURE**

**PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS**

*For an additional amount for “Public Law 480 Program and Grant Accounts” for assistance under title II of Public Law 480, \$149,200,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent an official budget request for \$149,200,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.*

## CHAPTER 2

## DEPARTMENT OF STATE

## ADMINISTRATION OF FOREIGN AFFAIRS

## DIPLOMATIC AND CONSULAR PROGRAMS

*Notwithstanding section 15 of the State Department Basic Authorities Act of 1956, an additional amount for “Diplomatic and Consular Programs”, \$17,071,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

## SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

*Notwithstanding section 15 of the State Department Basic Authorities Act of 1956, an additional amount for “Security and Maintenance of United States Missions”, \$50,500,000, to remain available until expended, of which \$45,500,000 shall be available only to the extent that an official budget request for a specific dollar amount that includes the designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

## EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

*Notwithstanding section 15 of the State Department Basic Authorities Act of 1956, an additional amount for “Emergencies in the Diplomatic and Consular Service”, \$2,929,000, to remain available until expended, of which \$500,000 shall be transferred to the Peace Corps and \$450,000 shall be transferred to the U.S. Information Agency, for evacuation and related costs: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

## CHAPTER 3

## DEPARTMENT OF DEFENSE—MILITARY

## MILITARY PERSONNEL

## MILITARY PERSONNEL, ARMY

*For an additional amount for “Military Personnel, Army”, \$2,920,000: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*MILITARY PERSONNEL, NAVY*

*For an additional amount for "Military Personnel, Navy", \$7,660,000: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*MILITARY PERSONNEL, MARINE CORPS*

*For an additional amount for "Military Personnel, Marine Corps", \$1,586,000: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*MILITARY PERSONNEL, AIR FORCE*

*For an additional amount for "Military Personnel, Air Force", \$4,303,000: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*OPERATION AND MAINTENANCE**OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND**(INCLUDING TRANSFER OF FUNDS)*

*For an additional amount for "Overseas Contingency Operations Transfer Fund", \$5,007,300,000, to remain available until expended: Provided, That the entire amount made available under this heading is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That of such amount, \$1,100,000,000 shall be available only to the extent that the President transmits to the Congress an official budget request for a specific dollar amount that: (1) specifies items which meet a critical readiness or sustainability need, to include replacement of expended munitions to maintain adequate inventories for future operations; and (2) includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the Secretary of Defense may transfer these funds only to military personnel accounts; operation and maintenance accounts, including Overseas Humanitarian, Disaster, and Civic Aid; procurement accounts; research, development, test and evaluation accounts; the Defense Health Program appropriation; the National Defense Sealift Fund; and working capital fund accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That such funds may be used to execute projects or programs that were deferred in order*

*to carry out military operations in and around Kosovo and in Southwest Asia, including efforts associated with the displaced Kosovar population: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.*

### PROCUREMENT

#### WEAPONS PROCUREMENT, NAVY

*For an additional amount for "Weapons Procurement, Navy", \$431,100,000, to remain available for obligation until September 30, 2000: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$431,100,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

#### AIRCRAFT PROCUREMENT, AIR FORCE

*For an additional amount for "Aircraft Procurement, Air Force", \$40,000,000, to remain available for obligation until September 30, 2000: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$40,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

#### MISSILE PROCUREMENT, AIR FORCE

*For an additional amount for "Missile Procurement, Air Force", \$178,200,000, to remain available for obligation until September 30, 2000: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$178,200,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

#### PROCUREMENT OF AMMUNITION, AIR FORCE

*For an additional amount for "Procurement of Ammunition, Air Force", \$35,000,000, to remain available for obligation until September 30, 2000: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section*

*251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$35,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

**OPERATIONAL RAPID RESPONSE TRANSFER FUND**

(INCLUDING TRANSFER OF FUNDS)

*In addition to the amounts appropriated or otherwise made available in this Act and the Department of Defense Appropriations Act, 1999 (Public Law 105-262), \$300,000,000, to remain available for obligation until September 30, 2000, is hereby made available only for the accelerated acquisition and deployment of military technologies and systems needed for the conduct of Operation Allied Force, or to provide accelerated acquisition and deployment of military technologies and systems as substitute or replacement systems for other United States regional commands which have had assets diverted as a result of Operation Allied Force: Provided, That funds under this heading may only be obligated after recommendations are made by the Joint Requirements Oversight Council to the Secretary of Defense and after the approval of the Secretary of Defense, or his designee: Provided further, That the Secretary of Defense shall provide written notification to the congressional defense committees prior to the transfer of any amount in excess of \$10,000,000 to a specific program or project: Provided further, That the Secretary of Defense may transfer funds made available under this heading only to operation and maintenance accounts, procurement accounts, and research, development, test and evaluation accounts: Provided further, That the transfer authority provided under this section shall be in addition to the transfer authority provided to the Department of Defense in this Act or any other Act: Provided further, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$300,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

**GENERAL PROVISIONS, THIS CHAPTER**

(TRANSFER OF FUNDS)

*SEC. 2001. Section 8005 of the Department of Defense Appropriations Act, 1999 (Public Law 105-262), is amended by striking "\$1,650,000,000" and inserting "\$2,000,000,000".*

*SEC. 2002. Notwithstanding the limitations set forth in section 1006 of Public Law 105-261, not to exceed \$10,000,000 of funds appropriated by this Act may be available for contributions to the common funded budgets of NATO (as defined in section 1006(c)(1) of*

Public Law 105-261) for costs related to NATO operations in and around Kosovo.

SEC. 2003. Funds appropriated by this Act and in Public Law 105-277, or made available by the transfer of funds in this Act and in Public Law 105-277, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 2004. Notwithstanding section 5064(d) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355), the special authorities provided under section 5064(c) of such Act shall apply with respect to all contracts awarded or modifications executed for the Joint Direct Attack Munition (JDAM) program from October 1, 1998 through September 30, 2000: Provided, That the Secretary of Defense may award JDAM contracts and modifications on the same terms and conditions as contained in the JDAM contract F08626-94-C-0003.

SEC. 2005. (a) EFFORTS TO INCREASE BURDENSARING.—The President shall seek equitable reimbursement from the North Atlantic Treaty Organization (NATO), member nations of NATO, and other appropriate organizations and nations for the costs incurred by the United States government in connection with Operation Allied Force.

(b) REPORT.—Not later than September 30, 1999, the President shall prepare and submit to the Congress a report on—

(1) All measures taken by the President pursuant to subsection (a);

(2) The amount of reimbursement received to date from each organization and nation pursuant to subsection (a), including a description of any commitments made by such organization or nation to provide reimbursement; and

(3) In the case of an organization or nation that has refused to provide, or to commit to provide, reimbursement pursuant to subsection (a), an explanation of the reasons therefor.

(c) OPERATION ALLIED FORCE.—In this section, the term “Operation Allied Force” means operations of the North Atlantic Treaty Organization (NATO) conducted against the Federal Republic of Yugoslavia (Serbia and Montenegro) during the period beginning on March 24, 1999, and ending on such date as NATO may designate, to resolve the conflict with respect to Kosovo.

SEC. 2006. (a) Not more than 30 days after the date of the enactment of this Act, the President shall transmit to Congress a report, in both classified and unclassified form, on current United States participation in Operation Allied Force. The report should include information on the following matters:

(1) A statement of the national security objectives involved in U.S. participation in Operation Allied Force;

(2) An accounting of all current active duty personnel assigned to support Operation Allied Force and related humanitarian operations around Kosovo to include total number, service component and area of deployment (such accounting should also include total numbers of personnel from other NATO countries participating in the action);

(3) Additional planned deployment of active duty units in the European Command area of operations to support Oper-

ation Allied Force, between the date of the enactment of this Act and the end of fiscal year 1999;

(4) Additional planned Reserve component mobilization, including specific units to be called up between the date of the enactment of this Act and the end of fiscal year 1999, to support Operation Allied Force;

(5) An accounting by the Joint Chiefs of Staff on the transfer of personnel and materiel from other regional commands to the United States European Command to support Operation Allied Force and related humanitarian operations around Kosovo, and an assessment by the Joint Chiefs of Staff of the impact any such loss of assets has had on the war-fighting capabilities and deterrence value of these other commands;

(6) Levels of humanitarian aid provided to the displaced Kosovar community from the United States, NATO member nations, and other nations (figures should be provided by country and the type of assistance provided whether financial or in-kind); and

(7) Any significant revisions to the total cost estimate for the deployment of United States forces involved in Operation Allied Force through the end of fiscal year 1999.

(b) OPERATION ALLIED FORCE.—In this section, the term “Operation Allied Force” means operations of the North Atlantic Treaty Organization (NATO) conducted against the Federal Republic of Yugoslavia (Serbia and Montenegro) during the period beginning on March 24, 1999, and ending on such date as NATO may designate, to resolve the conflict with respect to Kosovo.

(INCLUDING TRANSFER OF FUNDS)

SEC. 2007. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 1999, \$1,124,900,000, to remain available for obligation until September 30, 2000, is hereby appropriated to the Department of Defense only for spare and repair parts and associated logistical support necessary for the maintenance of weapons systems and equipment: Provided, That the Secretary of Defense shall provide written notification to the congressional defense committees prior to the transfer of any funds: Provided further, That the Secretary of Defense may transfer funds made available in this section only to operation and maintenance accounts and procurement accounts: Provided further, That the transfer authority provided in this section shall be in addition to the transfer authority provided to the Department of Defense in this Act or any other Act: Provided further, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$1,124,900,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

## (INCLUDING TRANSFER OF FUNDS)

*SEC. 2008. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 1999, \$742,500,000, to remain available for obligation until September 30, 2000, is hereby appropriated to the Department of Defense only for depot level maintenance and repair: Provided, That the Secretary of Defense shall provide written notification to the congressional defense committees prior to the transfer of any funds: Provided further, That the Secretary of Defense may transfer funds made available in this section only to operation and maintenance accounts: Provided further, That the transfer authority provided in this section shall be in addition to the transfer authority provided to the Department of Defense in this Act or any other Act: Provided further, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$742,500,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

*SEC. 2009. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 1999, \$100,000,000, to remain available for obligation until September 30, 2000, is hereby appropriated to the Department of Defense only for military recruiting and advertising initiatives, as follows:*

*“Operation and Maintenance, Army”, \$31,000,000;  
 “Operation and Maintenance, Navy”, \$12,700,000;  
 “Operation and Maintenance, Air Force”, \$23,600,000;  
 “Operation and Maintenance, Army Reserve”, \$19,000,000;  
 “Operation and Maintenance, Navy Reserve”, \$1,000,000;*

*and*

*“Operation and Maintenance, Army National Guard”, \$12,700,000:*

*Provided, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$100,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

## (INCLUDING TRANSFER OF FUNDS)

*SEC. 2010. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 1999, \$200,200,000, to remain available for obligation until September 30, 2000, is hereby appropriated to the Department of Defense only for*

*military training, equipment maintenance, and associated support costs required to meet assigned readiness levels of United States military forces: Provided, That the Secretary of Defense shall provide written notification to the congressional defense committees prior to the transfer of any funds: Provided further, That the Secretary of Defense may transfer funds made available in this section only to operation and maintenance accounts: Provided further, That the transfer authority provided in this section shall be in addition to the transfer authority provided to the Department of Defense in this Act or any other Act: Provided further, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$200,200,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

*SEC. 2011. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 1999, \$182,400,000, to remain available for obligation until September 30, 2000, is hereby appropriated to the Department of Defense only for base operations support costs at Department of Defense facilities, as follows:*

*“Operation and Maintenance, Army”, \$60,300,000;  
 “Operation and Maintenance, Navy”, \$23,800,000;  
 “Operation and Maintenance, Marine Corps”, \$27,500,000;  
 “Operation and Maintenance, Air Force”, \$47,700,000;  
 “Operation and Maintenance, Army Reserve”, \$9,700,000;  
 “Operation and Maintenance, Navy Reserve”, \$7,200,000;  
 “Operation and Maintenance, Marine Corps Reserve”,  
 \$100,000; and  
 “Operation and Maintenance, Army National Guard”,  
 \$6,100,000:*

*Provided, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$182,400,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

*SEC. 2012. (a) In addition to amounts appropriated or otherwise made available to the Department of Defense in other provisions of this Act, there is appropriated to the Department of Defense, to remain available for obligation until September 30, 2000, and to be used only for increases during fiscal year 2000 in rates of military basic pay and for increased payments during fiscal year 2000 to the Department of Defense Military Retirement Fund, \$1,838,426,000, to be available as follows:*

*“Military Personnel, Army”, \$559,533,000;*

*“Military Personnel, Navy”, \$436,773,000;*  
*“Military Personnel, Marine Corps”, \$177,980,000;*  
*“Military Personnel, Air Force”, \$471,892,000;*  
*“Reserve Personnel, Army”, \$40,574,000;*  
*“Reserve Personnel, Navy”, \$29,833,000;*  
*“Reserve Personnel, Marine Corps”, \$7,820,000;*  
*“Reserve Personnel, Air Force”, \$13,143,000;*  
*“National Guard Personnel, Army”, \$70,416,000; and*  
*“National Guard Personnel, Air Force”, \$30,462,000.*

(b) *The entire amount made available in this section—*

(1) *is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended (2 U.S.C. 901(b)(2)(A)); and*

(2) *shall be available only if the President transmits to the Congress an official budget request for \$1,838,426,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

(c) *The amounts provided in this section may be obligated only to the extent required for increases in rates of military basic pay, and for increased payments to the Department of Defense Military Retirement Fund, that become effective during fiscal year 2000 pursuant to provisions of law subsequently enacted in authorizing legislation.*

#### CHAPTER 4

##### BILATERAL ECONOMIC ASSISTANCE

##### FUNDS APPROPRIATED TO THE PRESIDENT

##### AGENCY FOR INTERNATIONAL DEVELOPMENT

##### INTERNATIONAL DISASTER ASSISTANCE

*For an additional amount for “International Disaster Assistance”, \$163,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

##### OTHER BILATERAL ECONOMIC ASSISTANCE

##### ECONOMIC SUPPORT FUND

*For an additional amount for “Economic Support Fund”, \$105,000,000, to remain available until September 30, 2000, for assistance for Albania, Macedonia, Bosnia-Herzegovina, Bulgaria, Montenegro, and Romania, and for investigations and related activities in Kosovo and in adjacent entities and countries regarding war crimes: Provided, That these funds shall be available notwithstanding any other provision of law except section 533 of the Foreign Operations, Export Financing, and Related Programs Appro-*

*priations Act, 1999 (as contained in division A, section 101(d) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)): Provided further, That the requirement for a notification through the regular notification procedures of the Committees on Appropriations contained in subsection (b)(3) of section 533 shall be deemed to be satisfied if the Committees on Appropriations are notified at least 10 days prior to the obligation of such funds.*

*ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES*

*For an additional amount for "Assistance for Eastern Europe and the Baltic States", \$120,000,000, to remain available until September 30, 2000, of which up to \$1,000,000 may be used for administrative costs of the U.S. Agency for International Development: Provided, That funds appropriated under this heading shall be obligated and expended subject to the regular notification procedures of the Committees on Appropriations.*

*DEPARTMENT OF STATE*

*MIGRATION AND REFUGEE ASSISTANCE*

*For an additional amount for "Migration and Refugee Assistance", \$266,000,000, to remain available until September 30, 2000, of which not more than \$500,000 is for administrative expenses: Provided, That funds appropriated under this heading that are made available for the Office of the United Nations High Commissioner for Refugees shall be obligated and expended subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the requirement for a notification through the regular notification procedures of the Committees on Appropriations contained in the preceding proviso shall be deemed to be satisfied if the Committees are notified at least 10 days prior to the obligation of such funds: Provided further, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

*UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE  
FUND*

*For an additional amount for the "United States Emergency Refugee and Migration Assistance Fund", and subject to the terms and conditions under that heading, \$165,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

**GENERAL PROVISIONS, THIS CHAPTER**

*SEC. 2013. The funds appropriated in this chapter are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*SEC. 2014. The value of commodities and services authorized by the President through March 31, 1999, to be drawn down under the authority of section 552(c)(2) of the Foreign Assistance Act of 1961, as amended, to support international relief efforts relating to the Kosovo conflict shall not be counted against the ceiling limitation of that section: Provided, That such assistance relating to the Kosovo conflict provided pursuant to section 552(a)(2) may be made available notwithstanding any other provision of law.*

**CHAPTER 5**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**ADMINISTRATION FOR CHILDREN AND FAMILIES**

**REFUGEE AND ENTRANT ASSISTANCE**

*For an additional amount for "Refugee and Entrant Assistance", such sums as necessary to assist in the temporary resettlement of displaced Kosovar Albanians, not to exceed \$100,000,000, which shall remain available through September 30, 2001: Provided, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.*

**CHAPTER 6**

**MILITARY CONSTRUCTION TRANSFER FUND**

**(INCLUDING TRANSFER OF FUNDS)**

*For emergency expenses incurred by United States military forces in support of overseas operations; \$475,000,000, to remain available for transfer until September 30, 2003: Provided, That the Secretary of Defense may transfer these funds only to military construction accounts: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority contained in this or any other Act: Provided further, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law: Provided further, That the entire amount made available under this heading is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1995, as amended: Provided further, That this amount shall be available only to the extent that the President transmits to the*

*Congress an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1995, as amended.*

CHAPTER 7

DEPARTMENT OF TRANSPORTATION

COAST GUARD

OPERATING EXPENSES

*For an additional amount for “Operating expenses”, \$200,000,000, to remain available until September 30, 2000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for \$200,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.*

TITLE III—SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF COMMERCE AND RELATED AGENCIES

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

*For an additional amount for “Salaries and Expenses”, \$1,300,000.*

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

PERIODIC CENSUSES AND PROGRAMS

*For an additional amount for expenses necessary to conduct the decennial census, \$44,900,000, to remain available until expended: Provided, That of this amount \$10,900,000 is for costs associated with establishing 520 Local Census Offices; \$4,200,000 is for preparation of training and field deployment kits for census enumerators; \$2,000,000 is for costs associated with the Telephone Questionnaire Assistance program infrastructure; \$9,100,000 is for automated data processing and telecommunications to support increased field enumeration activities; \$3,700,000 is for administrative systems to support increased field enumeration activities; and \$15,000,000 is for advertising and promotion programs: Provided further, That not later than June 1, 1999, the President shall submit to the Congress*

*a revised budget request for fiscal year 2000 for the decennial census.*

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

*For the necessary expenses of additional research, management, and enforcement activities in the Northeast Multispecies fishery, \$1,880,000, to remain available until expended.*

*THE JUDICIARY*

*SUPREME COURT OF THE UNITED STATES  
SALARIES AND EXPENSES*

*For an additional amount for "Salaries and expenses", \$921,000, to remain available until expended.*

*CHAPTER 2*

*DEPARTMENT OF THE INTERIOR*

*BUREAU OF RECLAMATION  
WATER AND RELATED RESOURCES*

*For an additional amount for "Water and Related Resources", \$1,500,000, to remain available until expended, under authority of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2201 et seq.) to purchase water in accordance with such Act from the Central Arizona Project (or if no water is available for purchase from the Central Arizona Project from any other appropriate source) to maintain an appropriate pool of stored water for fish and wildlife purposes at the San Carlos Lake in Arizona.*

*CHAPTER 3*

*DEPARTMENT OF STATE*

*NATIONAL COMMISSION ON TERRORISM*

*For necessary expenses for the National Commission on Terrorism, as authorized by section 591 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in division A, section 101(d) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)), \$839,500, to remain available until expended.*

*UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS  
FREEDOM*

*For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105-292), \$3,000,000, to remain available until expended.*

## DEPARTMENT OF THE TREASURY

## INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

*For an additional amount for "Department of the Treasury, International affairs technical assistance", \$1,500,000, to remain available until September 30, 2000, for the operation and expenses of the International Financial Institution Advisory Commission and the International Monetary Fund Advisory Committee as authorized by sections 603 and 610(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in division A, section 101(d) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)).*

## CHAPTER 4

## DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

## MANAGEMENT OF LANDS AND RESOURCES

*Of the funds provided under this heading in prior Appropriations Acts for the Automated Land and Mineral Record System, \$1,000,000 shall be available until expended to meet increased workload requirements stemming from the anticipated higher volume of coalbed methane Applications for Permits to Drill in the Powder River Basin: Provided, That unless there is a written agreement in place between the coal mining operator and the gas producer, the funds made available herein shall not be used to process or approve coalbed methane Applications for Permits to Drill for well sites that are located within an area, which as of the date of the coalbed methane Application for Permit to Drill, are covered by: (1) a coal lease; (2) a coal mining permit; or (3) an application for a coal mining lease. Nothing in this paragraph shall be construed or operate as a restriction on current resources appropriated to the Department of the Interior.*

## BUREAU OF INDIAN AFFAIRS

## OPERATION OF INDIAN PROGRAMS

## (TRANSFER OF FUNDS)

*For an additional amount for "Operation of Indian Programs", \$1,136,000, to remain available until expended for suppression of western spruce budworm: Provided, That such funds shall be derived by transfer of funds provided in previous appropriations acts under the heading "Forest Service, National Forest System".*

## OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

## FEDERAL TRUST PROGRAMS

*For an additional amount for "Federal Trust Programs", \$21,800,000, to remain available until expended, of which \$6,800,000 is for activities pursuant to the Trust Management Im-*

*provement Project High Level Implementation Plan and \$15,000,000 is to support litigation involving individual Indian trust accounts: Provided, That litigation support funds may, as needed, be transferred to and merged with the "Operation of Indian Programs" account in the Bureau of Indian Affairs, the "Salaries and Expenses" account in the Office of the Solicitor, the "Salaries and Expenses" account in Departmental Management, the "Royalty and Offshore Minerals Management" account in the Minerals Management Service and the "Management of Lands and Resources" account in the Bureau of Land Management.*

## *DEPARTMENT OF AGRICULTURE*

### *FOREST SERVICE*

#### *WILDLAND FIRE MANAGEMENT*

*Of the funds made available under this heading for fire operations in previous Acts of Appropriation (exclusive of amounts for hazardous fuels reduction), \$100,000,000 shall be transferred to the Knutson-Vandenberg fund established pursuant to section 3 of Public Law 71-319 (16 U.S.C. 576 et seq.) within 10 days of the enactment of this Act.*

#### *GENERAL PROVISIONS, THIS CHAPTER*

*SEC. 3001. The Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(e) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)) is amended under the heading "Forest Service, Reconstruction and Construction" by inserting before the final period the following: "Provided further, That notwithstanding any other provision of law, funds appropriated for Forest Service construction of a new forestry research facility at Auburn University, Auburn, Alabama, shall be available for a direct payment to Auburn University for this purpose: Provided further, That if within the life of the facility the USDA Forest Service needs additional space for collaborative laboratory activities on the Auburn University campus, Auburn University shall provide such laboratory space within the new facility constructed with these funds, free of any charge for rent".*

*SEC. 3002. None of the funds made available under this or any other Act may be used by the Secretary of the Interior to issue and finalize the rule to revise 43 CFR Part 3809, published on February 9, 1999 at 64 Fed. Reg. 6421 or the Draft Environmental Impact Statement on Surface Management Regulations for Locatable Mineral Operations, published in February, 1999, unless the Secretary has provided a period of not less than 120 days for accepting public comment on the proposed rule after the report of the National Academy of Sciences' Committee on Hardrock Mining on Federal Lands, authorized and required by the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(e) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)) is submitted to the appropriate federal agencies, the Congress, and the*

Governors of the affected states in accordance with the requirements of that Act.

SEC. 3003. None of the funds in this or any other Act shall be used to issue a notice of final rulemaking with respect to the valuation of crude oil for royalty purposes, including a rulemaking derived from proposed rules published in 63 Federal Register 6113 (1998), 62 Federal Register 36030, and 62 Federal Register 3742 (1997) until October 1, 1999, or until there is a negotiated agreement on the rule.

SEC. 3004. Section 328 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (Public Law 105-277, division A, section 1(e), title III) is amended by striking “none of the funds in this Act” and inserting “none of the funds provided in this Act to the Indian Health Service or Bureau of Indian Affairs”.

SEC. 3005. A payment of \$800,000 from the total amount of \$1,000,000 for construction of the Pike’s Peak Summit House, as specified in Conference Report 105-337, accompanying the Department of the Interior and Related Agencies Appropriations Act for fiscal year 1998, Public Law 105-83, and payments of \$2,000,000 for the Borough of Ketchikan to participate in a study of the feasibility and dynamics of manufacturing veneer products in Southeast Alaska and \$200,000 for construction of the Pike’s Peak Summit House, as specified in Conference Report 105-825 accompanying the Department of the Interior and Related Agencies Appropriations Act for fiscal year 1999 (as contained in division A, section 101(e) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)), shall be paid in lump sum and shall be considered direct payments, for the purposes of all applicable law except that these direct grants may not be used for lobbying activities.

SEC. 3006. MILLSITES OPINION. (a) PROHIBITION ON MILLSITE LIMITATIONS.—Notwithstanding the opinion dated November 7, 1997, by the Solicitor of the Department of the Interior concerning millsites under the general mining law (referred to in this section as the “opinion”), in accordance with the millsite provisions of the Bureau of Land Management Handbook for Mineral Examiners H-3890-1, page III-8 (dated 1989), and section 2811.33 of the Forest Service Manual (dated 1990), the Department of the Interior and the Department of Agriculture shall not limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims with respect to the Crown Jewel project, Okanogan County, Washington for any fiscal year.

(b) EFFECT ON PRIOR APPROVALS AND RECORDS OF DECISION.—As soon as practicable after the date of the enactment of this Act, the Departments of the Interior and Agriculture shall approve the plan of operations and reinstate the record of decision for the Crown Jewel project.

(c) PATENT APPLICATION OR PLAN OF OPERATIONS.—No patent application or plan of operations submitted prior to the date of the enactment of this Act shall be denied pursuant to the opinion of the Solicitor of the Department of the Interior dated November 7, 1997.

## CHAPTER 5

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## OFFICE OF THE SECRETARY

## GENERAL DEPARTMENTAL MANAGEMENT

*For an additional amount for "General departmental management", \$1,000,000, to reduce the backlog of pending nursing home appeals before the Departmental Appeals Board.*

## DEPARTMENT OF EDUCATION

## EDUCATION FOR THE DISADVANTAGED

*For additional amounts to carry out subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965, \$56,377,000, which shall be allocated, notwithstanding any other provision of law, only to those local educational agencies that received a Concentration Grant under the Department of Education Appropriations Act, 1998, but are not eligible to receive such a grant for fiscal year 1999: Provided, That the Secretary of Education shall use the funds appropriated under this paragraph to provide each such local educational agency an amount equal to the Concentration Grant the agency received in fiscal year 1998, ratably reduced, if necessary, to ensure that local educational agencies receiving funds under this supplemental appropriation receive no greater share of their hold-harmless amounts than is received by other local educational agencies: Provided further, That the funds appropriated under this paragraph shall become available on October 1, 1999 and shall remain available through September 30, 2000, for the academic year 1999-2000: Provided further, That the Secretary shall not take into account the funds appropriated under this paragraph in determining State allocations under any other program administered by the Secretary in any fiscal year.*

## HIGHER EDUCATION

## (TRANSFER OF FUNDS)

*Of the funds made available for the Education Research, Statistics, and Improvement account in section 101(f) of Public Law 105-277, \$1,500,000 are transferred to the Higher Education account to provide additional funds to carry out part B of title III of the Higher Education Act.*

## RELATED AGENCY

## CORPORATION FOR PUBLIC BROADCASTING

*For an additional amount for the Corporation for Public Broadcasting, to remain available until expended, \$30,700,000 to be available for fiscal year 1999, and \$17,300,000 to be available for fiscal year 2000: Provided, That such funds be made available to National Public Radio, as the designated manager of the Public Radio Satellite System, for acquisition of satellite capacity.*

## GENERAL PROVISION, THIS CHAPTER

SEC. 3007. WHITE RIVER SCHOOL DISTRICT #47-1. *From any unobligated funds that are available to the Secretary of Education to carry out section 306(a)(1) of the Department of Education Appropriations Act, 1996, the Secretary shall provide not more than \$239,000, under such terms and conditions as the Secretary determines appropriate, to the White River School District #47-1, White River, South Dakota, to be used to repair damage caused by water infiltration at the White River High School, which shall remain available until expended.*

## CHAPTER 6

## CONGRESSIONAL OPERATIONS

## HOUSE OF REPRESENTATIVES

## SALARIES AND EXPENSES

## SALARIES, OFFICERS AND EMPLOYEES

## (RESCISSION)

*Immediately upon the enactment of this Act, \$3,521,000, appropriated under this heading in Public Law 105-275, are rescinded: Provided, That for replacement of the existing House of Representatives payroll system, \$3,521,000 for the Chief Administrative Officer, to remain available until expended.*

## ARCHITECT OF THE CAPITOL

## CAPITOL BUILDINGS AND GROUNDS

## HOUSE OFFICE BUILDINGS

## HOUSE PAGE DORMITORY

*For necessary expenses for a House Page Dormitory, \$3,760,000, to remain available until expended: Provided, That the Architect of the Capitol shall transfer to the Chief Administrative Officer of the House of Representatives such portion of the funds made available under this paragraph as may be required for expenses incurred by the Chief Administrative Officer, subject to the approval of the Committee on Appropriations of the House of Representatives: Provided further, That section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) shall not apply to the funds made available under this paragraph.*

## O'NEILL HOUSE OFFICE BUILDING

*For necessary expenses for life safety renovations to the O'Neill House Office Building, \$1,800,000, to remain available until expended: Provided, That section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) shall not apply to the funds made available under this paragraph.*

**ADMINISTRATIVE PROVISIONS—THIS CHAPTER**

*SEC. 3008. (a) The aggregate amount otherwise authorized to be appropriated for a fiscal year for the lump-sum allowance for the Office of the Minority Leader of the House of Representatives and the aggregate amount otherwise authorized to be appropriated for a fiscal year for the lump-sum allowance for the Office of the Majority Whip of the House of Representatives shall each be increased by \$333,000.*

*(b) This section shall apply with respect to fiscal year 2000 and each succeeding fiscal year.*

*SEC. 3009. (a) Each office described under the heading "HOUSE LEADERSHIP OFFICES" in the Act making appropriations for the legislative branch for a fiscal year may transfer any amounts appropriated for the office under such heading among the various categories of allowances and expenses for the office under such heading.*

*(b) Subsection (a) shall not apply with respect to any amounts appropriated for official expenses.*

*(c) This section shall apply with respect to fiscal year 1999 and each succeeding fiscal year.*

*SEC. 3010. Effective on the date of the enactment of this Act, the lump sum allowance authorization amount for certain offices shall be adjusted as follows:*

*(1) The allowance for the Chief Deputy Majority Whips is increased by \$25,000.*

*(2) The allowance for the Chief Deputy Minority Whips is increased by \$25,000.*

*SEC. 3011. RUSSIAN LEADERSHIP PROGRAM. (a) PURPOSE.—It is the purpose of this section to establish, in accordance with the provisions of this section—*

*(1) a pilot program within the Library of Congress for fiscal year 1999; and*

*(2) a permanent program within the Executive agency designated by the President of the United States for fiscal years 2000 and thereafter,*

*to enable emerging political leaders of Russia at all levels of government to gain significant, firsthand exposure to the American free market economic system and the operation of American democratic institutions through visits to governments and communities at comparable levels in the United States.*

*(b) GRANTS.—*

*(1) IN GENERAL.—The head of the administering agency shall annually award grants to government or community organizations in the United States that seek to establish programs under which those organizations will host eligible Russians for the purpose described in subsection (a).*

*(2) DURATION.—The period of stay in the United States for any eligible Russian supported with grant funds under this section shall not exceed 30 days.*

*(3) LIMITATION.—The number of eligible Russians supported with grant funds under this section shall not exceed 3,000 in any fiscal year.*

*(4) ADMINISTRATION.—*

(A) *IN GENERAL.*—Subject to the availability of appropriations, the head of the administering agency—

(i) may contract with nongovernmental organizations having expertise in carrying out the activities described in subsection (a) for the purpose of carrying out the administrative functions of the program (other than the awarding of grants); and

(ii) may, without regard to the civil service laws and regulations (or, in the case of the Librarian of Congress, any requirement for competition in hiring), appoint and terminate an executive director and such other additional personnel as may be necessary to enable the administering agency to perform its duties under this section.

(B) *WAIVER OF COMPETITIVE BIDDING.*—The Librarian of Congress, after consultation with the Joint Committee on the Library of Congress, may enter into contracts under subparagraph (A)(i) to carry out the pilot program during fiscal year 1999 without regard to section 3709 of the Revised Statutes or any other requirement for competitive contracting or the providing of notice of contracting opportunities.

(c) *USE OF FUNDS.*—Grants awarded under subsection (b) shall be used to pay—

(1) the costs and expenses incurred by each program participant in traveling between Russia and the United States and in traveling within the United States;

(2) the costs of providing lodging in the United States to each program participant, whether in public accommodations or in private homes; and

(3) such additional administrative expenses incurred by organizations in carrying out the program as the head of the administering agency may prescribe.

(d) *APPLICATION.*—

(1) *IN GENERAL.*—Each organization in the United States desiring a grant under this section shall submit an application to the head of the administering agency at such time, in such manner, and accompanied by such information as such head may reasonably require.

(2) *CONTENTS.*—Each application submitted pursuant to paragraph (1) shall—

(A) describe the activities for which assistance under this section is sought;

(B) include the number of program participants to be supported;

(C) describe the qualifications of the individuals who will be participating in the program; and

(D) provide such additional assurances as the head of the administering agency determines to be essential to ensure compliance with the requirements of this section.

(3) *WAIVER.*—The Librarian of Congress may waive the requirement of this subsection in carrying out the pilot program during fiscal year 1999.

(e) *ADVISORY BOARD.*—

(1) *IN GENERAL.*—There is established a Russian Leadership Program Advisory Board which shall advise the head of the administering agency as to the carrying out of the permanent program during fiscal years 2000 and thereafter.

(2) *MEMBERSHIP.*—The Advisory Board under paragraph (1) shall consist of—

(A) two members appointed by the Speaker of the House of Representatives, of whom one shall be designated by the Majority Leader of the House of Representatives and one shall be designated by the Minority Leader of the House of Representatives;

(B) two members appointed by the President pro tempore of the Senate, of whom one shall be designated by the Majority Leader of the Senate and one shall be designated by the Minority Leader of the Senate;

(C) the Librarian of Congress;

(D) a private individual with expertise in international exchange programs, designated by the Librarian of Congress; and

(E) an officer or employee of the administering agency, designated by the head of the administering agency.

(3) *TERMS.*—Each member appointed under paragraph (2) shall serve for a term of 3 years. Any vacancy shall be filled in the same manner as the original appointment and the individual so appointed shall serve for the remainder of the term.

(f) *REPORTING.*—The head of the administering agency shall, not later than 3 months following the close of each fiscal year for which such agency administered the program, report to Congress with respect to the conduct of such program during such fiscal year. Such report shall include information with respect to the number of participants in the program and the cost of the program, and any recommendations on improvements necessary to enable the program to carry out the purposes of this section.

(g) *FUNDING.*—

(1) *FISCAL YEAR 1999.*—

(A) *IN GENERAL.*—Of funds made available under the heading “SENATE” under title I of the Legislative Appropriations Act, 1999 (Public Law 105–275; 112 Stat. 2430 et seq.), \$10,000,000 shall be made available, subject to the approval of the Committee on Appropriations of the Senate, to the administering agency to carry out the program.

(B) *USE OF FUNDS AT CLOSE OF FISCAL YEAR.*—Funds made available under this paragraph which are unexpended and unobligated as of the close of fiscal year 1999 shall no longer be available for such purpose and shall be available for the purpose originally appropriated.

(2) *FISCAL YEAR 2000 AND SUBSEQUENT FISCAL YEARS.*—

(A) *AUTHORIZATION OF APPROPRIATIONS.*—There are authorized to be appropriated to the administering agency for fiscal years 2000 and thereafter such sums as may be necessary to carry out the program.

(B) *AVAILABILITY OF FUNDS.*—Amounts appropriated pursuant to subparagraph (A) are authorized to remain available until expended.

(h) *DEFINITIONS.—In this section:*

(1) *ADMINISTERING AGENCY.—The term “administering agency” means—*

*(A) for fiscal year 1999, the Library of Congress; and*

*(B) for fiscal year 2000, and subsequent fiscal years, the Executive agency designated by the President of the United States under subsection (a)(2).*

(2) *ELIGIBLE RUSSIAN.—The term “eligible Russian” means a Russian national who is an emerging political leader at any level of government.*

(3) *PROGRAM.—The term “program” means the grant program established under this section.*

(4) *PROGRAM PARTICIPANT.—The term “program participant” means an eligible Russian selected for participation in the program.*

## CHAPTER 7

### DEPARTMENT OF DEFENSE

#### MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

*For an additional amount for “Military Construction, Army National Guard” to cover the incremental costs arising from the consequences of Hurricane Georges, \$6,400,000, as authorized by 10 U.S.C. 2854, to remain available until September 30, 2003.*

#### FAMILY HOUSING, ARMY

*Notwithstanding any other provision of law, for an additional amount for “Family Housing, Army”, to provide for the construction and renovation of family housing units at Fort Buchanan, Puerto Rico, \$25,000,000, to remain available until September 30, 2003: Provided, That none of the funds appropriated in this or any other Act may be used for family housing initiatives at Fort Buchanan, Puerto Rico pursuant to 10 U.S.C. 2883.*

## CHAPTER 8

### DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

#### NATIONAL TRANSPORTATION SAFETY BOARD

#### SALARIES AND EXPENSES

*For an additional amount for “Salaries and expenses” for necessary expenses resulting from the crash of TWA Flight 800, \$2,300,000: Provided, That the entire amount is available only for costs associated with rental of the facility in Calverton, New York.*

## CHAPTER 9

## DEPARTMENT OF THE TREASURY

## BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

## SALARIES AND EXPENSES

*For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, \$4,500,000 is appropriated for the expansion of the National Tracing Center, to remain available until expended.*

## POSTAL SERVICE

## PAYMENTS TO THE POSTAL SERVICE FUND

*For an additional amount for "Payments to the Postal Service Fund" for revenue forgone reimbursement pursuant to 39 U.S.C. 2401(d), \$29,000,000.*

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS  
APPROPRIATED TO THE PRESIDENT

## FEDERAL DRUG CONTROL PROGRAMS

## HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

## (INCLUDING TRANSFER OF FUNDS)

*For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, an additional \$2,500,000 is appropriated for drug control activities: of which \$750,000 shall be used specifically to expand the Southwest Border High Intensity Drug Trafficking Area for the State of New Mexico to include Rio Arriba County, Santa Fe County, and San Juan County, New Mexico, which are hereby designated as part of the Southwest Border High Intensity Drug Trafficking Area for the State of New Mexico; of which \$500,000 shall be used for national efforts related to methamphetamine reduction efforts; of which \$750,000 shall be used for the Southwest Border High Intensity Drug Trafficking Area for the State of Arizona, specifically to fund United States Border Patrol anti-drug assistance to border communities in Cochise County, Arizona; and of which \$500,000 shall be for the Washington-Baltimore High Intensity Drug Trafficking Area for support of the Cross-Border Initiative: Provided, That no funds may be obligated or expended for the Southwest Border High Intensity Drug Trafficking Area for the State of Arizona without prior approval of the Committees on Appropriations of the House and the Senate.*

## CHAPTER 10

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

## COMMUNITY PLANNING AND DEVELOPMENT

## COMMUNITY DEVELOPMENT BLOCK GRANTS

*Of any excess amounts appropriated for any fiscal year under this heading, \$3,446,000 shall be made available for grants for service coordinators and congregate services for the elderly and disabled: Provided, That in distributing such amount, the Secretary of Housing and Urban Development shall give priority to public housing agencies that submitted eligible applications for renewal of fiscal year 1995 elderly service coordinator grants pursuant to the Notice of Funding Availability for Service Coordinator Funds for fiscal year 1998, as published in the Federal Register on June 1, 1998.*

## FEDERAL HOUSING ADMINISTRATION

## FHA-MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

*The limitation on commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, is increased by an additional \$30,000,000,000.*

## GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

## GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

*The limitation on commitments to guarantee loans to carry out the purposes of section 306 of the National Housing Act, as amended, is increased by an additional \$50,000,000,000.*

## MANAGEMENT AND ADMINISTRATION

## OFFICE OF INSPECTOR GENERAL

*Under this heading in Public Law 105-276, add the words, "to remain available until September 30, 2000," after "\$81,910,000,".*

## INDEPENDENT AGENCY

## NATIONAL CREDIT UNION ADMINISTRATION

## CENTRAL LIQUIDITY FACILITY

*During fiscal year 2000, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions shall not exceed the amount authorized by title III of the National Credit Union Central Liquidity Facility Act (12 U.S.C. 1795).*

## GENERAL PROVISIONS, THIS CHAPTER

*SEC. 3012. Notwithstanding the 6th undesignated paragraph under the heading "Community planning and development—Community development block grants" in title II of Public Law 105-276 and the related provisions of the joint explanatory statement of the*

committee of conference to accompany such Act (House Report 105-769) for the Economic Development Initiative (EDI) grants for targeted economic investments for Project Restore of Los Angeles, California and for the Southeast Rio Vista Family YMCA shall, notwithstanding such provision, be made available as follows:

(1) \$250,000 shall be for a grant to the Los Angeles Civic Center Public Partnership, to revitalize and redevelop the Civic Center neighborhood; and

(2) \$100,000 shall be for a grant to the Southeast Rio Vista Family YMCA, for development of a child care center in the city of Huntington Park, California.

SEC. 3013. Notwithstanding section 202 of the Housing Act of 1959, of the amounts appropriated for fiscal year 1999 under the Housing for Special Populations heading in title II of Public Law 105-276, \$1,000,000 shall be made available to the Maryland Department of Housing and Community Development for work associated with the building of Caritas House and for expansion of the St. Ann Adult Medical Day Care facility as directed by the Senate Report and Conference Report for such Act.

SEC. 3014. Notwithstanding any other provision of law or other requirement, the Township of North Union, Fayette County, Pennsylvania, is authorized to retain any land disposition proceeds or urban renewal grant funds remaining from the Industrial Park Number 1 Urban Renewal Project (PA-R-325 and B-78-UR-42-0204) and to use such funds in accordance with the requirements of the community development block grant program as provided in title I of the Housing and Community Development Act of 1974, as amended, with respect to eligibility and national objectives of section 105 of such Act. The Township of North Union shall retain such funds in a lump sum and shall be entitled to retain and use past and future earnings from such funds, including any interest.

SEC. 3015. The \$2,200,000 appropriated in Public Law 105-276 to meet sewer infrastructure needs associated with the 2002 Winter Olympic Games in accordance with House Report 105-769 shall be awarded to Wasatch County, Utah, for both water and sewer.

SEC. 3016. Of the amount appropriated under the heading "Environmental programs and management" in Public Law 105-276, \$1,300,000 shall be transferred to the "State and tribal assistance grants" account for a grant for water and wastewater infrastructure projects in the State of Idaho.

SEC. 3017. The \$3,045,000 appropriated in Public Law 105-276 for wastewater infrastructure needs for Grand Isle, Louisiana, in accordance with House Report 105-769, may also be used for drinking water supply needs for Grand Isle, Louisiana.

## CHAPTER 11

### GENERAL PROVISIONS, THIS TITLE

SEC. 3018. Division A, section 101(a), title XI, section 1122(c) of Public Law 105-277 is amended by inserting after "basis" ": Provided, That no administrative costs shall be charged against this program which would have been incurred otherwise".

SEC. 3019. (a) Section 339(b)(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1989(b)(3)) is amended—

- (1) by striking the comma and the remainder of paragraph (3) following the comma; and
- (2) by inserting a period after “(1)”.

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

SEC. 3020. (a) LOAN DEFICIENCY PAYMENTS FOR CLUB WHEAT PRODUCERS.—In making loan deficiency payments available under section 135 of the Agricultural Market Transition Act (7 U.S.C. 7235) to producers of club wheat, the Secretary of Agriculture may not assess a premium adjustment on the amount that would otherwise be computed for club wheat under the section to reflect the premium that is paid for club wheat to ensure its availability to create a blended specialty product known as western white wheat.

(b) RETROACTIVE APPLICATION.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall make a payment to each producer of club wheat who received a discounted loan deficiency payment under section 135 of the Agricultural Market Transition Act (7 U.S.C. 7235) before that date as a result of the assessment of a premium adjustment against club wheat. The amount of the payment for a producer shall be equal to the difference between—

- (1) the loan deficiency payment that would have been made to the producer in the absence of the premium adjustment; and
- (2) the loan deficiency payment actually received by the producer.

(c) FUNDING SOURCE.—The Secretary shall use funds available to provide marketing assistance loans and loan deficiency payments under subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.) to make the payments required by subsection (b).

SEC. 3021. Notwithstanding 50 U.S.C. App. 1989b et seq. and in addition to any funds previously appropriated for this purpose, the Attorney General may make available from any funds available to the Department of Justice not more than \$4,300,000 for the purpose of paying restitution to individuals: (1) who are eligible for restitution under the Civil Liberties Act of 1988 (50 U.S.C. App. 1989b et seq.) and who have filed timely claims for restitution; or (2) who are found eligible under the settlement agreement in the case of Carmen Mochizuki et al. v. United States (Case No. 97-294C, United States Court of Federal Claims) and filed timely claims covered by the agreement.

SEC. 3022. Notwithstanding any other provision of law, the taking of a Cook Inlet beluga whale under the exemption provided in section 101(b) of the Marine Mammal Protection Act (16 U.S.C. 1371(a)) between the date of the enactment of this Act and October 1, 2000, shall be considered a violation of such Act unless such taking occurs pursuant to a cooperative agreement between the National Marine Fisheries Service and affected Alaska Native organizations.

SEC. 3023. Section 626 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as contained in section 101(b) of division A of Public Law 105-277) is repealed.

*SEC. 3024. Notwithstanding any other provision of law, the Director of the Office of Crime Victims of the Office of Justice Programs, Department of Justice, may make grants, as provided in the Victims of Crime Act of 1984, as amended, to victim service organizations and public agencies (including Federal, State, and local governments and non-profit organizations) that will provide emergency or on-going assistance to the victims of the bombing of Pan Am flight 103. These grants shall be used only to provide emergency relief (including compensation, assistance, and crisis response) and other related victim services.*

*SEC. 3025. Section 617 of the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as added by section 101(b) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)) is amended—*

*(1) by striking subsection (a) and inserting the following:*

*“(a) None of the funds made available in this Act or any other Act hereafter enacted may be used to issue or renew a fishing permit or authorization for any fishing vessel of the United States greater than 165 feet in registered length, of more than 750 gross registered tons, or that has an engine or engines capable of producing a total of more than 3,000 shaft horsepower as specified in the permit application required under part 648.4(a)(5) of title 50, Code of Federal Regulations, part 648.12 of title 50, Code of Federal Regulations, and the authorization required under part 648.80(d)(2) of title 50, Code of Federal Regulations, to engage in fishing for Atlantic mackerel or herring (or both) under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), unless the regional fishery management council of jurisdiction recommends after October 21, 1998, and the Secretary of Commerce approves, conservation and management measures in accordance with such Act to allow such vessel to engage in fishing for Atlantic mackerel or herring (or both).”;* and

*(2) in subsection (b), by striking “subsection (a)(1)” and inserting “subsection (a)”.*

*SEC. 3026. The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(b) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)) is amended—*

*(a) in title I, under the heading “Legal Activities, Salaries and Expenses, General Legal Activities”, by inserting “and shall remain available until September 30, 2000” after “Holocaust Assets in the United States”;* and

*(b) in title IV, under the heading “Department of State, Administration of Foreign Affairs, Salaries and Expenses”, by inserting “and shall remain available until September 30, 2000” after “Holocaust Assets in the United States”.*

*SEC. 3027. (a) The American Fisheries Act (title II of division C of Public Law 105-277) is amended—*

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

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

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

(4) in section 209(4) by striking “Uoited” and inserting “United”;

(5) in section 210(g), by striking the first sentence and inserting “The violation of any of the requirements of this subtitle or any regulation or permit issued pursuant to this subtitle shall be considered the commission of an act prohibited by section 307 of the Magnuson-Stevens Act (16 U.S.C. 1857), and sections 308, 309, 310, and 311 of such Act (16 U.S.C. 1858, 1859, 1860, and 1861) shall apply to any such violation in the same manner as to the commission of an act prohibited by section 307 of such Act (16 U.S.C. 1857).”;

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

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

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

(c) The limitation on registered length contained in section 12102(c)(6) of title 46, United States Code, shall not apply to a vessel used solely in any menhaden fishery which is located in the Gulf of Mexico or along the Atlantic coast south of the area under the authority of the New England Fishery Management Council for so long as such vessel is used in such fishery.

SEC. 3028. Section 113 of the Department of Justice Appropriations Act, 1999 (section 101(b) of division A of Public Law 105-277) is amended by striking all after the second comma and inserting “the terms ‘tribe’, ‘Indian tribe’ or ‘tribal’ mean of or relating to an Indian tribe as that term is defined in section 4(e) of the Indian Self Determination and Education Assistance Act (Public Law 93-638, as amended; 25 U.S.C. 450b(e) (1998)).”.

SEC. 3029. (a) AVAILABILITY OF SETTLEMENT AMOUNT.—Notwithstanding any other provision of law, the amount received by the United States in settlement of the claims described in subsection (b) shall be available as specified in subsection (c).

(b) COVERED CLAIMS.—The claims referred to in this subsection are the claims of the United States against Hunt Building Corporation and Ellsworth Housing Limited Partnership relating to the design and construction of an 828-unit family housing project at Ellsworth Air Force Base, South Dakota.

(c) SPECIFIED USES.—

(1) IN GENERAL.—Subject to paragraph (2), the amount referred to in subsection (a) shall be available as follows:

(A) Of the portion of such amount received in fiscal year 1999—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund for the civil debt collection litigation activities of the Department with respect to the claims referred to in subsection (b), as provided for in section 108 of Public Law 103-121 (107 Stat. 1164; 28 U.S.C. 527 note); and

(ii) of the balance of such portion—

(I) an amount equal to  $\frac{7}{8}$  of such balance shall be available to the Secretary of Transportation for purposes of construction of an access road on Interstate Route 90 at Box Elder, South Dakota (item 1741 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (Public Law 105-178; 112 Stat. 320)); and

(II) an amount equal to  $\frac{1}{8}$  of such balance shall be available to the Secretary of the Air Force for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(B) Of the portion of such amount received in fiscal year 2000—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund in accordance with subparagraph (A)(i); and

(ii) an amount equal to the balance of such portion shall be available to the Secretary of Transportation for purposes of construction of the access road described in subparagraph (A)(ii)(I).

(C) Of any portion of such amount received in a fiscal year after fiscal year 2000—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund in accordance with subparagraph (A)(i); and

(ii) an amount equal to the balance of such portion shall be available to the Secretary of the Air Force for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(2) LIMITATION ON AVAILABILITY OF FUNDS FOR ACCESS ROAD.—

(A) LIMITATION.—The amounts referred to in subparagraphs (A)(ii)(I) and (B)(ii) of paragraph (1) shall be available as specified in such subparagraphs only if, not later than September 30, 2000, the South Dakota Department of Transportation enters into an agreement with the Federal Highway Administration providing for the construction of an interchange on Interstate Route 90 at Box Elder, South Dakota.

(B) ALTERNATIVE AVAILABILITY OF FUNDS.—If the agreement described in subparagraph (A) is not entered into by the date referred to in that subparagraph, the amounts described in that subparagraph shall be available to the Secretary of the Air Force as of that date for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(3) AVAILABILITY OF AMOUNTS.—

(A) ACCESS ROAD.—Amounts available under this section for construction of the access road described in paragraph (1)(A)(ii)(I) are in addition to amounts available for the construction of that access road under any other provision of law.

(B) *PROPERTY AND FACILITY MAINTENANCE PROJECTS.*—Notwithstanding any other provision of law, amounts available under this section for property and facility maintenance projects at Ellsworth Air Force Base shall remain available for expenditure without fiscal year limitation.

*SEC. 3030.* The Corps of Engineers is directed to reprogram \$800,000 of the funds made available to that agency in fiscal year 1999 for the operation of the Pick-Sloan project to perform the preliminary work needed to transfer Federal lands to certain tribes and the State of South Dakota, and to protect invaluable Indian cultural sites, under the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration Act.

*SEC. 3031. PROHIBITION ON TREATING ANY FUNDS RECOVERED FROM TOBACCO COMPANIES AS AN OVERPAYMENT FOR PURPOSES OF MEDICAID.* (a) *AMENDMENT TO SOCIAL SECURITY ACT.*—Section 1903(d)(3) of the Social Security Act (42 U.S.C. 1396b(d)(3)) is amended—

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

(2) by adding at the end the following:

“(B)(i) Subparagraph (A) and paragraph (2)(B) shall not apply to any amount recovered or paid to a State as part of the comprehensive settlement of November 1998 between manufacturers of tobacco products, as defined in section 5702(d) of the Internal Revenue Code of 1986, and State Attorneys General, or as part of any individual State settlement or judgment reached in litigation initiated or pursued by a State against one or more such manufacturers.

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

(b) *PROHIBITION ON PAYMENT FOR ADMINISTRATIVE EXPENSES INCURRED IN PURSUING TOBACCO LITIGATION.*—Section 1903(i) of the Social Security Act (42 U.S.C. 1396b(i)) is amended—

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

(2) by inserting after paragraph (18) the following new paragraph:

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

(c) *EFFECTIVE DATE.*—This section and the amendments made by this section shall apply to amounts paid to a State prior to, on, or after the date of the enactment of this Act.

*SEC. 3032.* (a) The treatment provided to firefighters under section 628(f) of the Treasury and General Government Appropriations Act, 1999 (as included in section 101(h) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)) shall be provided to any firefighter who—

(1) on the effective date of section 5545b of title 5, United States Code—

(A) was subject to such section; and  
 (B) had a regular tour of duty that averaged more than  
 60 hours per week; and

(2) before December 31, 1999, is involuntarily moved without a break in service from the regular tour of duty under paragraph (1) to a regular tour of duty that—

(A) averages 60 hours or less per week; and

(B) does not include a basic 40-hour workweek.

(b) Subsection (a) shall apply to firefighters described under that subsection as of the effective date of section 5545b of title 5, United States Code.

(c) The Office of Personnel Management may prescribe regulations necessary to implement this section.

**SEC. 3033. HOWELL T. HEFLIN POST OFFICE BUILDING.** (a) **DESIGNATION.**—The facility of the United States Postal Service under construction at Tuscumbia, Alabama is designated as the “Howell T. Heflin Post Office Building”.

(b) **LEGAL REFERENCES.**—Any reference in a law, regulation, document, record, map, or other paper of the United States to the facility referred to in subsection (a) is deemed to be a reference to the “Howell T. Heflin Post Office Building”.

**SEC. 3034. (a) CONSIDERATION FOR LAND CONVEYANCE, SAN JOAQUIN COUNTY, CALIFORNIA.**—Subsection (c) of section 140 of division C of Public Law 105–277 is amended—

(1) by inserting “(1)” before “The purpose”; and

(2) by adding at the end the following new paragraph:

“(2) Notwithstanding subsection (a), the conveyance of the approximately 150-acre parcel described in paragraph (1) shall be without consideration. As consideration for the approximately 50-acre parcel intended for economic development, which shall be selected by the City, the City shall pay to the United States an amount equal to the fair market value of the parcel, as determined by an appraisal satisfactory to the Attorney General and the City.”.

(b) **CONDITIONS ON USE.**—Subsection (d) of such section is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

(c) **REVERSION.**—Subsection (e) of such section is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

(d) **TIME FOR CONVEYANCE.**—Subsection (a) of such section is amended by striking “120 days after the date of the enactment of this Act” and inserting “August 21, 1999”.

**SEC. 3035.** Notwithstanding any other provision of law, the Administrator of General Services is directed to utilize resources in the Federal Buildings Fund to purchase, at fair market value, not to exceed \$700,000, the United States Post Office and Federal Courthouse Building located on Mill Street in Fergus Falls, Minnesota: Provided, That such sums necessary to effect this provision are appropriated from the Federal Buildings Fund.

*TITLE IV—RESCISSIONS AND OFFSETS*

*DEPARTMENT OF AGRICULTURE*

*FOOD AND NUTRITION SERVICE*

*FOOD STAMP PROGRAM*

*(RESCISSION)*

*Of the amounts made available under this heading in division A, section 101(a), title IV of Public Law 105-277, \$1,250,000,000 are rescinded.*

*DEPARTMENT OF STATE AND RELATED AGENCIES*

*RELATED AGENCIES*

*UNITED STATES INFORMATION AGENCY*

*BUYING POWER MAINTENANCE*

*(RESCISSION)*

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

*MULTILATERAL ECONOMIC ASSISTANCE*

*FUNDS APPROPRIATED TO THE PRESIDENT*

*INTERNATIONAL FINANCIAL INSTITUTIONS*

*CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT*

*GLOBAL ENVIRONMENT FACILITY*

*(RESCISSION)*

*Of the funds appropriated under this heading in Public Law 105-277, \$25,000,000 are rescinded.*

*OTHER BILATERAL ECONOMIC ASSISTANCE*

*ECONOMIC SUPPORT FUND*

*(RESCISSION)*

*Of the funds appropriated under this heading in Public Law 105-277 and in prior acts making appropriations for foreign operations, export financing, and related programs, \$5,000,000 are rescinded.*

*DEPARTMENT OF THE INTERIOR*

*BUREAU OF LAND MANAGEMENT*

*MANAGEMENT OF LANDS AND RESOURCES*

*(RESCISSION)*

*Of the amounts appropriated under this heading in previous appropriations Acts, \$6,800,000 are rescinded.*

*DEPARTMENT OF LABOR*

*EMPLOYMENT AND TRAINING ADMINISTRATION*

*STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE  
OPERATIONS*

*Under this heading in section 101(f) of Public Law 105-277, strike "\$3,132,076,000" and insert "\$3,109,676,000" and strike "\$180,933,000" and insert "\$163,533,000".*

*DEPARTMENT OF HEALTH AND HUMAN SERVICES*

*HEALTH RESOURCES AND SERVICES ADMINISTRATION*

*FEDERAL CAPITAL LOAN PROGRAM FOR NURSING*

*(RESCISSION)*

*Of the funds made available under the Federal Capital Loan Program for Nursing appropriation account, \$2,800,000 are rescinded.*

*DEPARTMENT OF EDUCATION*

*EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT*

*(RESCISSION)*

*Of the funds made available under this heading in section 101(f) of Public Law 105-277, \$6,500,000 are rescinded.*

*DEPARTMENT OF DEFENSE*

*MILITARY CONSTRUCTION*

*(RESCISSIONS)*

*Of the funds provided in the Military Construction Appropriations Act, 1999, the following funds are hereby rescinded as of the date of the enactment of this Act from the following accounts in the specified amounts:*

- "Military Construction, Army", \$3,000,000;*
- "Military Construction, Navy", \$2,000,000;*
- "Military Construction, Air Force", \$3,000,000;*
- "Military Construction, Defense-Wide", \$2,000,000;*
- "Family Housing, Army" for Construction, \$1,000,000; for Operations and Maintenance, \$7,000,000;*
- "Family Housing, Navy" for Construction, \$1,000,000; for Operations and Maintenance, \$2,000,000;*

*“Family Housing, Air Force” for Construction, \$1,000,000; for Operations and Maintenance, \$3,000,000; and “Base Realignment and Closure Account, Part IV”, \$6,400,000.*

*DEPARTMENT OF TRANSPORTATION*

*OFFICE OF THE SECRETARY*

*PAYMENTS TO AIR CARRIERS*

*(AIRPORT AND AIRWAY TRUST FUND)*

*(RESCISSION OF CONTRACT AUTHORIZATION)*

*Of the budgetary resources provided for “Small Community Air Service” by Public Law 101–508 for fiscal years prior to fiscal year 1998, \$815,000 are rescinded.*

*FEDERAL HIGHWAY ADMINISTRATION*

*STATE INFRASTRUCTURE BANKS*

*(RESCISSION)*

*Of the available balances under this heading, \$6,500,000 are rescinded.*

*FEDERAL TRANSIT ADMINISTRATION*

*TRUST FUND SHARE OF TRANSIT PROGRAMS*

*(HIGHWAY TRUST FUND)*

*(RESCISSION OF CONTRACT AUTHORIZATION)*

*Of the budgetary resources provided for “Trust fund share of transit programs” in Public Law 102–240 under 49 U.S.C. 5338(a)(1), \$665,000 are rescinded.*

*INTERSTATE TRANSFER GRANTS—TRANSIT*

*Of the available balances under this heading, \$600,000 are rescinded.*

*DEPARTMENT OF THE TREASURY*

*BUREAU OF ALCOHOL, TOBACCO AND FIREARMS*

*SALARIES AND EXPENSES*

*(RESCISSION)*

*Of the funds made available under this heading in division A of the Omnibus Consolidated and Emergency Supplemental Appropriations, 1999 (Public Law 105–277) \$4,500,000 for the expansion of the National Tracing Center are rescinded.*

*EXECUTIVE OFFICE OF THE PRESIDENT  
FUNDS APPROPRIATED TO THE PRESIDENT*

*UNANTICIPATED NEEDS*

*(RESCISSION)*

*Of the funds made available under this heading in Public Law 101-130, the Fiscal Year 1990 Dire Emergency Supplemental to Meet the Needs of Natural Disasters of National Significance, \$10,000,000 are rescinded.*

*DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT*

*PUBLIC AND INDIAN HOUSING*

*ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING*

*(RESCISSION)*

*Of the amounts recaptured from funds appropriated under this heading during fiscal year 1999 and prior years, \$350,000,000 are rescinded.*

*COMMUNITY PLANNING AND DEVELOPMENT*

*COMMUNITY DEVELOPMENT BLOCK GRANTS*

*(RESCISSION)*

*Of the unobligated balances available under this heading in division B, of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277), \$230,000,000 are rescinded.*

*GENERAL PROVISION, THIS TITLE*

*SEC. 4001. Of the amount made available under division B, title V, chapter 1 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277) \$22,466,000 are rescinded.*

*TITLE V—TECHNICAL CORRECTIONS*

*SEC. 5001. The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(a) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)) is amended:*

*(1) in title III, under the heading "Rural Community Advancement Program (Including Transfer of Funds)", by inserting "1926d," after "1926c,"; by inserting ", 306C(a)(2), and 306D" after "381E(d)(2)" the first time it appears in the paragraph; and by striking ", as provided in 7 U.S.C. 1926(a) and 7 U.S.C. 1926C";*

*(2) in title VII, in section 718 by striking "this Act" and inserting "annual appropriations Acts";*

(3) in title VII, in section 747 by striking “302” and inserting “203”; and

(4) in title VII, in section 763(b)(3) by striking “section 402(d) of Public Law 94-265” and inserting “section 116(a) of Public Law 104-297”.

*SEC. 5002. The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in division A, section 101(d) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)) is amended—*

(1) in title II under the heading “Burma” by striking “headings ‘Economic Support Fund’ and” and inserting “headings ‘Child Survival and Disease Programs Fund’, ‘Economic Support Fund’ and”;

(2) in title V in section 587 by striking “199-339” and inserting “99-399”;

(3) in title V in subsection 594(a) by striking “subparagraph (C)” and inserting “subsection (c)”;

(4) in title V in subsection 594(b) by striking “subparagraph (a)” and inserting “subsection (a)”;

(5) in title V in subsection 594(c) by striking “521 of the annual appropriations Act for Foreign Operations, Export Financing, and Related Programs” and inserting “520 of this Act”.

*SEC. 5003. Subsection 1706(b) of title XVII of the International Financial Institutions Act (22 U.S.C. 262r-262r-2), as added by section 614 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, is amended by striking “June 30” and inserting “September 30”.*

*SEC. 5004. The Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(e) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)) is amended:*

(1) in the last proviso under the heading “United States Fish and Wildlife Service, Administrative Provisions” by striking “section 104(c)(50)(B) of the Marine Mammal Protection Act (16 U.S.C. 1361-1407)” and inserting “section 104(c)(5)(B) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407)”.

(2) under the heading “Bureau of Indian Affairs, Operation of Indian Programs”, by striking “\$94,010,000” and inserting “\$94,046,000”, by striking “\$114,871,000” and inserting “\$114,891,000”, by striking “\$387,365,000” and inserting “\$389,307,000”, and by striking “\$52,889,000” and inserting “\$53,039,000”.

(3) in section 354(a) by striking “16 U.S.C. 544(a)(2))” and inserting “16 U.S.C. 544b(a)(2))”.

(4) The amendments made by paragraphs (1), (2), and (3) of this section shall take effect as if included in Public Law 105-277 on the date of its enactment.

*SEC. 5005. The Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(f) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)) is amended—*

(1) in title I, under the heading “Federal Unemployment Benefits and Allowances”, by striking “during the current fiscal year” and inserting “from October 1, 1998, through September 30, 1999”;

(2) in title II under the heading “Office of the Secretary, General Departmental Management” by striking “\$180,051,000” and inserting “\$188,051,000”;

(3) in title II under the heading “Children and Families Services Programs, (Including Rescissions)” by striking “notwithstanding section 640 (a)(6), of the funds made available for the Head Start Act, \$337,500,000 shall be set aside for the Head Start Program for Families with Infants and Toddlers (Early Head Start): Provided further, That”;

(4) in title II under the heading “Office of the Secretary, General Departmental Management” by inserting after the first proviso the following: “Provided further, That of the funds made available under this heading for carrying out title XX of the Public Health Service Act, \$10,831,000 shall be for activities specified under section 2003(b)(2), of which \$9,131,000 shall be for prevention service demonstration grants under section 510(b)(2) of title V of the Social Security Act, as amended, without application of the limitation of section 2010(c) of said title XX.”;

(5) in title III under the heading “Special Education” by inserting before the period at the end of the paragraph the following: “: Provided further, That \$1,500,000 shall be for the recipient of funds provided by Public Law 105-78 under section 687(b)(2)(G) of the Act to provide information on diagnosis, intervention, and teaching strategies for children with disabilities”;

(6) in title II under the heading “Public Health and Social Services Emergency Fund” by striking “\$322,000” and inserting “\$180,000”;

(7) in title III under the heading “Education Reform” by striking “\$491,000,000” and inserting “\$459,500,000”;

(8) in title III under the heading “Vocational and Adult Education” by striking “\$6,000,000” the first time that it appears and inserting “\$14,000,000”, and by inserting before the period at the end of the paragraph the following: “: Provided further, That of the amounts made available for the Perkins Act, \$4,100,000 shall be for tribally controlled postsecondary vocational institutions under section 117”;

(9) in title III under the heading “Higher Education” by inserting after the first proviso the following: “Provided further, That funds available for part A, subpart 2 of title VII of the Higher Education Act shall be available to fund awards for academic year 1999-2000 for fellowships under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1.”;

(10) in title III under the heading “Education Research, Statistics, and Improvement” by inserting after the third proviso the following: “Provided further, That of the funds appropriated under section 10601 of title X of the Elementary and Secondary Education Act of 1965, as amended, \$1,000,000

shall be used to conduct a violence prevention demonstration program.”;

(11) in title III under the heading “Reading Excellence” by inserting before the period at the end of the paragraph the following: “: Provided, That up to 1 percent of the amount appropriated shall be available October 1, 1998 for peer review of applications”;

(12) in title V in section 510(3) by inserting after “Act” the following: “or subsequent Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Acts”; and

(13)(A) in title VIII in section 405 by striking subsection (e) and inserting the following:

“(e) OTHER REFERENCES TO TITLE VII OF THE STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT.—The table of contents of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.) is amended—

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

“(2) by striking the item relating to the title heading for title VII and inserting the following:

“‘TITLE VII—EDUCATION AND TRAINING’.”.

(B) The amendments made by subsection (m)(1) of this section shall take effect as if included in Public Law 105–277 on the date of its enactment.

SEC. 5006. The last sentence of section 5595(b) of title 5, United States Code (as added by section 309(a)(2) of the Legislative Branch Appropriations Act, 1999; Public Law 105–275), is amended by striking “(a)(1)(G)” and inserting “(a)(1)(C)”.

SEC. 5007. Division B, title II, chapter 5 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277) is amended under the heading “Capitol Police Board, Security Enhancements” by inserting before the period at the end of the paragraph “: Provided further, That for purposes of carrying out the plan or plans described under this heading and consistent with the approval of such plan or plans pursuant to this heading, the Capitol Police Board shall transfer the portion of the funds made available under this heading which are to be used for personnel and overtime increases for the United States Capitol Police to the heading “Capitol Police Board, Capitol Police, Salaries” under the Act making appropriations for the legislative branch for the fiscal year involved, and shall allocate such portion between the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate in such amounts as may be approved by the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate”.

SEC. 5008. Division B, title 1, chapter 3 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277) is amended under the heading “Family Housing, Navy and Marine Corps” by striking the word “Hurricane” and inserting “Hurricanes Georges and”.

*SEC. 5009. The Department of Transportation and Related Agencies Appropriations Act, 1999, as contained in division A, section 101(g) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277), is amended in title I under the heading "Capital Investment Grants (Including Transfer of Funds)" within the project description of project number 127, by inserting the words "and bus facilities" after the word "replacements", and within the project description of project number 261 by striking the words "Multimodal Center" and inserting "buses and bus related facilities".*

*SEC. 5010. The Department of Transportation and Related Agencies Appropriations Act, 1999, as contained in division A, section 101(g) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277), is amended in title I under the heading "Federal-Aid Highways (Limitation on Obligations) (Highway Trust Fund)" by striking "not more than \$38,000,000 shall be available for the implementation and execution of the Ferry Boat and Ferry Terminal Facility Program", and inserting "not more than \$59,290,000 shall be available for the implementation and execution of the Ferry Boat and Ferry Terminal Facility Program".*

*SEC. 5011. Section 3347(b) of title 5, United States Code, as added by the Federal Vacancies Reform Act of 1998, is amended by striking "provision to which subsection (a)(2) applies" and inserting "provision to which subsection (a)(1) applies".*

#### TITLE VI—GENERAL PROVISIONS, THIS ACT

*SEC. 6001. Effective October 1, 1999, section 234 of the Foreign Assistance Act of 1961 (22 U.S.C. 2194) is amended by—*

*(1) striking the paragraph within subsection 234(g) that is currently designated as 234(c);*

*(2) in paragraph (g)(2), changing the title to read "Equity Authority Limited to Projects in Sub-Saharan Africa and Caribbean Basin and Marine Transportation Projects Globally" and inserting after the words "Caribbean Basin Economic Recovery Act" the following: "and in marine transportation projects in countries and areas eligible for OPIC support worldwide using United States commercial maritime expertise"; and*

*(3) inserting a new paragraph (g)(5) to read:*

*"IMPLEMENTATION.—To the extent provided in advance in Appropriations Acts, the Corporation is authorized to create such legal vehicles as may be necessary for implementation of its authorities, which legal vehicles may be deemed non-Federal borrowers for purposes of the Federal Credit Reform Act of 1990. Income and proceeds of investments made pursuant to this section 234(g) may be used to purchase equity or quasi-equity securities in accordance with the provisions of this section: Provided, however, That such purchases shall not be limited to the 4-year period of the pilot program: Provided further, That the limitations contained in section 234(g)(2) shall not apply to such purchases."*

*SEC. 6002. (a) AUTHORIZATION OF APPROPRIATIONS.—Section 48103 of title 49, United States Code, is amended by striking "\$1,607,000,000 for the 8-month period beginning October 1, 1998."*

and inserting “\$2,050,000,000 for the period beginning October 1, 1998 and ending August 6, 1999.”

(b) *OBLIGATIONAL AUTHORITY.*—Section 47104(c) of such title is amended by striking “May 31, 1999,” and inserting “August 6, 1999,”.

(c) *LIQUIDATION OF CONTRACT AUTHORIZATION.*—The Department of Transportation and Related Agencies Appropriations Act, 1999, as amended, is further amended as follows: Delete the last proviso under the heading “Grants-in-Aid for Airports, (Liquidation of Contract Authorization), (Airport and Airway Trust Fund)” and insert “Provided further, That not more than \$1,660,000,000 of funds limited under this heading may be obligated before the enactment of a law extending contract authorization for the Grants-in-Aid for Airports Program beyond August 6, 1999.”

(d) *MILITARY AIRPORT PROGRAM.*—Section 47117(e)(1)(B) of title 49, United States Code, is amended by striking “for each of fiscal years 1997 and 1998”.

(e) *RELEASE OF MWAA FUNDING.*—Section 9(a) of the Interim Federal Aviation Administration Authorization Act (Public Law 106–6) is amended by striking “(an application that is pending at the Department of Transportation on March 17, 1999) for expenditure or obligation of up to \$30,000,000” and inserting “for expenditure or obligation of up to \$60,000,000”.

(f) *EXTENSION OF AVIATION INSURANCE PROGRAM.*—Section 44310 of title 49, United States Code, is amended by striking “May 31, 1999” and inserting “August 6, 1999”.

*SEC. 6003. TITLE 49 RECODIFICATION CORRECTION.*—Effective December 31, 1998, section 4(k) of the Act of July 5, 1994 (Public Law 103–272; 108 Stat. 1370), as amended by section 7(a)(3)(D) of the Act of October 31, 1994 (Public Law 103–429; 108 Stat. 4329), is repealed.

*SEC. 6004. Section 3027(d)(3) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5307 note; 112 Stat. 366) as added by section 360 of the Department of Transportation and Related Agencies Appropriations Act, 1999 (as contained in division A, section 101(g) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is redesignated as section 3027(c)(3).*

*SEC. 6005. It is the sense of the Congress that there should continue to be parity between the adjustments in the compensation of members of the uniformed services and the adjustments in the compensation of civilian employees of the United States.*

*This Act may be cited as the “1999 Emergency Supplemental Appropriations Act”.*

And the Senate agree to the same.

BILL YOUNG,  
RALPH REGULA,  
JERRY LEWIS,  
JOHN PORTER,  
HAROLD ROGERS,  
JOE SKEEN,  
FRANK R. WOLF,  
JIM KOLBE,  
RON PACKARD,  
SONNY CALLAHAN,  
JAMES T. WALSH,  
CHARLES H. TAYLOR,  
DAVID L. HOBSON,  
JOHN P. MURTHA,  
NORMAN D. DICKS,  
ALLAN B. MOLLOHAN,

*Managers on the Part of the House.*

TED STEVENS,  
THAD COCHRAN,  
ARLEN SPECTER,  
PETE V. DOMENICI,  
CHRISTOPHER S. BOND,  
SLADE GORTON,  
MITCH McCONNELL,  
CONRAD BURNS,  
RICHARD SHELBY,  
ROBERT F. BENNETT,  
BEN NIGHTHORSE CAMPBELL,  
LARRY CRAIG,  
KAY BAILEY HUTCHISON,  
JON KYL,  
ROBERT C. BYRD,  
DANIEL K. INOUE,  
ERNEST F. HOLLINGS,  
PATRICK J. LEAHY,  
FRANK R. LAUTENBERG,  
BARBARA A. MIKULSKI,  
HARRY REID,  
HERB KOHL,  
DIANNE FEINSTEIN,

*Managers on the Part of the Senate.*

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF  
CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

Report language included by the House in the report accompanying H.R. 1141 (H. Rept. 106-64) which is not changed by the Senate in the report accompanying S. 544 (S. Rept. 106-8), and Senate report language which is not changed by the conference are approved by the committee of conference. The statement of managers while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

The conferees have agreed to include in this conference report on H.R. 1141 matters addressed in the House version of H.R. 1664 as an expedient approach to getting appropriations enacted into law for the important requirements related to the conflict in Kosovo and Southwest Asia (Operation Desert Fox).

TITLE I

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

ADDITIONAL FARM ASSISTANCE

The conferees recognize the problems facing agricultural producers today and understand that the actual needs for disaster assistance funds provided last year likely will exceed the projections of the Department of Agriculture. The Department of Agriculture has projected that net farm income will decline \$3 billion below last year. The conferees expect the administration to monitor the situation closely and if necessary, submit requests for additional funds to the Congress for consideration.

EMERGENCY GRANTS TO ASSIST LOW-INCOME MIGRANT AND SEASONAL  
FARMWORKERS

The conference agreement provides \$20,000,000 for emergency grants to assist low-income migrant and seasonal farmworkers in-

stead of \$25,000,000 as proposed by the Senate. The House had no similar provision. This program will provide assistance to farmworkers in areas of California and Florida impacted by natural disasters.

#### AGRICULTURAL MARKETING SERVICE

##### MARKETING SERVICES

The conference agreement does not include language proposed by the Senate providing additional funding for the agricultural marketing assistance and the rural business enterprise grant programs. The House had no similar provision. The conferees encourage the Department to give consideration to rural business enterprise grant applications from those States in the Northeast where apples and onions are grown. The conferees strongly encourage the Agricultural Marketing Service to consider applications for grants from these States to assist in the development of successful marketing strategies for apples and onions.

##### FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY

##### (SECTION 32)

The conference agreement provides \$145,000,000 for activities under section 32 instead of \$150,000,000 as proposed by the Senate. The conference agreement also includes language proposed by the Senate as a general provision allowing the Secretary of Agriculture to waive the limitation established under section 32 on the amount of funds that may be devoted during fiscal year 1999 to any one agricultural commodity or product. The House had no similar provisions.

#### FARM SERVICE AGENCY

##### SALARIES AND EXPENSES

The conference agreement provides an additional \$42,753,000 for salaries and expenses for temporary employees of the Farm Service Agency as proposed by both the House and the Senate.

##### AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides a total of \$109,609,000 for additional farm ownership loans, farm operating loans, emergency loans, and administrative expenses as proposed by both the House and the Senate, to remain available until September 30, 2000, as proposed by the House. The conference agreement also includes language to facilitate the repayment of funds re-directed from the Farm Service Agency Salaries and Expenses account in anticipation of supplemental funding, and to permit transfers between the farm operating and ownership guaranteed and direct lending programs subject to the prior approval of the House and Senate Committees on Appropriations.

## EMERGENCY CONSERVATION PROGRAM

The conference agreement provides \$28,000,000 for the Emergency Conservation Program instead of \$30,000,000 as proposed by the Senate. The House had no similar provision. The conference agreement also includes statutory language to allow previously appropriated funds not needed for cost-sharing assistance to maple producers to replace taps and tubing to be available for other Emergency Conservation Program activities, and to allow funds to be used for certain streambank restoration.

The conferees are aware of a recent fire in Nebraska for which these funds may be available.

## COMMODITY CREDIT CORPORATION FUND

## LIVESTOCK INDEMNITY PROGRAM

The conference agreement provides \$3,000,000 for the livestock indemnity program as proposed by the Senate, modified to state that the program shall be effective only for certain losses. The House had no similar provision.

## NATURAL RESOURCES CONSERVATION SERVICE

## WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides \$95,000,000 for Watershed and Flood Prevention Operations instead of \$100,000,000 as proposed by the Senate, and deletes language proposed by the Senate regarding debris removal. The House had no similar provision. The conferees understand that authority currently exists for such debris removal activities.

## RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

## RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides \$30,000,000 for direct loans and grants to rural utilities, of which \$25,000,000 shall be for grants, as proposed by the Senate. The House had no similar provision.

## RURAL HOUSING SERVICE

## RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total of \$1,534,000 for section 502 single-family housing loans and for section 504 housing repair loans to meet needs resulting from natural disasters as proposed by the Senate. The House had no similar provision.

## RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides \$1,000,000 for very low-income housing repair to meet needs resulting from natural disasters as proposed by the Senate. The House had no similar provision.

## GENERAL PROVISIONS, THIS CHAPTER

*Senate Section 1101.* The conference agreement does not include a general provision proposed by the Senate regarding the limitation established under Section 32 on the amount of funds devoted in a fiscal year to any one agricultural commodity or product. The House had no similar provision. This matter is addressed in the conference agreement under the heading “Funds for Strengthening Markets, Income, and Supply (Section 32)”.

*Senate Section 1102.* The conference agreement includes language to allow assistance for certain multiyear crop losses for the years in which established loss thresholds were met. The Senate provision would have made losses in additional years eligible. The House had no similar provision.

*Senate Section 1103.* The conference agreement includes language which provides \$28,000,000 in fiscal year 1999 and \$35,000,000 in fiscal year 2000 through the Commodity Credit Corporation for technical assistance activities in carrying out the Conservation Reserve Program and the Wetlands Reserve Program. The Senate provision addressed fiscal year 1999. The House had no similar provision.

*Senate Section 1104.* The conference agreement includes language proposed by the Senate regarding commercial fisheries. The House had no similar provision.

*Senate Section 1105.* The conference agreement provides \$70,000,000 for the livestock assistance program as proposed by the Senate, and adds language providing that the definition of livestock shall include reindeer. The House had no similar provision.

*Senate Section 1106.* The conference agreement does not include Section 1106, as proposed by the Senate, to extend the sales closing date for producers who applied for crop revenue coverage plus. The House had no similar provision. Similar provisions are included in Public Law 106-7.

*Senate Section 4013.* The conference agreement includes language proposed by the Senate regarding the Denali Commission Act of 1998, modified to include a contingent emergency declaration. The House had no similar provision.

## CHAPTER 2

## DEPARTMENT OF JUSTICE

## IMMIGRATION AND NATURALIZATION SERVICE

## SALARIES AND EXPENSES

## ENFORCEMENT AND BORDER AFFAIRS

The conference agreement includes \$80,000,000, as an emergency appropriation, to remain available until expended, as proposed in the House bill, for 2,945 additional detention beds for the detention of criminal aliens from Central America and illegal aliens from Central America apprehended at or near the border. The conferees understand that these funds are necessary to prevent criminal aliens from Central America from being released into the community while awaiting deportation and to provide for detention

space at or near the border for apprehended illegal aliens from Central America and direct the Attorney General to administer these funds. The detention of aliens along the Southwest border serves as a major deterrent to potential illegal border crossings and is necessary to prevent large numbers of Central Americans from traveling north and illegally entering the U.S.

The conferees share the concerns raised in the House and Senate reports and strongly urge INS to address its management failures to adequately identify its detention needs, to request the necessary funds to prevent criminal aliens from being released, and to support the border enforcement strategy. The conferees recognize that the fiscal year 1999 budget request from INS only included minimal contract and State and local beds, approximately 100, necessitating the resource requirement that this supplemental attempts to address.

The conferees direct the INS to promptly deliver all previously requested and overdue reports.

#### OTHER PROVISIONS

Emergency Steel Loan Guarantee Act of 1999.—The Conference agreement deleted, without prejudice, the emergency steel loan guarantee program, as proposed by the Senate. No similar provision was included in the House bill.

Emergency Oil and Gas Guaranteed Loan Program Act.—The Conference agreement deleted, without prejudice, the emergency oil and gas guaranteed loan program, as proposed by the Senate. No similar provision was included in the House bill.

#### CHAPTER 3

##### DEPARTMENT OF DEFENSE—MILITARY

Chapter 3 of the conference agreement recommends a total of \$215,900,000 in new budget authority for the Department of Defense, instead of \$194,900,000 as proposed by the House and \$209,700,000 as proposed by the Senate, for disaster relief efforts resulting from Hurricanes Mitch and Georges in Central America.

The conferees agree to retain and amend language, as requested by the President and proposed by the House, which designates all appropriations as emergency requirements.

The following table provides details of the emergency supplemental appropriations in this chapter for disaster assistance related to Hurricanes Mitch and Georges.

##### DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

[In thousands of dollars]

	Budget	House	Senate	Conference
Military Personnel:				
Army Reserve .....	2,900	8,000	2,900	8,000
Army National Guard .....	6,000	7,300	7,300	7,300
Air National Guard .....	1,000	1,000	1,000	1,000
Total .....	9,900	16,300	11,200	16,300
Operation and Maintenance:				
Army .....	69,500	69,500	50,000	50,000

## DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS—Continued

[In thousands of dollars]

	Budget	House	Senate	Conference
Navy .....	16,000	16,000	16,000	13,900
Marine Corps .....	300	300	0	2,400
Air Force .....	8,800	8,800	8,000	8,800
Defense-Wide .....	46,500	46,500	21,000	21,000
Army National Guard .....	0	0	20,000	20,000
Overseas Humanitarian, Disaster, and Civic Aid .....	37,500	37,500	37,500	37,500
New Horizons Exercise Transfer Fund .....	0	0	46,000	46,000
Total .....	178,600	178,600	198,500	199,600
Grand Total .....	188,500	194,900	209,700	215,900

## MILITARY PERSONNEL

The conferees recommend \$16,300,000 as proposed by the House, instead of \$11,200,000 as proposed by the Senate, to support National Guard and Reserve participation in the Enhanced New Horizons readiness training exercises in Central America. In addition, the conferees agree to retain House language which would make certain appropriations available to the Guard and Reserve subject to receipt of an emergency budget request by the President to the Congress.

## OPERATION AND MAINTENANCE

The conferees agree to provide \$199,600,000 for Operation and Maintenance costs associated with hurricane relief efforts in Central America, instead of \$178,600,000 as proposed by the House and \$198,500,000 as proposed by the Senate.

*New Horizons Transfer Fund.*—The conferees agree to provide \$46,000,000 for the “New Horizons Exercise Transfer Fund”, a new appropriations account proposed by the Senate. The conferees direct that the Department of Defense provide a report to the House and Senate Committees on Appropriations not later than June 30, 1999, which describes the allocation of funding from this account to the military services and defense-wide activities, and explains the specific projects and programs supported by this funding.

*Operation and Maintenance, Marine Corps.*—The conferees agree to provide \$2,400,000. This amount reflects a technical correction needed to properly distribute funding which was originally requested for “Operation and Maintenance, Navy”.

*Operation and Maintenance, Defense-Wide.*—The conferees agree to retain language proposed by the Senate which directs that \$20,000,000 within this appropriation is only for the CINC Initiative Fund. The conferees also agree to delete language proposed by the Senate which rescinds \$217,000,000 due to changes in the price of bulk fuel.

## GENERAL PROVISIONS, THIS CHAPTER

The conferees agree to delete language proposed by the Senate which earmarks funds previously appropriated to the Department of Defense.

The conferees agree to retain and amend section 301, as proposed by the Senate, which waives the requirement for reimbursement of expenses for five additional foreign students at the military service academies.

The conferees agree to delete language proposed by the Senate which earmarks funds for the settlement of claims arising from the U.S. Marine Corps accident near Cavalese, Italy.

The conferees agree to retain section 302, as proposed by the Senate, which would allow military technicians to receive a per diem expense while deployed on active duty.

The conferees agree to delete language proposed by the Senate which authorizes the Department to obtain operational support aircraft through a multiyear lease.

The conferees agree to retain section 303, as proposed by the Senate, which authorizes the sale of 17,383 tons of zirconium ore.

The conferees agree to include section 304, which allows the Joint STARS program to use current year funds to adjust, record, and liquidate obligations associated with aircraft procured in fiscal years 1995 and 1996. The Joint STARS program refurbishes used aircraft before installing the new mission electronics. Unfortunately, these aircraft have been more difficult to refurbish than originally anticipated. Since the capability offered by Joint STARS is urgently needed to support military operations, disruptions to the delivery schedule through lack of funds would be detrimental to U.S. military capabilities. The general provision caps the authority to use previously appropriated funds at \$50,700,000, and requires the Air Force to notify the congressional defense committees of the specific sources to be used for Joint STARS obligations. The provision further requires the Air Force to follow all normal reprogramming procedures.

## CHAPTER 4

### BILATERAL ECONOMIC ASSISTANCE

#### FUNDS APPROPRIATED TO THE PRESIDENT

#### AGENCY FOR INTERNATIONAL DEVELOPMENT

##### INTERNATIONAL DISASTER ASSISTANCE

The conference agreement appropriates \$25,000,000 for the International Disaster Assistance account as proposed by the House. The Senate proposed \$35,000,000.

#### OTHER BILATERAL ECONOMIC ASSISTANCE

##### ECONOMIC SUPPORT FUND

The conference agreement appropriates \$50,000,000 in the Economic Support Fund for Jordan, the same amount as proposed by both the House and the Senate.

CENTRAL AMERICA AND THE CARIBBEAN EMERGENCY  
DISASTER RECOVERY FUND

The conference agreement appropriates \$621,000,000 for the Central America and the Caribbean Emergency Disaster Recovery Fund (CACEDRF), the same amount proposed by the House. The Senate proposed \$611,000,000 for the CACEDRF. The conference agreement includes language requiring the President to submit to Congress a specific budget request designating the entire amount as an emergency. The funds are to remain available until September 30, 2000.

The conference agreement provides transfer authority from the CACEDRF to several other accounts for the administrative and oversight costs of implementing the emergency recovery program in the region. For Operating Expenses of the Agency for International Development, the conference agreement appropriates up to \$5,500,000 to remain available until September 30, 2000. The House provided \$5,000,000 and the Senate provided \$6,000,000.

For Operating Expenses of the AID Inspector General, the conference agreement appropriates up to \$1,500,000, as proposed by the Senate, to be used for costs of audits, inspections, and other activities associated with the use of funds in the CACEDRF. The House proposed up to \$2,000,000. The conference agreement provides up to \$500,000 for the General Accounting Office to audit and monitor the use of CACEDRF funds, as proposed by the Senate. The House bill contained no provision on this matter.

The conferees continue to seek to prevent any misuse of U.S. foreign aid and have, therefore, made available funds from this account for the AID Inspector General and the General Accounting Office. In addition, the conferees believe that AID and GAO should help recipient governments play a central role in ensuring that this emergency assistance is utilized properly. The conferees encourage AID to support the efforts of recipient governments to engage independent private sector organizations to help improve institutional capability to resist corrupt practices and to report on the possible misuse of funds.

The conference agreement provides that not less than \$2,000,000 from within the CACEDRF should be used for landmine clearing and the removal of unexploded ordinance in Nicaragua and Honduras as proposed by the Senate amendment. The House bill contained no provision on this matter.

The conference agreement prohibits the use of non-project assistance from this account as proposed by the House. The Senate allowed non-project assistance subject to the regular notification procedures of the Appropriations Committee.

The managers concur with report language under this heading in both the Senate and House reports, and encourage OMB and AID to regularly consult with the Committees on implementation of recommendations and directives contained in the reports.

The Senate included bill language encouraging AID to promote reforestation and energy conservation. The House bill contained no similar provision. The conference report contains no bill language specifically related to these two issues, but the managers agree on the importance of energy and reforestation and believe that these

priorities should be integrated into AID's overall relief and reconstruction efforts in the region. The conferees support funding to promote the critical energy sector through the use of energy-efficient services and technologies and, where feasible, renewable energy such as biomass. Prompt and full restoration of power generation facilities at the El Cajon Dam in Honduras is of special interest to the Conferees because of the foreign exchange and environmental costs of alternative sources. The managers expect that AID will undertake efforts to promote reforestation, with careful attention to the choice, placement, and management of species of trees consistent with watershed management objectives designed to minimize future storm damage. Further, the managers agree on the importance of technology transfers in support of reforestation and agro-forestry.

The Senate included bill language providing up to \$10,000,000 from within the CACEDRF to establish a scholarship fund at Zamorano Agricultural University in Honduras for low-to-middle income students. The House bill contained no provision on this matter. The managers believe greater access to education is essential to long-term development in Central America and encourage AID to assist Central American governments in increasing lower income student enrollment in the region's colleges and universities, especially at Zamorano University.

The conferees encourage the use of the Pan American Health Organization for the implementation and coordination of regional infectious disease prevention programs funded in this account.

The conference agreement includes language waiving certain laws relating to expenditure of funds by AID. The Senate bill provided broad authority to waive existing laws related to contracts, subject to AID reporting to Congress. The House contained no similar provision. While the conference agreement contains no waiver for AID contracting authority, the conferees believe that existing AID contracting and procurement regulations already permit AID to exercise significant latitude in making and amending contracts in urgent and compelling situations. The assistance provided in this account is to respond to urgent and compelling needs in the region, and, therefore, AID should exercise its contracting waivers to help reduce delays in AID's procurement processes so that these supplemental funds can reach those in need more rapidly. The managers expect AID to keep the Committees on Appropriations informed of the use of contract and procurement waivers for projects funded from CACEDRF funds. The conference agreement allows AID to charge to the CACEDRF certain financial obligations made from other AID development accounts after April 30, 1999. The managers expect that, to the extent practicable, contracts and grants should be awarded to U.S. private organizations and individuals, including those linked with indigenous Central American counterparts, provided that such a preference does not delay or hinder the delivery of assistance. The conferees encourage the use of the private sector, especially in such technical areas as mapping, to the maximum extent possible. New base maps that identify future flood hazards are urgently needed to help mitigate risks associated with proposed reconstruction efforts.

At the request of the Administration, the agreement also includes bill language making inapplicable section 110 of the Foreign Assistance Act regarding host country contributions to certain U.S. development projects. The managers are aware that the governments of the affected nations bear the primary responsibility for their nations' reconstruction and have already dedicated enormous resources to relief and reconstruction efforts. These nations are expected to spend a considerable percentage of their annual government budget on reconstruction projects in upcoming years, making the need for section 110 cost sharing requirements unnecessary.

The conference agreement reiterates that all funds in the CACEDRF as well as funds appropriated in this Act which are in addition to funds made available under title II of the 1999 Foreign Operations Act, be subject to section 580 of the 1999 Foreign Operations Act, regarding the ceiling on overall population planning assistance. This is similar to the provision recommended by the House. The Senate bill contained no similar provision.

The conferees encourage AID to consider Costa Rica among those nations eligible for funds from this account as a result of the costs assumed by Costa Rica in providing refuge to hurricane victims from neighboring Central American nations.

The conference agreement also includes technical language to permit any transfer of funds to the Export-Import Bank to be used as subsidy credit authority under the Credit Reform Act of 1990.

## DEPARTMENT OF STATE

### INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement appropriates \$23,000,000 for anti-narcotics drug research and development programs as proposed by the Senate. Further, the conference agreement makes the funds available only after the President transmits to Congress a budget request that includes a designation of the funds as an emergency need. The House bill contained no similar provisions. The conferees expect that any future funding for drug research programs will be funded through the Office of National Drug Control Policy.

The conferees are aware that Central American and Caribbean nations are facing budget shortfalls in government anti-narcotics and drug interdiction programs created due to the redirection of funding to urgent reconstruction efforts. Since these supplemental funds will increase the overall resources available for the State Department narcotics control programs for fiscal year 1999, the conferees encourage the State Department to consider dedicating additional anti-narcotics resources to nations affected by the hurricanes.

## DEPARTMENT OF THE TREASURY

### DEBT RESTRUCTURING

The conference agreement appropriates \$41,000,000 for debt restructuring as provided by both the House and the Senate. The conference agreement requires that all funds for the Central America Emergency Trust Fund, administered by the World Bank, are subject to the regular notification procedures of the Committees.

## MILITARY ASSISTANCE

## FUNDS APPROPRIATED TO THE PRESIDENT

## FOREIGN MILITARY FINANCING PROGRAM

The conference agreement appropriates \$50,000,000 for Foreign Military Financing grants for Jordan, as provided by the House and Senate.

## GENERAL PROVISIONS—THIS CHAPTER

The conference agreement includes a general provision designating funds in this chapter as an emergency under the Balanced Budget and Emergency Deficit Control Act of 1985.

The conference agreement includes a general provision providing a supplemental appropriation of \$6,500,000 for the Economic Support Fund for election monitoring and related activities for East Timor.

The conference agreement includes a general provision, similar to a provision in the Senate amendment, that transfers responsibility for certain counternarcotics research and development activities from the Department of Agriculture to the Department of State.

## CHAPTER 5

The managers understand that the estimates, which form the basis for the emergency construction appropriations herein, are based on preliminary damage determinations. Refinements and re-estimates, that result in allocations different from preliminary projections, may be necessary. The managers expect funds to be provided consistent with established priorities. Before proceeding with final allocations to the field, the managers expect the agencies to provide a report that identifies all of the projects considered for funding, including any changes from earlier estimates.

## DEPARTMENT OF THE INTERIOR

## UNITED STATES FISH AND WILDLIFE SERVICE

## CONSTRUCTION

The managers have provided \$12,612,000 for construction, contingent on a Presidential declaration of emergency, as proposed by the Senate instead of no funding as proposed by the House. The amount included herein provides funds for emergency repairs associated with Federally-declared emergencies in the Pacific Northwest and for the full cost of emergency replacement of generating equipment at Midway Atoll National Wildlife Refuge.

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## RECONSTRUCTION AND CONSTRUCTION

The managers have provided \$5,611,000, contingent on a Presidential declaration of emergency, for reconstruction and construc-

tion to address damages from Hurricane Georges and other natural disasters in Puerto Rico as proposed by the House instead of no funding as proposed by the Senate.

#### OTHER RELATED AGENCY

##### UNITED STATES HOLOCAUST MEMORIAL COUNCIL

###### HOLOCAUST MEMORIAL COUNCIL

The managers have provided \$2,000,000, contingent on a Presidential declaration of emergency, for the Holocaust Memorial Council to address security needs as proposed by the Senate instead of no funding as proposed by the House.

#### GENERAL PROVISION—THIS CHAPTER

Section 501.—The managers have modified language proposed by the Senate (section 2319) dealing with compensation for Dungeness crab fishermen in Glacier Bay, Alaska and deferring National Park Service Construction funding. The deferral proposed by the Senate has been deleted. The modification to the compensation language is described below.

The managers have agreed to revisions to the Senate provision expanding the compensation program for those negatively affected by restrictions on commercial fishing. In addition, full funding of \$26,000,000, contingent on a Presidential declaration of emergency, is provided to implement the compensation program. To provide a transition period for fishermen, crew, fish processors, communities, and others negatively affected, the managers have agreed to suspend the ban on commercial fishing through the upcoming fishing season to provide fishermen an additional season to fish. During the fishing season, the managers expect the Department of the Interior, after consulting fully with the State of Alaska, to expedite development of the compensation program so that compensation can be distributed no later than the end of the fishing season.

The managers have not included language as proposed by the Senate (section 1403) providing royalty reductions for oil and gas producers. The House had no similar provision.

#### CHAPTER 6

##### INDEPENDENT AGENCY

###### ENVIRONMENTAL PROTECTION AGENCY

###### SCIENCE AND TECHNOLOGY

Deletes language proposed by the Senate which would have rescinded \$10,000,000 for research through the Climate Change Technology Initiative.

###### FEDERAL EMERGENCY MANAGEMENT AGENCY

###### DISASTER RELIEF

The conferees have agreed to provide \$900,000,000 for disaster relief, instead of \$372,000,000 as requested by the President in a

letter dated May 10, 1999. This issue was not addressed by either the House or the Senate. Included in this amount are funds needed to allow FEMA to respond to the tornado-related damage in Oklahoma, Kansas, Texas, and Tennessee, including the repair and replacement of public buildings such as schools and public libraries. In addition, the amount provided should be sufficient to meet the immediate needs associated with any disaster events which occur in the remaining months of this fiscal year. The conferees are very troubled that the Congress was not notified in a timely manner of the fact that disaster close-out activities were resulting in a rate of obligation much faster than normal, which would have resulted in a year-end shortfall in the disaster relief fund absent supplemental appropriations. It is expected that the administration will monitor closely the obligation rate and provide timely and accurate data on the status of the disaster relief fund in the future. The amount provided is available only to the extent that an official budget request for a specific amount, which includes designation of the entire amount of the request as an emergency, is transmitted by the President to the Congress.

#### DISASTER ASSISTANCE FOR UNMET NEEDS

The conferees have provided \$230,000,000 for disaster assistance for unmet needs instead of \$313,600,000 as proposed by the Senate and no funds as proposed by the House. The conferees have included bill language intended to give the Director of the Federal Emergency Management Agency (FEMA) sufficient flexibility to respond to the unmet needs of Presidentially-declared disasters occurring during fiscal years 1998 and 1999.

Appropriations totaling \$313,600,000 had previously been made to the Department of Housing and Urban Development (HUD) in order to address such unmet needs. However, the conferees are concerned with HUD's inability to move aggressively to implement an effective disaster relief program for such needs and have concluded that FEMA is the appropriate Federal agency to carry out this program. Accordingly, FEMA should make every effort to move expeditiously to provide for these unmet needs to the greatest extent possible.

In this regard, the conferees have provided flexibility beyond that normally available to FEMA to respond to Presidentially-declared events occurring during 1998 and 1999. Among these is the 1998 Northeast ice storm, which significantly damaged large areas of New York, Vermont, New Hampshire, and Maine. Except for Maine, the Director is urged to review promptly and respond to the needs of this area. In particular, the conferees are aware of the unprecedented impact of this storm on the electrical infrastructure of the region, and that the costs associated with restoring essential electric service constitutes the largest single unmet need.

In addition, FEMA is expected to work with Puerto Rico regarding the damage caused by Hurricane Georges, as well as the States of Mississippi and Kansas to address the damage resulting from recent floods in those states. The conferees understand that damage estimates provided by Mississippi total some \$66,000,000 for buy-outs and other assistance. Similarly, the conferees note the devastation caused by the 1998 Halloween flood in Kansas, and

strongly urge FEMA to provide sufficient funds for buy-out assistance and appropriate compensation for homeowners and businesses in Butler, Cowley, and Sedgwick counties. Such buy-out requirements have been estimated to be \$20,000,000.

Finally, the conferees urge FEMA to respond promptly to the appropriate disaster needs of the City of Kelso, Washington.

## TITLE II—EMERGENCY NATIONAL SECURITY SUPPLEMENTAL APPROPRIATIONS

### CHAPTER 1

#### DEPARTMENT OF AGRICULTURE

##### PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

The conference agreement provides an additional \$149,200,000 for assistance under title II of Public Law 480 for humanitarian food aid in the Balkans and other regions of need. The House and the Senate had no similar provision.

### CHAPTER 2

#### DEPARTMENT OF STATE

##### ADMINISTRATIVE OF FOREIGN AFFAIRS

##### DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement includes \$17,071,000, as an emergency appropriation, to remain available until expended, as proposed in the House bill. This amount provides for the costs of diplomatic efforts related to the Kosovo crisis, including the costs of shutting down embassy operations in Belgrade and enhancing security at posts in the region.

##### SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

The conference agreement includes \$50,500,000, as an emergency appropriation, to remain available until expended, as provided in the House bill. Of this amount, \$45,500,000 is provided above the request, and release of any portion of this funding is contingent upon a Presidential emergency designation. The amount above the request is provided for the costs of constructing fully secure State Department facilities in the Kosovo region, including, if applicable, costs of constructing Marine Security Guard quarters. Prior to the expenditure of any portion of the funds provided above the request, the Department is directed to submit a notification to the Senate and House Committees on Appropriations containing project spending plans. The conferees agree that any such spending plans shall address the highest priority security construction needs in the region and result in at least one embassy facility in the region that fully meets existing State Department security standards.

##### EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The conference agreement includes \$2,929,000, as an emergency appropriation, to remain available until expended, as pro-

posed in the House bill. The conference agreement includes language transferring \$500,000 to the Peace Corps and \$450,000 to the U.S. Information Agency for the costs of evacuating personnel and dependents of those agencies.

### CHAPTER 3

#### DEPARTMENT OF DEFENSE—MILITARY

Chapter 3 of the conference agreement recommends a total of \$10,196,495,000 in new budget authority for the Department of Defense, for costs resulting from ongoing contingency operations in Southwest Asia and Kosovo, as well as other urgent high priority military readiness matters.

The following table provides details of the emergency supplemental appropriations in this Chapter for contingency operations and military readiness.

#### DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

[In thousands of dollars]

	Request	House	Conference
<b>Military Personnel:</b>			
Army .....	2,920	2,920	2,920
Navy .....	7,660	7,660	7,660
Marine Corps .....	1,586	1,586	1,586
Air Force .....	4,303	4,303	4,303
<b>Total .....</b>	<b>16,469</b>	<b>16,469</b>	<b>16,469</b>
<b>Operation and Maintenance:</b>			
<b>Overseas Contingency Operations Transfer Fund:</b>			
Readiness .....	3,907,300	3,907,300	3,907,300
Munitions .....	684,300		
Readiness/Munitions .....	850,000	1,311,800	1,100,000
<b>Total .....</b>	<b>5,441,600</b>	<b>5,219,100</b>	<b>5,007,300</b>
<b>Procurement:</b>			
Weapons Procurement, Navy (Tomahawk) .....		431,100	431,100
Aircraft Procurement, Air Force (ALE-50) .....		40,000	40,000
Missile Procurement, Air Force (CALCM) .....		178,200	178,200
Procurement of Ammunition, Air Force (JDAM) .....		35,000	35,000
<b>Subtotal .....</b>		<b>684,300</b>	<b>684,300</b>
Operational Rapid Response Transfer Fund .....		400,000	300,000
<b>Total .....</b>		<b>1,084,300</b>	<b>984,300</b>
<b>General Provisions:</b>			
Sec. 2007 (Spare Parts) .....		1,339,200	1,124,900
Sec. 2008 (Depot Maintenance) .....		927,300	742,500
Sec. 2009 (Recruiting) .....		156,400	100,000
Sec. 2010 (Readiness Training/OPTEMPO) .....		307,300	200,200
Sec. 2011 (Base Operations) .....		351,500	182,400
Sec. 2012 (Personnel Programs) .....		1,838,426	1,838,426
<b>Total .....</b>		<b>4,920,126</b>	<b>4,188,426</b>
<b>Grand Total .....</b>	<b>5,458,069</b>	<b>11,239,995</b>	<b>10,196,495</b>

The conferees note that the funding provided in the conference agreement for Operation Allied Force will increase the deficit for

fiscal year 1999 excluding the surpluses generated by the Social Security trust funds. The conferees urge the committees of jurisdiction to develop legislation that will provide that the first claim on any surplus generated by the Federal government excluding the Social Security trust funds in fiscal years 2000 and 2001 be used to cover the fiscal year 1999 outlays resulting from the conference agreement for the cost of Operation Allied Force.

#### REPORTING REQUIREMENTS

The conferees agree to the reporting requirements directed in House Report 106-125 regarding obligation of funds provided in this chapter.

#### MILITARY PERSONNEL

The conferees agrees to provide \$16,469,000, as recommended in the budget request and proposed by the House, for additional military personnel pay and allowances in support of contingency operations in Southwest Asia.

#### OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

The conferees agree to provide \$5,007,300,000, instead of \$5,219,100,000 as proposed by the House, for the "Overseas Contingency Operations Transfer Fund" for costs relating to Operation Allied Force and related NATO activities concerning Kosovo, and operations in Southwest Asia. Of this amount, \$3,907,300,000 is provided for personnel and operations costs stemming from these operations. An additional \$1,100,000,000 is provided on a contingent emergency basis to meet expected munitions and readiness-related Kosovo expenses, and will be made available only to the extent funds are requested in a subsequent budget request by the President.

#### PROCUREMENT

The conferees agree to provide \$984,300,000 instead of \$1,084,300,000 as proposed by the House, for requirements associated with operations in Kosovo and Southwest Asia. Of this amount, the conferees agree to provide \$684,300,000 to various procurement accounts, for programs specified in the President's request to Congress, to replenish inventories of munitions used during the conduct of these operations. An additional \$300,000,000 is provided in a new account, the "Operational Rapid Response Transfer Fund", instead of \$400,000,000 as proposed by the House.

#### READINESS ENHANCEMENTS

The conferees agree to provide \$2,350,000,000 in contingent emergency appropriations, instead of \$3,081,700,000 as proposed by the House, to rectify emerging readiness concerns. This funding includes: \$1,124,900,000 for spare parts and associated logistical support needed to improve the mission capable rates of various weapons systems; \$742,500,000 for unfunded depot maintenance requirements; \$100,000,000 necessary for recruiting initiatives; \$200,200,000 for readiness related training programs; and

\$182,400,000 for unfunded expenses related to base operations support.

With respect to the funding provided for spare parts and logistics, depot maintenance, and readiness-related training programs, the conference agreement provides that these funds shall be allocated by the Secretary of Defense and is subject to prior notification to the congressional defense committees. The conferees are aware that out of area operations have caused our regional commanders to experience significant shortages and dislocations. The conferees expect the Secretary to give priority to meeting the unfunded requirements of the regional commanders in chief in allocating these amounts. The conferees recognize the dynamic nature of requirements in these areas, and believe it prudent to provide the Secretary with sufficient flexibility to meet time-urgent demands in order to ensure that overall readiness is not degraded. The conference agreement provides funding for these areas with authority to transfer the funds as required to the appropriate accounts. The conferees direct that the Secretary of Defense provide written notification to the congressional defense committees 15 days prior to the transfer of any funds provided by these sections.

#### PERSONNEL PROGRAMS

The conference agreement includes \$1,838,426,000 for the military personnel accounts for military pay and retirement costs, as proposed by the House. The obligation of these funds would be subject to the enactment of subsequent authorizing legislation and the designation of the funds as an emergency appropriation by the President.

#### CLASSIFIED PROGRAMS

The conference agreement concerning classified activities is contained in a classified annex to this statement of managers.

#### GENERAL PROVISIONS—THIS CHAPTER

The conferees agree to retain and amend section 2001, as proposed by the House, which provides for an increase in the fiscal year 1999 transfer authority available to the Department of Defense.

The conferees agree to retain section 2002, as proposed by the House, which provides that \$10,000,000 of the funds provided in this Act may be available to the common funded budgets of NATO.

The conferees agree to retain and amend section 2003, as proposed by the House which provides authorization for funds for intelligence activities.

The conferees agree to retain and amend section 2004, as proposed by the House, which extends special authorities for contracts awarded or modified for the Joint Direct Attack Munition (JDAM) program.

The conferees agree to retain section 2005, as proposed by the House, which requires the President to seek an equitable reimbursement from the North Atlantic Treaty Organization (NATO), member nations of NATO, and other appropriate organizations and

nations for the costs incurred by the United States government in connection with Operation Allied Force.

The conferees agree to retain section 2006, as proposed by the House, which directs that within thirty days of enactment of this Act, the President shall transmit to Congress a report, in both classified and unclassified format, on current United States government operations involving Kosovo.

The conferees agree to retain and amend section 2007, as proposed by the House, which appropriates \$1,124,900,000, designated as contingent emergency appropriations, only for urgent shortfalls in Department of Defense spare and repair parts and associated logistical support.

The conferees agree to retain and amend section 2008, as proposed by the House, which appropriates \$742,500,000, designated as contingent emergency appropriations, only for urgent shortfalls in the depot level maintenance and repair requirements of the Department of Defense.

The conferees agree to retain and amend section 2009, as proposed by the House which appropriates \$100,000,000, designated as contingent emergency appropriations, only for urgent shortfalls in Department of Defense recruiting programs.

The conferees agree to retain and amend section 2010, as proposed by the House which appropriates \$200,200,000, designated as contingent emergency appropriations, only for urgent readiness related training and operations tempo requirements of the Department of Defense.

The conferees agree to retain and amend section 2011, as proposed by the House which appropriates \$182,400,000, designated as contingent emergency appropriations, only for urgent base operations support requirements of the Department of Defense.

The conferees agree to retain section 2012, as proposed by the House which appropriates \$1,838,426,000, designated as contingent emergency appropriations, for the military personnel accounts, only for military pay and retirement costs.

## CHAPTER 4

### BILATERAL ECONOMIC ASSISTANCE

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### AGENCY FOR INTERNATIONAL DEVELOPMENT

##### INTERNATIONAL DISASTER ASSISTANCE

The conference agreement appropriates \$163,000,000, as proposed by the House, for “International Disaster Assistance”, to remain available until expended. The entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress. The Senate amendment did not address this matter.

## OTHER BILATERAL ECONOMIC ASSISTANCE

## ECONOMIC SUPPORT FUND

The conference agreement appropriates \$105,000,000, as proposed by the House, for "Economic Support Fund", to remain available until September 30, 2000, for assistance for Albania, Macedonia, Bulgaria, Bosnia-Herzegovina, Montenegro, and Romania, and for investigations and related activities in Kosovo and in adjacent entities and countries regarding war crimes. These funds shall be available notwithstanding any other provision of law except section 533 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in Division A, section 101(d) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)). In addition, the requirement for a notification through the regular notification procedures of the Committees on Appropriations contained in subsection (b)(3) of section 533 shall be deemed to be satisfied if the Committees on Appropriations are notified at least 10 days prior to the obligation of such funds.

The House bill included the same language, except that the requirement for a notification was reduced to 5 days. The Senate amendment did not address this matter.

## WAR CRIMES

The conference agreement includes authority to provide funding to the International Criminal Tribunal for the Former Yugoslavia for investigations and prosecutions of war crimes in Kosovo, and for related activities. The managers note that the number of victims of war crimes in Kosovo may far exceed what is currently known. The managers believe the Administration's request of \$5,000,000 for the War Crimes Tribunal is inadequate, and strongly recommend that up to an additional \$13,000,000 be made available to meet the full request of the Tribunal, in consultation and coordination with other donors. In addition, the managers strongly recommend that \$10,000,000 be provided to the State Department's Human Rights and Democracy Fund, to promptly obtain information from fleeing refugee victims and witnesses, to assist in providing identity documents to refugees whose papers and property titles have been confiscated, to provide counseling to rape victims, and for related purposes. Funds for these purposes may be derived from other appropriation accounts provided under this chapter.

## ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

The conference agreement appropriates \$120,000,000 for "Assistance for Eastern Europe and the Baltic States", to remain available until September 30, 2000, of which up to \$1,000,000 may be used for administrative costs of the U.S. Agency for International Development. Funds appropriated under this heading are subject to the regular notification procedures of the Committees on Appropriations.

The House bill included the same language, but appropriated \$75,000,000. The Senate amendment did not address this matter.

## LONG-TERM DEVELOPMENT AND RECONSTRUCTION

The managers agree that none of the funds appropriated under this heading or in this chapter are to be used to implement a long-term, regional program of development or reconstruction in Southeastern Europe. These funds are appropriated for emergency support of refugees and displaced persons and the local communities directly affected by the influx of refugees. The appropriation for the Economic Support Fund is intended for short-term, emergency balance of payments support for the countries listed in the bill language, and for investigations of war crimes.

## DEPARTMENT OF STATE

## MIGRATION AND REFUGEE ASSISTANCE

The conference agreement appropriates \$266,000,000 for "Migration and Refugee Assistance", to remain available until September 30, 2000, of which not more than \$500,000 is for administrative expenses. The entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress. In addition, funds made available for the Office of the United Nations High Commissioner on Refugees (UNHCR) are subject to the regular notification procedures of the Committees on Appropriations, but the regular requirement for a 15 day notification prior to the obligation of funds is reduced to 10 days. The managers' intent is that the notification requirement applies only to funds appropriated in this account by this Act.

The House bill included \$195,000,000 for this account. The Senate amendment did not address this matter.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE  
FUND

The conference agreement appropriates \$165,000,000 for "United States Emergency Refugee and Migration Assistance Fund". The entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

The House bill included \$95,000,000 for this account. The Senate amendment did not address this matter.

## GENERAL PROVISIONS—THIS CHAPTER

The conference agreement includes a general provision designating funds in this chapter as an emergency under the Balanced Budget and Emergency Deficit Control Act of 1985.

The conference agreement includes a general provision proposed by the House that provides that the value of commodities and services authorized by the President through March 31, 1999,

to be drawn down under the authority of section 552(c)(2) of the Foreign Assistance Act of 1961 to support international relief efforts relating to the Kosovo conflict shall not be counted against the ceiling limitation of that section. In addition, such assistance may be made available notwithstanding any other provision of law.

The managers note that funds provided in this Act as supplemental appropriations for the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, are subject to section 526 of said Act.

#### DONATED EQUIPMENT

The conferees are aware that a large number of computers and computer equipment have been donated to various international agencies and non-governmental organizations to assist with the refugee crisis in the Balkans. The conferees support the use of emergency supplemental funds to assist organizations such as the National Technology Alliance for on-site computer network development, hardware and software integration, and to assess the urgent on-site computer needs of organizations assisting refugees. In addition, the conferees encourage the use of these funds for the development and implementation of reliable systems to register refugees and provide identification cards and other document processing.

### CHAPTER 5

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### ADMINISTRATION FOR CHILDREN AND FAMILIES

##### REFUGEE AND ENTRANT ASSISTANCE

The conference agreement includes an appropriation of not to exceed \$100,000,000 for costs related to assisting in the temporary resettlement of displaced Kosovar Albanians who have recently come to this country. The agreement provides that the appropriation is designated an emergency requirement under the Budget Act. No funds were included for this in either the House or Senate bills. The conferees have included these funds in response to an unofficial request from the Administration to address the refugee emergency that has arisen as a result of the conflict in the Balkans.

### CHAPTER 6

#### DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION

The conferees have established a "Military Construction Transfer Fund" in the amount of \$475,000,000, contingent on the Presidential declaration of an emergency. This fund is to be used for construction of mission, readiness and force protection items in relation to the conflict in the Balkans, and other contingencies throughout the region. The Secretary of Defense is given the authority to determine the individual items to be provided by this appropriation and to transfer these funds only to the appropriate

military construction accounts. The Under Secretary of Defense (Comptroller) is directed to submit an after the fact notification of transfers from this fund and the individual projects to be provided to the appropriate committees of Congress.

## CHAPTER 7

### DEPARTMENT OF TRANSPORTATION

#### COAST GUARD

##### OPERATING EXPENSES

The conference agreement provides an emergency appropriation of \$200,000,000 for Coast Guard "Operating expenses", to address ongoing readiness requirements. The conferees expect the Coast Guard to use these funds for activities such as the military pay raise, compensation parity (basic allowance for housing), DOD authorization act entitlements, military health care, recruiting, workforce readiness tools, DOD parity, intermediate and depot-level maintenance, and additional staffing. These funds are made available until September 30, 2000, and are only available upon designation by the President of an emergency requirement. The conferees direct that requests to obligate these funds be submitted to the Congress under the normal reprogramming procedures. The House and Senate bills proposed no similar appropriation.

## TITLE III—SUPPLEMENTAL APPROPRIATIONS

### CHAPTER 1

#### DEPARTMENT OF JUSTICE

##### GENERAL ADMINISTRATION

##### COUNTERTERRORISM FUND

*TOPOFF Exercise.*—The conferees understand the need for clarification of how the TOPOFF exercise should occur. In addition to the direction provided in previous Committee reports, contracting for this effort should be done with those organizations who have a known track record with Weapons of Mass Destruction (WMD) exercises. This exercise should be co-chaired and administered without notice by the Attorney General and the Director of the Federal Emergency Management Agency (FEMA). The no-notice feature of this exercise should be modeled on the manner in which such exercises have been conducted by the Department of Defense. In order to fairly and accurately represent an actual event, both the FBI and the Office of Justice Programs should have one representative participating in the planning of the exercise. This planning will not include the time and date of the exercise.

*National Domestic Preparedness Office.*—The effects of terrorism are felt at the local level. Local law enforcement and emergency first responders will be the first on the scene of any domestic terrorist event. The conferees are aware of the need expressed by State and local first responders to have a coordinated Federal preparedness effort to eliminate confusion, overlap and duplication

among Federal programs. To address this need, the Department of Justice has proposed to create a new office, the National Domestic Preparedness Office (NDPO), to serve as the entity to coordinate the Federal efforts for assisting emergency responders in domestic preparedness. The NDPO is proposed to include representatives from the Department of Justice's Office of Justice Programs (OJP), the Departments of Defense, Health and Human Services, Energy and Transportation, FEMA, and the Environmental Protection Agency, as well as representatives of State and local government. The conferees believe that full participation among all Federal, State and local entities is critical, and that the NDPO must recognize and build upon, rather than re-invest, existing programs, structures and capabilities.

While the conferees commend the Attorney General for her leadership on this matter and support the creation of a single office to coordinate interagency activities to maximize domestic preparedness efforts and eliminate duplication, the conferees are aware that some confusion and concerns exist regarding the functions and responsibilities of this office, particularly in relation to ongoing efforts at the Federal, State and local levels. The conferees note that final approval has not yet been given for the creation of the NDPO, and believe it is important that these issues be resolved. Therefore, the conferees direct the Attorney General to submit a final blueprint for the NDPO, developed in coordination with all other Federal, State and local participants, to the Committees on Appropriations no later than June 15, which clearly defines the roles of all agency participants in the office. In particular, the final blueprint shall include, but not be limited to, the following: (1) a detailed plan for consultation with the States in the development and implementation of a national strategy for domestic preparedness which builds on the existing all-hazard emergency management capabilities of local, State and Federal agencies, including designation of a single point of contact from each State and territory to interact with the NDPO; (2) establishment of a State and Local Advisory Group to provide input into program strategy and development which represents the various State and local disciplines involved in domestic terrorism response, including fire and rescue, HAZMAT, emergency medical and health services, emergency management, and State and local governments; and (3) a detailed plan outlining each Federal agency's role in the development and delivery of training and technical assistance, and their relationship to the NDPO. Such plan should fully utilize existing resources, programs and standards, including the National Domestic Preparedness Consortium, whenever possible. The conferees direct no further action be taken to augment the NDPO until approval has been given subject to standard reprogramming procedures.

*State and local preparedness.*—The consequences of terrorist acts, especially those involving chemical, biological, or unconventional explosive devices, may spread beyond the local community or city where the event occurred. A successful response to such an incident will depend upon the development of a closely coordinated and balanced local-State-Federal partnership. The conferees recognize the need for enhanced State-level involvement in consequence management and training preparedness activities, and urge that

all Federally-funded activities be coordinated at both the local and State levels. To ensure effective coordination, the conferees expect the Attorney General to request that the Governor of each State designate a lead state agency or other entity to develop and coordinate a comprehensive State-level domestic preparedness plan that is consistent with the national strategy. Such State strategies should be developed with input from the State and local emergency management, fire, law enforcement, emergency medical services and public health disciplines. To ensure maximum coordination and use of resources, the conferees expect each such State to be based on a State-level needs assessment which both identifies the needs of local and State first responders, and assesses the resources currently available at the local, State, and Federal level.

The conferees note that the fiscal year 1999 Department of Justice Appropriations Act included significant new funding to assist State and local first responders in becoming equipped and trained. To ensure that these resources meet the needs of the maximum number of communities possible and to ensure no duplication of effort, funding also was provided to conduct a comprehensive needs assessment. This needs assessment has not yet been completed. The conferees reiterate the importance of this needs assessment, and urge the Department to continue its activities in this area. In the interim, the conferees expect the Office of Justice Programs to submit to the Committees on Appropriations, no later than June 1, 1999, a plan for the distribution of funding provided in fiscal year 1999 to provide the maximum number of communities with a basic defensive (Tier One) capability to respond to domestic terrorist incidents. Such plan shall, at a minimum, require that in order to qualify to receive equipment funds, a grant applicant must certify that: (1) their application has been coordinated and developed in consultation with the fire, EMS, HAZMAT and law enforcement agencies operating within the jurisdiction; and (2) equipment purchased with grant funds will be deployed consistent with all mutual aid agreements.

#### FEDERAL PRISON SYSTEM

##### BUILDINGS AND FACILITIES

It is the intent of the conferees that unobligated funding available from fiscal year 1999 and prior year appropriations not required for current construction projects shall be used for partial site and planning for three facilities to house non-returnable criminal aliens being transferred from the Immigration and Naturalization Service. It is expected that one of these facilities will be located in a state in the Mid-Atlantic region.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES  
 RELATED AGENCIES  
 OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE  
 SALARIES AND EXPENSES

The conference agreement includes \$1,300,000 for costs of the World Trade Organization Ministerial Meeting to be held in Seattle, Washington, from November 30–December 3, 1999. The House and Senate bills did not include this funding.

DEPARTMENT OF COMMERCE  
 BUREAU OF THE CENSUS  
 PERIODIC CENSUSES AND PROGRAMS

In response to a request, not formally transmitted, from the Administration, the conference agreement includes \$44,900,000 for additional activities necessary to ensure that the Bureau is fully prepared to implement a full enumeration in the 2000 Census as mandated by the recent Supreme Court decision. The conference agreement designates funds to be provided for the following purposes: \$10,900,000 is for additional costs to establish 520 Local Census Offices; \$4,200,000 is for preparation of training and field deployment kits for census enumerators; \$2,000,000 is for additional contract support and infrastructure costs for the Telephone Questionnaire Assistance program; \$9,100,000 is for automated data processing and telecommunications to support increased field enumeration; \$3,700,000 is for administrative systems to support additional field enumeration activities; and \$15,000,000 is for increased advertising and promotion programs. Language is also included requiring the President to submit a revised budget for the fiscal year 2000 costs associated with the completion of the 2000 Census. The conferees continue to be concerned with the adequacy and timeliness of the budget justification materials previously provided by the Bureau to support their budget submissions for the decennial census. Therefore, the conferees expect the revised budget submission for fiscal year 2000 submitted by June 1, 1999, to contain the detailed justification necessary to support the revised submission.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
 OPERATIONS, RESEARCH, AND FACILITIES

The conference agreement includes \$1,880,000 to support research, management and enforcement of new regulations in the Northeast Multispecies fishery, instead of \$3,880,000 as proposed by the Senate, of which \$1,880,000 was for this activity and \$2,000,000 was for the acquisition of shoreline data, and instead of no funding as proposed by the House.

The conference agreement does not include bill language designating \$2,000,000 for a regional applications program, which was

proposed in the Senate bill. The House bill did not contain a similar provision.

## THE JUDICIARY

### SUPREME COURT OF THE UNITED STATES

#### SALARIES AND EXPENSES

The conference agreement includes \$921,000 to enhance the capacity of the Supreme Court Police, as proposed in both the House and Senate bills.

## DEPARTMENT OF STATE

### ADMINISTRATION OF FOREIGN AFFAIRS

#### DIPLOMATIC AND CONSULAR PROGRAMS

The conferees reiterate that, of the total amount provided under this heading in Public Law 105-277, \$2,000,000 shall be for the Office of Defense Trade Controls, as previously stated in the Statement of Managers accompanying that Act. As provided in that Statement of Managers, this funding shall support the hiring of additional senior personnel (GS-13 through GS-15) and support staff to improve scrutiny of export license applications.

## CHAPTER 2

### DEPARTMENT OF DEFENSE—CIVIL

#### DEPARTMENT OF THE ARMY

##### CORPS OF ENGINEERS—CIVIL

###### CONSTRUCTION, GENERAL

The conference agreement deletes language proposed by the Senate appropriating \$500,000 for technical assistance related to shoreline erosion at Lake Tahoe, Nevada.

The conference agreement deletes language proposed by the Senate rescinding \$5,500,000 from the Lackawanna River, Scranton, Pennsylvania, project.

### DEPARTMENT OF THE INTERIOR

#### BUREAU OF RECLAMATION

##### WATER AND RELATED RESOURCES

The conference agreement deletes language proposed by the Senate appropriating \$5,000,000 for repairs to the Headgate Rock Hydroelectric Project.

The conference agreement includes language appropriating \$1,500,000 for the purchase of water to restore water levels at the San Carlos Lake in Arizona.

## CHAPTER 3

## DEPARTMENT OF STATE

## NATIONAL COMMISSION ON TERRORISM

The conference agreement appropriates \$839,500 for necessary expenses of the National Commission on Terrorism as authorized in the fiscal year 1999 Foreign Operations Act.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS  
FREEDOM

The conference agreement appropriates \$3,000,000 for necessary expenses of the United States Commission on International Religious Freedom as authorized by the International Religious Freedom Act of 1998 (Public Law 105-292).

## DEPARTMENT OF THE TREASURY

## INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement appropriates \$1,500,000 for the operation and expenses of the International Financial Institution Advisory Commission and the International Monetary Fund Advisory Committee as authorized in the fiscal year 1999 Foreign Operations Act. The funds are to remain available until September 30, 2000.

## CHAPTER 4

## DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

## MANAGEMENT OF LANDS AND RESOURCES

The managers have agreed to a modification of the Senate language providing for the use of \$1,000,000 in previously appropriated funds for management of lands and resources for the processing of permits in the Powder River Basin for coalbed methane activities. The modification requires a written agreement between the coal mine operator and the gas producer prior to permit issuance if the permitted activity is in an area where there is a conflict between coal mining operations and coalbed methane production. The House had no similar provision.

## BUREAU OF INDIAN AFFAIRS

## OPERATION OF INDIAN PROGRAMS

## (TRANSFER OF FUNDS)

The managers have agreed to the transfer of \$1,136,000 for operation of Indian programs for spruce bark beetle control in Washington State as proposed by the Senate but have identified a different funding source. The source of these funds is the Forest Service National Forest System account instead of the Forest Service

Wildland Fire Management account as proposed by the Senate. The House had no similar provision.

The managers expect that these funds will be deducted from appropriations otherwise available for the Forest Service's Washington, DC headquarters general administration activity. The specific reductions must be approved, in advance, by the House and Senate Appropriations Committees. The managers suggest that the reduction should come from the recently proposed headquarters staffing increases in the office of communications and the financial analysis office.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS  
FEDERAL TRUST PROGRAMS

The managers have provided \$21,800,000 for Federal trust programs as proposed by the House instead of \$6,800,000 as proposed by the Senate.

DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

WILDLAND FIRE MANAGEMENT

The managers have agreed to the use of \$100,000,000 in fiscal year 1998 unobligated carryover funds from the Wildland Fire Management account to repay funds previously advanced from the Knutson-Vandenberg (KV) fund for firefighting emergencies. The balance owed to the KV fund for prior year borrowing will still be \$393,000,000 after this partial repayment. The managers believe that the Administration should regularly transfer carryover funds from the wildland fire management account to the KV fund until the previously borrowed funds have been repaid in full.

GENERAL PROVISIONS—THIS CHAPTER

*Section 3001.*—The managers have modified language as proposed by the Senate authorizing the transfer of previously appropriated funds to Auburn University in Alabama for construction of a new forestry research facility. This language is a clarification of the fiscal year 1999 Forest Service reconstruction and construction appropriation. The modification removes the proviso that only \$4,000,000 be transferred during fiscal year 1999. The House had no similar provision.

*Section 3002.*—The managers have included language as proposed by the Senate restricting the issuance of a final rule on hardrock mining on Federal lands pending completion of a study being conducted by the National Academy of Sciences and an ensuing period for public comment on the rule. The House had no similar provision.

*Section 3003.*—The managers have included language as proposed by the Senate extending the moratorium on the issuance of a final rulemaking on crude oil valuation until October 1, 1999 or until there is a negotiated agreement, whichever comes first. The House had no similar provision.

The managers have not included language as proposed by the Senate (section 2307) prohibiting implementation of a reorganization in the Office of the Special Trustee for American Indians for the balance of fiscal year 1999. The House had no similar provision.

The managers are concerned that the Department of the Interior may have strayed from the vision of the American Indian Trust Fund Management Reform Act of 1994, P.L. 103-412 (1994 Act) in a number of areas. The 1994 Act created the Office of the Special Trustee for American Indians in order to establish an "entity with the knowledge and authority to ensure that reform takes place and coordinates that action."

On March 3, 1999, the Senate Committee on Indian Affairs and the Senate Committee on Energy and Natural Resources held a joint hearing on trust management practices in the Department and the reorganization of the Office of the Special Trustee by the Secretary of the Interior without consultation with the Special Trustee.

The managers are also concerned with the lack of consultation with individuals and Indian tribal account holders who were assured that the Special Trustee would provide an authoritative and independent voice representing their concerns within the Department.

The General Accounting Office (GAO) recently expressed strong concerns that the Department has also failed to accomplish one of the Act's goals: the creation of a "strategic plan for all phases of trust management to ensure the Secretary's trust responsibilities are properly discharged." Although the Secretary has indicated that the Department's July 1998 High Level Implementation Plan provides such a strategic plan, numerous individuals and entities have expressed strong reservations about the Plan.

Based on these concerns, the Chairman of the Committee on Indian Affairs has indicated that he intends to make continued monitoring and compliance with the 1994 Act a significant part of the Committee's oversight efforts. The managers, therefore, are reserving judgment on future appropriations. The managers expect the Department to ensure that the resources dedicated for purposes of trust improvements are indeed well spent in compliance with the 1994 Act.

*Section 3004.*—The managers have included language as proposed by the Senate clarifying that the fiscal year 1999 moratorium on new and expanded self-determination contracts applies only to the Bureau of Indian Affairs and the Indian Health Service. The House had no similar provision.

The managers have not included language as proposed by the Senate (section 2323) regarding Class III Indian gaming. The House had no similar provision.

*Section 3005.*—The managers have included language as proposed by the Senate which requires that funds provided in fiscal year 1999 for the Borough of Ketchikan to participate in a cooperative study on the feasibility and dynamics of manufacturing veneer products in Southeast Alaska, including the establishment of a veneer operation in Ketchikan, shall be paid in lump sum and be considered a direct payment for the purposes of all applicable laws,

but may not be used for lobbying. This section also includes language proposed by the Senate similarly treating payments to the City of Colorado Springs using funds previously appropriated for reconstruction of the Pike's Peak Summit House in Colorado. The House had no similar provisions.

The House managers have not agreed to language proposed by the Senate (section 2328) banning implementation of regulations restricting fishing in Glacier Bay National Park pending the resolution of the State of Alaska's anticipated lawsuit concerning ownership and jurisdiction relating to Glacier Bay waters, so that provision has been deleted.

*Section 3006.*—The managers have included a provisions restricting the implementation of the Department of the Interior Solicitor's opinion of November 7, 1997 concerning millsites under the general mining law with respect to the Crown Jewel project and to patent applications and plans of operation submitted prior to the date of enactment of this Act.

The managers are very concerned about the effect of the Solicitor's opinion dealing with the implementation of the Mining Law of 1872 in that it limits the number of millsites to one five-acre millsite per patent. Executive Departments typically implement laws through regulation. The regulatory process allows all affected parties to express their views through an open, public comment process. In the case of a solicitor's opinion, there is no public comment or appeal process before implementation.

This opinion is particularly troubling because both the Bureau of Land Management and the Forest Service have been approving patents with more than one five-acre millsite per patent based on procedures outlined in their operations manuals. To ascertain the impact of this opinion, the managers direct the Department of the Interior and the Forest Service to provide a report to the House and Senate Committees on Appropriations no later than August 31, 1999. The report should detail by State all past, present and pending mining operations, including all grandfathered mineral patent applications and plans of operation, that could be impacted by the Solicitor's opinion of November 7, 1997.

The managers considered but did not adopt a provision that would have prohibited the listing of the Alabama sturgeon under the Endangered Species Act and the designation of critical habitat for the balance of fiscal year 1999. The Director of the United States Fish and Wildlife Service has assured the managers that neither she nor the Secretary of the Interior will accelerate the decision process for this candidate species. The managers understand, based on a letter from the Director, that there are several other species ahead of the Alabama sturgeon in the processing queue for listing consideration and that a decision with the respect to the Alabama sturgeon will not be made prior to March 2000. The managers expect the Secretary and the Service to live up to those commitments and to work carefully with the State on conservation planning efforts for the Alabama sturgeon.

## CHAPTER 5

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## OFFICE OF THE SECRETARY

## GENERAL DEPARTMENTAL MANAGEMENT

The conference agreement includes \$1,000,000 to reduce the backlog of pending nursing home appeals before the Departmental Appeals Board. The Senate bill included \$1,400,000 for this purpose. The House did not include funding for this activity in its bill and the President did not request funding.

## DEPARTMENT OF EDUCATION

## EDUCATION FOR THE DISADVANTAGED

The conference agreement includes \$56,377,000 for Concentration grants under the Title I program as a fiscal year 2000 advance appropriation to become available on October 1, 1999 for academic year 1999–2000.

The conferences understand that the Department of Education has interpreted a “hold harmless” provision included in the fiscal year 1999 appropriations bill to apply only to school districts that first qualify for Concentration grants on the basis of the percentage or number of poor children within the school district. Only after a school district meets the eligibility criteria would the Department apply the hold harmless and award the Concentration grant. Under the Department’s interpretation, over 1500 school districts would lose their Title I Concentration grant in academic year 1999–2000.

The conference agreement includes language that clarifies the fiscal year 1999 appropriations law to direct the Department of Education to hold harmless all school districts that received Title I Concentration grants in fiscal year 1998. The conference agreement further clarifies that the allocations made through applying this hold harmless will not be taken into account in determining allocations under other education programs that use the Title I formula as a basis for funding distribution. Neither the House nor the Senate bills contained these provisions.

## HIGHER EDUCATION

## (TRANSFER OF FUNDS)

The conference agreement transfers \$1,500,000 from the Education Research, Statistics, and Improvement account to the Higher Education account to be used to provide funding for the University of the District of Columbia. UDC has recently qualified for funding under the Historically Black Colleges and Universities program and this funding level is the amount they are due under the HBCU funding formula.

## RELATED AGENCY

## CORPORATION FOR PUBLIC BROADCASTING

The conference agreement includes a total of \$48,000,000 in fiscal years 1999 and 2000, the same as the President's request, to enable National Public Radio, through the Corporation for Public Broadcasting, to proceed with contract negotiations for replacement satellite services. The agreement provides \$30,700,000 in fiscal year 1999 and \$17,300,000 in 2000.

The House bill provided \$48,000,000 for the replacement satellite, with \$30,600,000 made available in fiscal year 1999 and the remainder in fiscal year 2000. The Senate provided \$18,000,000 in fiscal year 1999 and report language stating that the balance of resources would be provided during the regular fiscal year 2000 appropriations process.

## GENERAL PROVISION, THIS CHAPTER

## WHITE RIVER SCHOOL DISTRICT, SOUTH DAKOTA

The conference agreement includes bill language directing the Secretary of Education to provide, from unobligated balances in the Impact Aid program, not more than \$239,000 to the White River School District #47-1, White River, South Dakota to repair damage caused by water infiltration at the White River High School. This provision is the same as in the Senate bill.

The House bill contains no similar provision and the President did not request funding for this activity.

## CHAPTER 6

## LEGISLATIVE BRANCH

## CONGRESSIONAL OPERATIONS

## HOUSE OF REPRESENTATIVES

## SALARIES AND EXPENSES

## SALARIES, OFFICERS AND EMPLOYEES

## (RESCISSION)

The conferees have included a rescission of funds of \$3,521,000 and an appropriation of an identical amount to remain available until expended. This action will provide resources for replacing a House payroll system that cannot be completed in FY 1999.

## ARCHITECT OF THE CAPITOL

## CAPITOL BUILDINGS AND GROUNDS

## HOUSE OFFICE BUILDINGS

## HOUSE PAGE DORMITORY

The conferees have included \$3,760,000 for the House Page Dormitory as contained in the House bill, amended to omit designa-

tion of a special location. If locations other than 501 1st St., S.E., are taken under serious consideration, the Architect of the Capitol is directed to inform the Committee on Appropriations concerning cost and related considerations. It is expected that, in addition to the House Office Building Commission and the Page Board, the Architect of the Capitol will consult with the Committee on Appropriations, the Committee on Transportation and Infrastructure, and the Committee on House Administration on matters within their jurisdiction regarding the Page Dormitory project.

O'NEILL HOUSE OFFICE BUILDING

The conferees have provided \$1,800,000 for life safety renovations at the O'Neill House Office Building as contained in the House bill.

ADMINISTRATIVE PROVISIONS

The conferees have included two administrative provisions as contained in the House bill. The conferees have added a provision regarding certain lump sum House leadership allowances.

In addition, the conferees have established a pilot program in 1999 under the leadership of the Librarian of Congress to bring up to 3,000 emerging Russian political leaders to the United States for no more than 30 days each. The Senate is transferring \$10 million of its own funds to finance the program during fiscal year 1999. The purpose of the program is to give Russian leaders from all levels of government first hand exposure to the American free market economic system and operation of American democratic institutions. Various local governments and organizations throughout the United States would be hosts to the Russians.

The Librarian is given the authority to administer the program in the first year to expedite the establishment of the program. The President would designate an executive branch agency to administer the program in subsequent years.

CHAPTER 7

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

The conferees have provided a total of \$31,400,000 for storm related damage to facilities and family housing improvements. Offsets to cover the cost of these are included in Title IV of this Act. The projects are as follows:

[In thousands of dollars]	
Army National Guard: Tennessee, Jackson: Limited Army Aviation Support Facility .....	\$6,400
Family Housing, Army: Puerto Rico, Ft. Buchanan: Improve 215 units ....	25,000

## CHAPTER 8

DEPARTMENT OF TRANSPORTATION AND RELATED  
AGENCIES

## NATIONAL TRANSPORTATION SAFETY BOARD

## SALARIES AND EXPENSES

The conference agreement provides \$2,300,000 for the National Transportation Safety Board for expenses resulting from the crash of TWA Flight 800. These funds will cover rental costs associated with the housing of the wreckage in Calverton, New York. The conferees do not plan to continue funding rental expenses at the Calverton facility in future fiscal years. The House and the Senate proposed no similar provision.

## CHAPTER 9

## DEPARTMENT OF THE TREASURY

## BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

## SALARIES AND EXPENSES

The conferees agree to provide an appropriation of \$4,500,000 for the Bureau of Alcohol, Tobacco and Firearms for the expansion of the National Tracing Center, to remain available until expended.

## U.S. POSTAL SERVICE

## PAYMENTS TO THE POSTAL SERVICE FUND

The conferees agree to provide an appropriation of \$29,000,000 for reimbursements to the Postal Service as authorized by 39 U.S.C. 2401(d), as proposed by the House instead of no appropriation, as proposed by the Senate.

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED  
TO THE PRESIDENT

## FEDERAL DRUG CONTROL PROGRAMS

## HIGH INTENSITY DRUG TRAFFICKING PROGRAMS

The conferees agree to provide an additional \$2,500,000 for the High Intensity Drug Trafficking Areas Program, instead of no appropriation, as proposed by the House and \$1,250,000, as proposed by the Senate. The conferees direct that these funds be targeted as follows: \$750,000 to the New Mexico HIDTA for Rio Arriba County, Santa Fe County, and San Juan County, New Mexico; \$500,000 for national anti-methamphetamine efforts; \$750,000 for the Arizona HIDTA to be provided to the U.S. Border Patrol for assistance in counterdrug efforts related to illegal immigration along the border in southern Cochise County, Arizona, subject to prior approval of the Committees on Appropriations; and \$500,000 for the Washington-Baltimore HIDTA for support of the Cross-Border Initiative between Washington, DC and Prince George's County, Maryland. The conferees emphatically support linking funding to a program's

performance, and therefore support evaluation efforts underway at ONDCP. Therefore, the conferees expect that the performance of the HIDTAs funded through this appropriation will be subject to the same performance standards and measures to be applied to the HIDTA program overall.

## CHAPTER 10

### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### PUBLIC AND INDIAN HOUSING

##### HOUSING CERTIFICATE FUND

Deletes language proposed by the Senate delaying the availability of \$350,000,000 for expiring or terminating section 8 contracts until October 1, 1999.

#### COMMUNITY PLANNING AND DEVELOPMENT

##### COMMUNITY DEVELOPMENT BLOCK GRANTS

Inserts language reallocating \$3,446,000 of unobligated, no-year funds in the CDBG account for which there is no identified use. HUD is directed to provide these funds for unfunded service coordinator programs that did not receive funding in the original Notice of Funding Availability (NOFA).

#### FEDERAL HOUSING ADMINISTRATION

##### FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

Increases the commitment level for the Federal Housing Administration's Mutual Mortgage Insurance Fund from \$110,000,000,000 to \$140,000,000,000. The additional authority is needed because HUD projections indicate that the existing limitation could be exceeded before the end of the fiscal year.

#### GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

##### GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

Increases the commitment authority for the Government National Mortgage Association from \$150,000,000,000 to \$200,000,000,000. The additional authority is needed because 78 percent of the existing authority has been committed, and HUD projects that the existing limitation could be exceeded before the end of the fiscal year.

#### MANAGEMENT AND ADMINISTRATION

##### SALARIES AND EXPENSES

Deletes language proposed by the Senate rescinding \$3,400,000 from HUD's salaries and expenses account and transferring it to the CDBG account for service coordinators and congregate services.

## OFFICE OF INSPECTOR GENERAL

Deletes bill language as proposed by the Senate. The conferees direct the Office of Inspector General (OIG) and the General Accounting Office (GAO) to conduct an audit of HUD to assess the extent that HUD has been in compliance with the Department of Housing and Urban Reform Act of 1989 during the last two years. The conferees direct the OIG and GAO to produce a report on this matter within six months of enactment and a final report within 12 months of enactment, and to transmit them to the House and Senate Committees on Appropriations.

## INDEPENDENT AGENCY

## NATIONAL CREDIT UNION ADMINISTRATION

## CENTRAL LIQUIDITY FACILITY

Inserts new language requiring that during fiscal year 2000, gross obligations of the Central Liquidity Facility (CLF) for the principal amount of new direct loans to member credit unions shall not exceed the statutory limitation. The conferees take this action only to deal with the unlikely scenario that credit unions could experience excessive withdrawals as a result of the millennium date change and may need additional liquidity resources. Furthermore, the conferees intend that prudent and appropriate administrative remedies should be devised as quickly as possible by the National Credit Union Administration, working with the Federal Reserve and the Department of the Treasury, to guarantee that a strong safety net is in place to deal with any potentially unusual Y2K circumstances.

## GENERAL PROVISIONS—THIS CHAPTER

Inserts language proposed by the House for targeted economic initiatives to Project Restore and the Los Angeles City Civic Center Trust. The conferees have agreed to include a technical correction to language included in Public Law 105–276 which clarifies that \$250,000 is for the Los Angeles Civic Center Public Partnership to revitalize the Civic Center neighborhood, and that \$100,000 is for the Southeast Rio Vista Family YMCA to develop a child care center in Huntington Park, California. The Senate did not include a similar provision.

Inserts new language clarifying that funds made available in Public Law 105–276 shall be made available to the Maryland Department of Housing and Community Development for work associated with building Caritas House and with expanding the St. Ann Adult Medical Day Care facility.

Inserts new language allowing retention of land disposition proceeds associated with an Urban Renewal Project in the Township of North Union, Pennsylvania.

Inserts language proposed by the Senate which clarifies that funds appropriated in Public Law 105–276 under the Environmental Protection Agency, State and Tribal Assistance Grants to meet sewer infrastructure needs associated with the 2002 Winter

Olympics shall be provided to Wasatch County, Utah, for both water and sewer infrastructure needs.

Inserts language proposed by the Senate which transfers \$1,300,000 of funds appropriated in Public Law 105-276 under the Environmental Protection Agency, Environmental Programs and Management for Project SEARCH, to State and Tribal Assistance Grants for Project SEARCH water and wastewater infrastructure needs in the State of Idaho through the Region IV Development Association in Twin Falls, Idaho.

Inserts new language which clarifies that funds appropriated in Public Law 105-276 under the Environmental Protection Agency, State and Tribal Assistance Grants to meet wastewater infrastructure needs for Grand Isle, Louisiana, may also be used for drinking water supply needs.

## CHAPTER 11

### GENERAL PROVISIONS—THIS TITLE

*Senate Section 2304.* The conference agreement includes language proposed by the Senate clarifying administrative costs in the honey program, with a technical correction to a citation. The House had no similar provision.

*Senate Section 2309.* The conference agreement does not include language to extend chapter 12 bankruptcy authorization as proposed by the Senate. The House had no similar provision. Similar language was enacted as part of Public Law 106-5.

*Senate Section 2310.* The conference agreement includes language proposed by the Senate that amends the Consolidated Farm and Rural Development Act by deleting the statutory reference to the capital replacement reserve requirement for guaranteed farm loans, and by reinstating a statutory reference for a ten percent cash flow margin for restructuring direct farm loans. The House had no similar provision.

*Senate Section 2318 and House Section 2002.* The conference agreement includes language proposed by both the House and the Senate regarding loan deficiency payments for club wheat producers.

*Senate Section 2322.* The conference agreement does not include Section 2322, as proposed by the Senate, expressing the Sense of the Senate regarding a pending sale of wheat to Iran. The House had no similar provision. Recent actions by the Administration have addressed sanctions policy on commercial sales of agricultural commodities to certain countries, including Iran.

*Sec. 3021.*—The conference agreement includes a provision, modified from language proposed in the Senate bill, allowing the Attorney General to transfer up to \$4,300,000 from funds available to the Department of Justice to pay the remaining claims for restitution as required by the Civil Liberties Act of 1988, and as pursuant to the court order issued in the case of Carmen Mochizuki et al v. United States (case No. 97-294C, United States Court of Federal Claims). The conferees expect this provision to be implemented in accordance with sections 107 and 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related

Agencies Appropriations Act, 1999. The House bill did not address this matter.

*Sec. 3022.*—The conference agreement includes a provision, slightly modified from language included in the Senate bill, to prohibit the taking of Cook Inlet beluga whales under the Marine Mammal Protection Act prior to October 1, 2000, unless pursuant to a cooperative agreement between the National Marine Fisheries Service and affected Alaska Native organizations. The House bill did not contain a similar provision.

*Sec. 3023.*—The conference agreement includes a provision repealing Section 626 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 to provide full year availability for appropriations provided in that Act. Neither the House nor Senate bills addressed this matter.

*Sec. 3024.*—The conference agreement includes a provision to allow the payment of available funds to facilitate the payment of grants to victim service organizations and public agencies that will provide emergency or ongoing assistance to the victims of the bombing of Pan Am flight 103 and their families. The provision would include assistance to family members for travel to the Netherlands for the trial of the defendants in the bombing case. Neither the House nor Senate bills addressed this matter.

*Sec. 3025.*—The conference agreement includes a provision, not included in the House bill, to modify section 617 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, to make permanent the moratorium on the entry of new factory trawlers into the Atlantic herring and mackerel fishery until certain actions are taken by the appropriate fishery management councils.

The conference agreement includes a provision proposed in the House bill, and not included in the Senate bill, amending the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, to extend the availability of funds included for the Commission on Holocaust Assets in the United States to September 30, 2000.

The conference agreement includes a provision, modified from language proposed in the Senate bill, making technical corrections to the American Fisheries Act (Title II, Division C of Public Law 105–277).

The conference agreement includes a provision, modified from language proposed in the Senate bill, which makes corrections to section 113 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, relating to eligibility of Alaska Native organizations for Department of Justice grants.

The conferees agree to retain section 3029, as proposed by the Senate, which authorizes the use of funds received pursuant to housing claims for construction of an access road and for real property maintenance projects at Ellsworth Air Force Base.

DEPARTMENT OF DEFENSE—CIVIL  
CORPS OF ENGINEERS  
OPERATION AND MAINTENANCE, GENERAL

The conference agreement includes language proposed by the Senate directing a statutory reprogramming of \$800,000 for preliminary work associated with a transfer of Federal lands to certain tribes and the State of South Dakota and for cultural resource protection activities, amended to delete language proposed by the Senate providing funds to the Lower Brule Sioux Tribe and the Cheyenne River Sioux Tribe.

PROHIBITION ON TREATING ANY FUNDS RECOVERED FROM TOBACCO COMPANIES AS AN OVERPAYMENT FOR THE PURPOSES OF MEDICAID

The conference agreement includes language proposed by the Senate which amends section 1903(d)(3) of the Social Security Act (42 U.S.C. 1396b(d)(3)) to prohibit any Medicaid-related funds recovered or paid to a State as part of a settlement or judgment reached in litigation the State initiated or pursued against one or more tobacco companies being treated as an overpayment for purposes of the Medicaid statute. The House bill contained no similar provision.

The conferees recognize that, absent Congressional action, the issue of the Federal share of funds recovered under such settlements or judgments would be subject to litigation over the next several years, delaying the availability of these funds and putting planned State uses on hold. The conferees have adopted the Senate language in order to permit States which are delaying their plans for the use of these funds the certainty they need to plan their initiatives. The conferees encourage the States to use a significant portion of any tobacco settlement or judgment on smoking cessation and prevention programs, as well as other critical public health programs, such as expanding health care benefits to low income children and adults.

FINDINGS AND SENSE OF SENATE REGARDING SEQUENTIAL BILLING POLICY FOR HOME HEALTH PAYMENTS UNDER THE MEDICARE PROGRAM

The conference agreement does not contain a Sense of the Senate provision regarding the sequential billing policy for home health payments under Medicare as proposed by the Senate.

The Balanced Budget Act of 1997 shifted funding for certain home health visits under Medicare from part A (Hospital Insurance) to part B (Medical Insurance). In a Sense of the Senate resolution, included in the Senate bill, the Senate indicated that certain Health Care Financing Administration regulations and administrative decisions have slowed down claims processing resulting in the financial hardship and closing of home health agencies.

The House bill contained no similar provision.

## FIREFIGHTERS PAY

The conferees agree to include a provision making a technical change to the treatment of firefighters under section 628(f) of the fiscal year 1999 Treasury and General Government Appropriations Act, as proposed by the Senate, instead of no provision, as proposed by the House.

## HOWELL T. HEFLIN POST OFFICE BUILDING

The conferees agree to a provision designating a United States Postal Service facility under construction at Tuscumbia, Alabama as the "Howell T. Heflin Post Office Building".

## SAN JOAQUIN, CALIFORNIA

The conferees agree to include language which corrects the terms of a land conveyance in San Joaquin, California that was included in Public Law 105-277.

## FERGUS FALLS, MINNESOTA

The conferees agree to direct the Administrator of the General Services Administration to purchase from the Postal Service the building in Fergus Falls, Minnesota where the U.S. Bankruptcy Court and the U.S. District Court sit.

## TITLE IV—RESCISSIONS AND OFFSETS

## DEPARTMENT OF AGRICULTURE

## FARM SERVICE AGENCY

## EMERGENCY CONSERVATION PROGRAM

The conference agreement does not include language proposed by the Senate rescinding \$700,000 from amounts appropriated under this heading. The House had no similar provision.

## FOOD AND NUTRITION SERVICE

## FOOD STAMP PROGRAM

## (RESCISSION)

The conference agreement rescinds \$1,250,000,000 of the balance of food stamp funds projected to remain unspent at the end of the fiscal year instead of \$521,000,000 as proposed by the Senate. The House had no similar provision.

## FOREIGN ASSISTANCE AND RELATED PROGRAMS

## PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

The conference agreement does not include language proposed by the House rescinding \$30,000,000 from amounts appropriated under this heading. The Senate had no similar provision.

DEPARTMENT OF STATE AND RELATED AGENCIES  
RELATED AGENCIES

UNITED STATES INFORMATION AGENCY

BUYING POWER MAINTENANCE

(RESCISSION)

The conference agreement includes a rescission of \$20,000,000 from unobligated balances under this heading, as proposed in the House bill. The balances in this account result from exchange rate gains over the past several years, and exceed the potential requirements on the fund prior to the consolidation of the Agency into the Department of State on October 1, 1999.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

OTHER DEFENSE ACTIVITIES

The conference agreement deletes language proposed by the House rescinding \$150,000,000 of the funding provided to the Department of Energy in Public Law 105-277 for Russian programs relating to the disposal of excess plutonium and uranium from nuclear weapons.

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION  
AND DEVELOPMENT

GLOBAL ENVIRONMENT FACILITY

(RESCISSION)

The conference agreement includes a rescission of \$25,000,000 from funds appropriated for the Global Environment Facility in Public Law 105-277.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

(RESCISSION)

The conference agreement includes a rescission of \$5,000,000 in funds appropriated to the Economic Support Fund in Public Law 105-277 and in prior acts making appropriations for foreign operations, export financing, and related programs.

## DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

## MANAGEMENT OF LANDS AND RESOURCES

## (RESCISSION)

The managers have agreed to the rescission of \$6,800,000 from management of lands and resources as proposed by both the House and the Senate.

## DEPARTMENT OF LABOR

## EMPLOYMENT AND TRAINING ADMINISTRATION

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE  
OPERATIONS

The conference agreement includes a reduction in this account of \$22,400,000, instead of \$21,000,000 as proposed by the House and \$17,400,000 as proposed by the Senate.

The agreement includes a reduction of \$17,400,000 from the Unemployment Insurance Contingency Account, the same level as the Senate. The House bill reduced this account by \$16,000,000 and the President requested a reduction of \$5,700,000.

The agreement also includes a reduction of \$5,000,000 from the Unemployment Insurance Postage account, the same level as in the House bill. The President did not request a reduction in this account and the Senate did not include one in its bill.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## HEALTH RESOURCES AND SERVICES ADMINISTRATION

## FEDERAL CAPITAL LOAN PROGRAM FOR NURSING

## (RESCISSION)

The conference agreement includes a rescission of \$2,800,000 from the Federal Capital Loan Program for Nursing, the same level as in the House bill. The President requested no rescission from this account and the Senate did not include a rescission in its bill. The amounts rescinded are unobligated balances in an account that has been inactive for more than eight years.

## DEPARTMENT OF EDUCATION

## EDUCATION RESEARCH, STATISTICS AND IMPROVEMENT

## (RESCISSION)

The conference agreement rescinds \$6,500,000 from this account, instead of \$6,800,000 as proposed by the House and \$8,000,000 as proposed by the Senate. The President proposed no rescission for this account. The \$6,500,000 will be taken from funds which the Administration has indicated are in excess of what is necessary for an evaluation of voluntary national test development.

## DEPARTMENT OF DEFENSE

## MILITARY CONSTRUCTION

## (RESCISSIONS)

The conferees recommend rescissions totaling \$31,400,000 in fiscal year 1999 funds. These reflect inflation and foreign currency fluctuation savings of \$25,000,000 and \$6,400,000 from the Base Realignment and Closure Account, Part IV.

## DEPARTMENT OF TRANSPORTATION

## OFFICE OF THE SECRETARY

## PAYMENTS TO AIR CARRIERS

## (AIRPORT AND AIRWAY TRUST FUND)

## (RESCISSION OF CONTRACT AUTHORIZATION)

The conference agreement includes a rescission of \$815,000 in contract authority provided for "Small community air service" by Public Law 101-508 for fiscal years prior to fiscal year 1998, as proposed by the House. The Senate bill contained no similar rescission.

## FEDERAL HIGHWAY ADMINISTRATION

## STATE INFRASTRUCTURE BANKS

## (RESCISSION)

The conference agreement includes a rescission of \$6,500,000 from the state infrastructure bank program, as proposed by the House. The Senate bill contained no similar rescission.

## FEDERAL TRANSIT ADMINISTRATION

## TRUST FUND SHARE OF TRANSIT PROGRAMS

## (HIGHWAY TRUST FUND)

## (RESCISSION OF CONTRACT AUTHORIZATION)

The conference agreement includes a rescission of \$665,000 in contract authority from the trust fund share of transit programs provided in Public Law 102-240 under 49 U.S.C. 5338(a)(1), as proposed by the House. The Senate bill contained no similar rescission.

## INTERSTATE TRANSFER GRANTS—TRANSIT

The conference agreement includes a rescission of \$600,000 in unobligated balances of interstate transfer grants—transit, as proposed by the House. The Senate bill contained no similar rescission. The conferees direct the Federal Transit Administration to reduce only those available balances for projects for which funds were allocated before fiscal year 1995.

DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
SALARIES AND EXPENSES

The conferees agree to a provision rescinding \$4,500,000 from amounts previously made available under this heading in Public Law 105-277 for the expansion of the National Tracing Center.

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED  
TO THE PRESIDENT

UNANTICIPATED NEEDS

The conferees agree to include a rescission of \$10,000,000 from amounts previously appropriated under this heading in Public Law 101-130, the Fiscal Year 1990 Dire Emergency Supplemental to Meet the Needs of Natural Disasters of National Significance, as proposed by the House, instead of no rescission, as proposed by the Senate.

FEDERAL DRUG CONTROL PROGRAMS

SPECIAL FORFEITURE FUND

The conferees agree to include no rescission from the Special Forfeiture Fund, as proposed by the House, instead of a rescission of \$1,250,000, as proposed by the Senate.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(RESCISSION)

Inserts new language rescinding \$350,000,000 in unobligated and unexpended section 8 recaptures. Because the section 8 renewal account was fully funded in fiscal year 1999, these funds are not necessary during the current fiscal year.

In fiscal year 2000, section 8 renewal needs are \$13,522,000,000. As proposed by the President, these recaptured funds could offset the fiscal year 2000 request, thereby reducing the total appropriation for fiscal year 2000. Clearly, the conferees understand that the section 8 renewal account must be fully funded in order to protect the homes of those families who rely on this assistance.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANTS

(RESCISSION)

Rescinds \$230,000,000 of unobligated balances for disaster relief instead of \$313,600,000, as proposed by the Senate. The House did not include a similar provision. The conferees note that funds have been included in FEMA's account to deal with issues relating

to disaster relief. The Department is directed to award the remaining funds in accordance with announcements made heretofore by the Secretary, including allocations made pursuant to the March 10, 1999 notice published in the Federal Register, as expeditiously as possible.

#### GENERAL PROVISION—THIS TITLE

*Senate Section 3001.* The conference agreement does not include language proposed by the Senate repealing Division B, title V, chapter 1 of Public Law 105–277 providing emergency appropriations to the Agricultural Research Service for counter-narcotics research proposed by the Senate. The House had no similar provision. The conference agreement rescinds \$22,466,000 of these funds, reflecting the obligation of \$534,000 of these monies. Additional provisions regarding counter-narcotics research are included elsewhere in this report.

#### TITLE V

##### TECHNICAL CORRECTIONS

The conference agreement includes four technical corrections related to the Agriculture portion of Public Law 105–277 proposed by both the House and the Senate, with modifications.

*House Section 3002.* The conference agreement does not include language proposed by the House extending the availability of counter-drug research funds. The Senate had no similar provision.

The conference agreement includes four technical corrections to the fiscal year 1999 Appropriations Act for the Department of the Interior and Related Agencies as proposed by the Senate. The House had similar provisions for three of these corrections. The Senate added a provision revising an earmark in the Operation of Indian Programs account.

The conference agreement deletes a provision included in both the House and Senate versions of the bill regarding design of a CD ROM product.

The conferees have included two technical corrections as contained in the House bill and the Senate amendment for the Legislative Branch.

The conferees have included language, proposed by the Senate, which makes a technical correction to the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277) under the heading “Family Housing, Navy and Marine Corps” to include Hurricane George.

The conference agreement includes a provision proposed by the Senate that clarifies the scope of certain bus and bus facilities projects contained in the Federal Transit Administration’s capital investment grants program in fiscal year 1999. The House bill contained no similar provision. The conferees direct that funds provided for the Canton-Akron-Cleveland commuter rail project in the Department of Transportation and Related Agencies Appropriations Act for fiscal year 1999 shall be available for the purchase of rights-of-way in addition to conducting a major investment study to examine the feasibility of establishing commuter rail service.

The conference agreement includes a provision proposed by the Senate that increases the obligation limitation for the federal-aid highways ferry boat and terminal program in fiscal year 1999 from \$38,000,000 to \$59,290,000 to reflect the sum of both fiscal years 1998 and 1999 program funding levels. The House bill contained no similar provision.

The conferees have agreed to include a technical correction to the Federal Vacancies Reform Act of 1998 as proposed by the Senate. The House had no similar provision.

#### TITLE VI—GENERAL PROVISIONS, THIS ACT

The conference agreement includes provisions which extend the Federal Aviation Administration's airport improvement program (AIP) and war risk insurance program through August 6, 1999 at the same rate as included in the Department of Transportation and Related Agencies Appropriations Act, 1999. Under current law, the authorization for the AIP program will expire on May 31, 1999.

It is the conferees' understanding that this provision will cause no increase in fiscal year 1999 budget authority or outlays. The conference agreement also includes provisions releasing an additional \$30,000,000 in passenger facility fee/airport development project grant funding to the Metropolitan Washington Airports Authority to continue the authority's capital development programs. The Senate bill proposed to extend the airport improvement program and the war risk insurance program through May 31, 1999. The house bill contained no similar provisions.

The conference agreement includes a provision proposed by the Senate that extends the Secretary of Transportation's authority to set Alaskan mail rates. The House bill contained no similar provision.

The conference agreement deletes a provision proposed by the House that would have made funds available to continue the national advanced driving simulator in fiscal year 1999 from funds previously appropriated to the National Highway Traffic Safety Administration. The Senate bill contained no similar provision. The provision is no longer necessary as funding to continue the national advanced driving simulator in fiscal year 1999 was addressed in a reprogramming recently approved by the House and Senate Committees on Appropriations.

The conference agreement includes a provision proposed by the House that re-designates a section number in the Transportation Equity Act for the 21st Century. The Senate bill contained no similar provision.

The conferees agree to retain section 6004, as proposed by the House, which expresses the sense of the Congress that there be parity in the adjustments to compensation between military personnel and civilian employees.

The conference agreement deletes language proposed by the Senate providing relief to certain natural gas producers in Kansas.

## CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1999 recommended by the Committee of Conference, with comparisons to the fiscal year 1999 budget estimates, and the House and Senate bills for 1999 follows:

(In thousands of dollars)	
Budget estimates of new (obligational) authority, fiscal year 1999	\$7,796,524
House bill, fiscal year 1999 .....	13,221,669
Senate bill, fiscal year 1999 .....	-2,424,691
Conference agreement, fiscal year 1999 .....	13,145,246
Conference agreement compared with:	
Budget estimates of new (obligational) authority, fiscal year 1999 .....	+5,348,722
House bill, fiscal year 1999 .....	-76,423
Senate bill, fiscal year 1999 .....	+15,569,937

BILL YOUNG,  
 RALPH REGULA,  
 JERRY LEWIS,  
 JOHN PORTER,  
 HAROLD ROGERS,  
 JOE SKEEN,  
 FRANK R. WOLF,  
 JIM KOLBE,  
 RON PACKARD,  
 SONNY CALLAHAN,  
 JAMES T. WALSH,  
 CHARLES H. TAYLOR,  
 DAVID L. HOBSON,  
 JOHN P. MURTHA,  
 NORMAN D. DICKS,  
 ALLAN B. MOLLOHAN,  
*Managers on the Part of the House.*

TED STEVENS,  
THAD COCHRAN,  
ARLEN SPECTER,  
PETE V. DOMENICI,  
CHRISTOPHER S. BOND,  
SLADE GORTON,  
MITCH MCCONNELL,  
CONRAD BURNS,  
RICHARD SHELBY,  
ROBERT F. BENNETT,  
BEN NIGHTHORSE CAMPBELL,  
LARRY CRAIG,  
KAY BAILEY HUTCHISON,  
JON KYL,  
ROBERT C. BYRD,  
DANIEL K. INOUE,  
ERNEST F. HOLLINGS,  
PATRICK J. LEAHY,  
FRANK R. LAUTENBERG,  
BARBARA A. MIKULSKI,  
HARRY REID,  
HERB KOHL,  
DIANNE FEINSTEIN,  
*Managers on the Part of the Senate.*

