

105TH CONGRESS
2^D SESSION

H. R. 3579

AN ACT

Making emergency supplemental appropriations for
the fiscal year ending September 30, 1998, and
for other purposes.

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Making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the

1 fiscal year ending September 30, 1998, and for other pur-
 2 poses, namely:

3 **TITLE I**

4 **EMERGENCY SUPPLEMENTAL APPROPRIATIONS**

5 **CHAPTER 1**

6 **DEPARTMENT OF AGRICULTURE**

7 **FARM SERVICE AGENCY**

8 **EMERGENCY CONSERVATION PROGRAM**

9 For an additional amount for “Emergency Conserva-
 10 tion Program” for expenses resulting from ice storms,
 11 flooding, and other natural disasters, \$20,000,000, to re-
 12 main available until expended, which shall be available
 13 only to the extent that an official budget request that in-
 14 cludes designation of the entire amount of the request as
 15 an emergency requirement as defined in the Balanced
 16 Budget and Emergency Deficit Control Act of 1985, as
 17 amended, is transmitted by the President to Congress:
 18 *Provided*, That the entire amount is designated by Con-
 19 gress as an emergency requirement pursuant to section
 20 251(b)(2)(A) of such Act.

21 **TREE ASSISTANCE PROGRAM**

22 An amount of \$4,700,000 is provided for assistance
 23 to replace or rehabilitate trees and vineyards damaged by
 24 natural disasters: *Provided*, That the entire amount shall
 25 be available only to the extent that an official budget re-
 26 quest of \$4,700,000, that includes designation of the en-

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

7 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

8 ACCOUNT

9 For additional gross obligations for the principal
 10 amount of emergency insured loans authorized by 7
 11 U.S.C. 1928–1929, to be available from funds in the Agri-
 12 cultural Credit Insurance Fund, for losses in fiscal year
 13 1998 resulting from ice storms, flooding and other natural
 14 disasters, \$87,000,000.

15 For the additional cost of emergency insured loans,
 16 including the cost of modifying loans as defined in section
 17 502 of the Congressional Budget Act of 1974,
 18 \$21,000,000, to remain available until expended: *Pro-*
 19 *vided*, That the entire amount shall be available only to
 20 the extent that an official budget request for \$21,000,000
 21 that includes designation of the entire amount of the re-
 22 quest as an emergency requirement as defined in the Bal-
 23 anced Budget and Emergency Deficit Control Act of 1985,
 24 as amended, is transmitted by the President to the Con-
 25 gress: *Provided further*, That the entire amount is des-
 26 ignated by Congress as an emergency requirement pursu-

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

3 COMMODITY CREDIT CORPORATION FUND

4 LIVESTOCK DISASTER ASSISTANCE FUND

5 Effective only for losses incurred beginning on No-
6 vember 27, 1997, through the date of enactment of this
7 Act, \$4,000,000, to implement a livestock indemnity pro-
8 gram to compensate producers for losses of livestock (in-
9 cluding ratites) due to natural disasters designated pursu-
10 ant to a Presidential or Secretarial declaration requested
11 during such period in a manner similar to catastrophic
12 loss coverage available for other commodities under 7
13 U.S.C. 1508(b): *Provided*, That the entire amount shall
14 be available only to the extent that an official budget re-
15 quest of \$4,000,000, that includes designation of the en-
16 tire amount of the request as an emergency requirement
17 as defined in the Balanced Budget and Emergency Deficit
18 Control Act of 1985, as amended, is transmitted by the
19 President to the Congress: *Provided further*, That the en-
20 tire amount is designated by Congress as an emergency
21 requirement pursuant to section 251(b)(2)(A) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985,
23 as amended.

1 DAIRY PRODUCTION INDEMNITY ASSISTANCE PROGRAM

2 Effective only for losses incurred beginning on No-
3 vember 27, 1997, through the date of enactment of this
4 Act, \$6,800,000 to implement a dairy production indem-
5 nity program to compensate producers for losses of milk
6 that had been produced but not marketed or for dimin-
7 ished production (including diminished future production
8 due to mastitis) due to natural disasters designated pursu-
9 ant to a Presidential or Secretarial declaration requested
10 during such period: *Provided*, That payments for dimin-
11 ished production shall be determined on a per head basis
12 derived from a comparison to a like production period
13 from the previous year, the disaster period is 180 days
14 starting with the date of the disaster and the payment
15 rate shall be \$4.00 per hundredweight of milk: *Provided*
16 *further*, That the entire amount shall be available only to
17 the extent that an official budget request of \$6,800,000,
18 that includes designation of the entire amount of the re-
19 quest as an emergency requirement as defined in the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985,
21 as amended, is transmitted by the President to the Con-
22 gress: *Provided further*, That the entire amount is des-
23 igned by Congress as an emergency requirement pursu-
24 ant to section 251(b)(2)(A) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985, as amended.

1 NATURAL RESOURCES CONSERVATION SERVICE

2 WATERSHED AND FLOOD PREVENTION OPERATIONS

3 For an additional amount for “Watershed and Flood
4 Prevention Operations” to repair damages to the water-
5 ways and watersheds resulting from ice storms, flooding,
6 tornadoes and other natural disasters, \$65,000,000, to re-
7 main available until expended: *Provided*, That the entire
8 amount shall be available only to the extent that an official
9 budget request for \$65,000,000, that includes designation
10 of the entire amount of the request as an emergency re-
11 quirement as defined in the Balanced Budget and Emer-
12 gency Deficit Control Act of 1985, as amended, is trans-
13 mitted by the President to the Congress: *Provided further*,
14 That the entire amount is designated by Congress as an
15 emergency requirement pursuant to section 251(b)(2)(A)
16 of such Act.

17 CHAPTER 2

18 DEPARTMENT OF DEFENSE

19 DEPARTMENT OF DEFENSE—MILITARY

20 MILITARY PERSONNEL

21 MILITARY PERSONNEL, ARMY

22 For an additional amount for “Military Personnel,
23 Army”, \$184,000,000: *Provided*, That such amount is
24 designated by Congress as an emergency requirement pur-

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

3 MILITARY PERSONNEL, NAVY

4 For an additional amount for “Military Personnel,
5 Navy”, \$22,300,000: *Provided*, That such amount is des-
6 ignated by Congress as an emergency requirement pursu-
7 ant to section 251(b)(2)(A) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985, as amended.

9 MILITARY PERSONNEL, MARINE CORPS

10 For an additional amount for “Military Personnel,
11 Marine Corps”, \$5,100,000: *Provided*, That such amount
12 is designated by Congress as an emergency requirement
13 pursuant to section 251(b)(2)(A) of the Balanced Budget
14 and Emergency Deficit Control Act of 1985, as amended.

15 MILITARY PERSONNEL, AIR FORCE

16 For an additional amount for “Military Personnel,
17 Air Force”, \$10,900,000: *Provided*, That such amount is
18 designated by Congress as an emergency requirement pur-
19 suant to section 251(b)(2)(A) of the Balanced Budget and
20 Emergency Deficit Control Act of 1985, as amended.

21 RESERVE PERSONNEL, NAVY

22 For an additional amount for “Reserve Personnel,
23 Navy”, \$4,100,000: *Provided*, That such amount is des-
24 ignated by Congress as an emergency requirement pursu-

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

3 OPERATION AND MAINTENANCE

4 OPERATION AND MAINTENANCE, ARMY

5 For an additional amount for “Operation and Main-
6 tenance, Army”, \$2,586,000: *Provided*, That such amount
7 is designated by Congress as an emergency requirement
8 pursuant to section 251(b)(2)(A) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985, as amended:
10 *Provided further*, That of this amount, \$700,000 shall be
11 available only to the extent that an official budget request
12 for a specific dollar amount, that includes designation of
13 the entire amount of the request as an emergency require-
14 ment as defined in the Balanced Budget and Emergency
15 Deficit Control Act of 1985, as amended, is transmitted
16 by the President to Congress.

17 OPERATION AND MAINTENANCE, NAVY

18 For an additional amount for “Operation and Main-
19 tenance, Navy”, \$53,800,000: *Provided*, That such
20 amount is designated by Congress as an emergency re-
21 quirement pursuant to section 251(b)(2)(A) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985,
23 as amended: *Provided further*, That of this amount,
24 \$5,700,000 shall be available only to the extent that an
25 official budget request for a specific dollar amount, that

1 includes designation of the entire amount of the request
2 as an emergency requirement as defined in the Balanced
3 Budget and Emergency Deficit Control Act of 1985, as
4 amended, is transmitted by the President to Congress.

5 OPERATION AND MAINTENANCE, MARINE CORPS

6 For an additional amount for “Operation and Main-
7 tenance, Marine Corps”, \$26,810,000: *Provided*, That
8 such amount is designated by Congress as an emergency
9 requirement pursuant to section 251(b)(2)(A) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985,
11 as amended: *Provided further*, That the entire amount
12 shall be available only to the extent that an official budget
13 request for a specific dollar amount, that includes designa-
14 tion of the entire amount of the request as an emergency
15 requirement as defined in the Balanced Budget and Emer-
16 gency Deficit Control Act of 1985, as amended, is trans-
17 mitted by the President to Congress.

18 OPERATION AND MAINTENANCE, AIR FORCE

19 For an additional amount for “Operation and Main-
20 tenance, Air Force”, \$49,200,000: *Provided*, That such
21 amount is designated by Congress as an emergency re-
22 quirement pursuant to section 251(b)(2)(A) of the Bal-
23 anced Budget and Emergency Deficit Control Act of 1985,
24 as amended: *Provided further*, That of this amount,
25 \$21,800,000 shall be available only to the extent that an

1 official budget request for a specific dollar amount, that
2 includes designation of the entire amount of the request
3 as an emergency requirement as defined in the Balanced
4 Budget and Emergency Deficit Control Act of 1985, as
5 amended, is transmitted by the President to Congress.

6 OPERATION AND MAINTENANCE, DEFENSE-WIDE

7 For an additional amount for “Operation and Main-
8 tenance, Defense-Wide”, \$1,390,000: *Provided*, That such
9 amount is designated by Congress as an emergency re-
10 quirement pursuant to section 251(b)(2)(A) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985,
12 as amended.

13 OPERATION AND MAINTENANCE, ARMY RESERVE

14 For an additional amount for “Operation and Main-
15 tenance, Army Reserve”, \$650,000: *Provided*, That such
16 amount is designated by Congress as an emergency re-
17 quirement pursuant to section 251(b)(2)(A) of the Bal-
18 anced Budget and Emergency Deficit Control Act of 1985,
19 as amended.

20 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

21 For an additional amount for “Operation and Main-
22 tenance, Air Force Reserve”, \$229,000: *Provided*, That
23 such amount is designated by Congress as an emergency
24 requirement pursuant to section 251(b)(2)(A) of the Bal-

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

3 OPERATION AND MAINTENANCE, ARMY NATIONAL
4 GUARD

5 For an additional amount for “Operation and Main-
6 tenance, Army National Guard”, \$5,925,000: *Provided*,
7 That such amount is designated by Congress as an emer-
8 gency requirement pursuant to section 251(b)(2)(A) of the
9 Balanced Budget and Emergency Deficit Control Act of
10 1985, as amended: *Provided further*, That of this amount,
11 \$5,750,000 shall be available only to the extent that an
12 official budget request for a specific dollar amount, that
13 includes designation of the entire amount of the request
14 as an emergency requirement as defined in the Balanced
15 Budget and Emergency Deficit Control Act of 1985, as
16 amended, is transmitted by the President to Congress.

17 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

18 For an additional amount for “Operation and Main-
19 tenance, Air National Guard”, \$975,000: *Provided*, That
20 such amount is designated by Congress as an emergency
21 requirement pursuant to section 251(b)(2)(A) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985,
23 as amended: *Provided further*, That the entire amount
24 shall be available only to the extent that an official budget
25 request for a specific dollar amount, that includes designa-

1 tion of the entire amount of the request as an emergency
2 requirement as defined in the Balanced Budget and Emer-
3 gency Deficit Control Act of 1985, as amended, is trans-
4 mitted by the President to Congress.

5 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND
6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for “Overseas Contingency
8 Operations Transfer Fund”, \$1,829,900,000: *Provided*,
9 That such amount is designated by Congress as an emer-
10 gency requirement pursuant to section 251(b)(2)(A) of the
11 Balanced Budget and Emergency Deficit Control Act of
12 1985, as amended: *Provided further*, That the Secretary
13 of Defense may transfer these funds to fiscal year 1998
14 appropriations for operation and maintenance, working
15 capital funds, the Defense Health Program, procurement,
16 and research, development, test and evaluation: *Provided*
17 *further*, That the funds transferred shall be merged with
18 and shall be available for the same purposes and for the
19 same time period as the appropriation to which trans-
20 ferred: *Provided further*, That the transfer authority pro-
21 vided in this paragraph is in addition to any other transfer
22 authority contained in Public Law 105–56.

1 REVOLVING AND MANAGEMENT FUNDS

2 NAVY WORKING CAPITAL FUND

3 For an additional amount for “Navy Working Capital
4 Fund”, \$30,467,000: *Provided*, That such amount is des-
5 ignated by Congress as an emergency requirement pursu-
6 ant to section 251(b)(2)(A) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985, as amended: *Pro-*
8 *vided further*, That of this amount, \$7,450,000 shall be
9 available only to the extent that an official budget request
10 for a specific dollar amount, that includes designation of
11 the entire amount of the request as an emergency require-
12 ment as defined in the Balanced Budget and Emergency
13 Deficit Control Act of 1985, as amended, is transmitted
14 by the President to Congress.

15 DEFENSE-WIDE WORKING CAPITAL FUND

16 For an additional amount for “Defense-Wide Work-
17 ing Capital Fund”, \$1,000,000: *Provided*, That such
18 amount is designated by Congress as an emergency re-
19 quirement pursuant to section 251(b)(2)(A) of the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985,
21 as amended.

22 OTHER DEPARTMENT OF DEFENSE PROGRAMS

23 DEFENSE HEALTH PROGRAM

24 For an additional amount for “Defense Health Pro-
25 gram”, \$1,900,000: *Provided*, That such amount is des-

1 ignated by Congress as an emergency requirement pursu-
2 ant to section 251(b)(2)(A) of the Balanced Budget and
3 Emergency Deficit Control Act of 1985, as amended.

4 GENERAL PROVISIONS—THIS CHAPTER

5 SEC. 201. No part of any appropriation contained in
6 this chapter shall remain available for obligation beyond
7 the current fiscal year, unless expressly so provided herein.

8 SEC. 202. Funds appropriated by this Act, or made
9 available by the transfer of funds in this Act, for intel-
10 ligence activities are deemed to be specifically authorized
11 by the Congress for purposes of section 504 of the Na-
12 tional Security Act of 1947 (50 U.S.C. 414).

13 SEC. 203. In addition to the amounts appropriated
14 to the Department of Defense under Public Law 105–56,
15 there is hereby appropriated \$37,000,000 for the “Reserve
16 Mobilization Income Insurance Fund”, to remain available
17 until expended: *Provided*, That such amount is designated
18 by Congress as an emergency requirement pursuant to
19 section 251(b)(2)(A) of the Balanced Budget and Emer-
20 gency Deficit Control Act of 1985, as amended: *Provided*
21 *further*, That the entire amount shall be available only to
22 the extent that an official budget request for a specific
23 dollar amount, that includes designation of the entire
24 amount of the request as an emergency requirement as
25 defined in the Balanced Budget and Emergency Deficit

1 Control Act of 1985, as amended, is transmitted by the
2 President to Congress.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 204. (a) QUALITY ASSURANCE REPORT ON
5 MILITARY HEALTH CARE.—The Secretary of Defense
6 shall appoint an independent panel of experts to evaluate
7 recent measures taken by the Acting Assistant Secretary
8 of Defense for Health Affairs and the Surgeons General
9 of the Army, Navy and Air Force to improve the quality
10 of care provided by the Military Health Services System.

11 (b) MEMBERSHIP.—(1) The panel shall be composed
12 of nine members appointed by the Secretary of Defense.
13 At least five of those members shall be persons who are
14 highly qualified in the medical arts, have experience in set-
15 ting health care standards, and possess a demonstrated
16 understanding of the military health care system and its
17 unique mission requirements. The remaining members
18 shall be persons who are current beneficiaries of the Mili-
19 tary Health Services System.

20 (2) The Secretary shall designate one member to
21 serve as chairperson of the panel.

22 (3) The Secretary shall appoint the members of this
23 panel not later than 45 days after enactment of this Act.

24 (c) FUNCTIONS OF THE PANEL.—The panel shall re-
25 view the Department of Defense Access and Quality Im-
26 provement Initiative announced in early 1998 (together

1 with other related quality improvement actions) to assess
2 whether all reasonable measures have been taken to ensure
3 that the Military Health Services System delivers health
4 care services in accordance with consistently high profes-
5 sional standards. The panel shall specifically assess ac-
6 tions of the Department to accomplish the following objec-
7 tives of that initiative and related management actions:

8 (1) Upgrade professional education and train-
9 ing requirements for military physicians and other
10 health care providers;

11 (2) Establish “Centers of Excellence” for com-
12 plicated surgical procedures;

13 (3) Make timely and complete reports to the
14 National Practitioner Data Bank and eliminate as-
15 sociated reporting backlogs;

16 (4) Assure that Military Health Services Sys-
17 tem providers are properly licensed and have appro-
18 priate credentials;

19 (5) Reestablish the Quality Management Report
20 to aid in early identification of compliance problems;

21 (6) Improve communications with beneficiaries
22 to provide comprehensive and objective information
23 on the quality of care being provided;

24 (7) Strengthen the National Quality Manage-
25 ment Program;

1 (8) Ensure that all laboratory work meets pro-
2 fessional standards; and

3 (9) Ensure the accuracy of patient data and in-
4 formation.

5 (d) REPORT.—Not later than six months after the
6 date on which the panel is established, the panel shall sub-
7 mit to the Secretary a report setting forth its findings and
8 conclusions, and the reasons therefor, and such rec-
9 ommendations it deems appropriate. The Secretary shall
10 forward the report of the panel to Congress not later than
11 15 days after the date on which the Secretary receives it,
12 together with the Secretary's comments on the report.

13 (e) PANEL ADMINISTRATION.—(1) The members of
14 the panel shall be allowed travel expenses, including per
15 diem in lieu of subsistence, at rates authorized by law for
16 employees of agencies while away from their homes or reg-
17 ular places of business in the performance of services for
18 the panel.

19 (2) Upon request of the chairperson of the panel, the
20 Secretary of Defense may detail to the panel, on a non-
21 reimbursable basis, personnel of the Department of De-
22 fense to assist the panel in carrying out its duties. The
23 Secretary of Defense shall furnish to the panel such ad-
24 ministrative and support services as may be requested by
25 the chairman of the panel.

1 (f) PANEL FINANCING.—Of the funds appropriated
 2 in Public Law 105–56 for “Research, Development, Test
 3 and Evaluation, Navy”, \$5,000,000 shall be transferred
 4 to “Defense Health Program”, to be available through fis-
 5 cal year 1999, only for administrative costs of this panel
 6 and for the express purpose of initiating or accelerating
 7 any activity identified by the panel that will improve the
 8 quality of health care provided by the Military Health
 9 Services System.

10 CHAPTER 3

11 DEPARTMENT OF DEFENSE—CIVIL

12 DEPARTMENT OF THE ARMY

13 CORPS OF ENGINEERS—CIVIL

14 OPERATION AND MAINTENANCE, GENERAL

15 For emergency repairs due to flooding and other nat-
 16 ural disasters, \$84,457,000, to remain available until ex-
 17 pended, of which such amounts for eligible navigation
 18 projects which may be derived from the Harbor Mainte-
 19 nance Trust Fund pursuant to Public Law 99–662, shall
 20 be derived from that Fund: *Provided*, That the entire
 21 amount shall be available only to the extent an official
 22 budget request for a specific dollar amount that includes
 23 designation of the entire amount of the request as an
 24 emergency requirement as defined in the Balanced Budget
 25 and Emergency Deficit Control Act of 1985, as amended,

1 is transmitted by the President to Congress: *Provided fur-*
2 *ther*, That the entire amount is designated by Congress
3 as an emergency requirement pursuant to section
4 251(b)(2)(A) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985, as amended.

6 DEPARTMENT OF THE INTERIOR

7 BUREAU OF RECLAMATION

8 WATER AND RELATED RESOURCES

9 For an additional amount for “Water and Related
10 Resources” to repair damage caused by floods and other
11 natural disasters, \$4,520,000, to remain available until ex-
12 pended, which shall be available only to the extent that
13 an official budget request for a specific dollar amount that
14 includes designation of the entire amount of the request
15 as an emergency requirement as defined in the Balanced
16 Budget and Emergency Deficit Control Act of 1985, as
17 amended, is transmitted by the President to Congress:
18 *Provided*, That the entire amount is designated by Con-
19 gress as an emergency requirement pursuant to section
20 251(b)(2)(A) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985, as amended.

22 GENERAL PROVISIONS—THIS CHAPTER

23 SEC. 301. The Secretary of the Army shall not au-
24 thorize, permit, or undertake any activity to stabilize,
25 cover, or permanently alter the site where the Kennewick

1 Man remains were discovered prior to the final disposition
2 of the lawsuit entitled Bonnichsen, et al. v. United States,
3 et al. and designated as United States District Court, Dis-
4 trict of Oregon CV No. 96-1481, unless such district
5 court makes a determination that such activity is reason-
6 able and necessary in light of potential adverse impacts
7 on scientific investigation of the site or other relevant con-
8 siderations. For the purposes of this section, the term
9 “site” means any land, beach, or river bank within 100
10 yards of the location where any portion of the Kennewick
11 Man remains were discovered.

12 CHAPTER 4

13 DEPARTMENT OF THE INTERIOR

14 UNITED STATES FISH AND WILDLIFE SERVICE

15 CONSTRUCTION

16 For an additional amount for “Construction”,
17 \$28,938,000, to remain available until expended, to repair
18 damage caused by floods and other acts of nature: *Pro-*
19 *vided*, That the entire amount is designated by Congress
20 as an emergency requirement pursuant to section
21 251(b)(2)(A) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985, as amended: *Provided further*,
23 That of such amount, \$25,000,000 shall be available only
24 to the extent that an official budget request for a specific
25 dollar amount that includes designation of the entire

1 amount of the request as an emergency requirement as
2 defined in such Act is transmitted by the President to
3 Congress.

4 NATIONAL PARK SERVICE

5 CONSTRUCTION

6 For an additional amount for “Construction”, to re-
7 pair damage caused by floods and other acts of nature,
8 \$8,500,000, to remain available until expended: *Provided*,
9 That the entire amount is designated by Congress as an
10 emergency requirement pursuant to section 251(b)(2)(A)
11 of the Balanced Budget and Emergency Deficit Control
12 Act of 1985, as amended: *Provided further*, That such
13 amount shall be available only to the extent that an official
14 budget request for a specific dollar amount that includes
15 designation of the entire amount of the request as an
16 emergency requirement as defined in such Act is transmit-
17 ted by the President to Congress.

18 UNITED STATES GEOLOGICAL SURVEY

19 SURVEYS, INVESTIGATIONS, AND RESEARCH

20 For an additional amount for “Surveys, Investiga-
21 tions, and Research” for emergency expenses resulting
22 from floods and other acts of nature, \$1,000,000, to re-
23 main available until expended: *Provided*, That the entire
24 amount is designated by Congress as an emergency re-
25 quirement pursuant to section 251(b)(2)(A) of the Bal-

1 anced Budget and Emergency Deficit Control Act of 1985,
2 as amended: *Provided further*, That such amount shall be
3 available only to the extent that an official budget request
4 for a specific dollar amount that includes designation of
5 the entire amount of the request as an emergency require-
6 ment as defined in such Act is transmitted by the Presi-
7 dent to Congress.

8 DEPARTMENT OF AGRICULTURE

9 FOREST SERVICE

10 STATE AND PRIVATE FORESTRY

11 For an additional amount for “State and Private
12 Forestry” for emergency expenses resulting from damages
13 from ice storms, tornadoes and other natural disasters,
14 \$48,000,000, to remain available until expended: *Pro-*
15 *vided*, That the entire amount is designated by Congress
16 as an emergency requirement pursuant to section
17 251(b)(2)(A) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985, as amended: *Provided further*,
19 That of such amount, \$28,000,000 shall be available only
20 to the extent that an official budget request for a specific
21 dollar amount that includes designation of the entire
22 amount of the request as an emergency requirement as
23 defined in such Act is transmitted by the President to
24 Congress.

1 NATIONAL FOREST SYSTEM

2 For an additional amount for “National Forest Sys-
3 tem” for emergency expenses resulting from damages
4 from ice storms, tornadoes and other natural disasters,
5 \$10,461,000, to remain available until expended: *Pro-*
6 *vided*, That the entire amount is designated by Congress
7 as an emergency requirement pursuant to section
8 251(b)(2)(A) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985, as amended: *Provided further*,
10 That of such amount, \$5,461,000 shall be available only
11 to the extent that an official budget request for a specific
12 dollar amount that includes designation of the entire
13 amount of the request as an emergency requirement as
14 defined in such Act is transmitted by the President to
15 Congress.

16 CHAPTER 5

17 DEPARTMENT OF DEFENSE—MILITARY

18 CONSTRUCTION

19 BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III

20 For an additional amount for “Base Realignment and
21 Closure Account, Part III” to cover costs arising from El
22 Nino related damage, \$1,020,000, to be available only to
23 the extent that an official budget request for a specific
24 dollar amount that includes designation of the entire
25 amount of the request as an emergency requirement as

1 defined in the Balanced Budget and Emergency Deficit
2 Control Act of 1985, as amended, is transmitted by the
3 President to Congress: *Provided*, That the entire amount
4 is designated by Congress as an emergency requirement
5 pursuant to section 251(b)(2)(A) of the Balanced Budget
6 and Emergency Deficit Control Act of 1985, as amended.

7 FAMILY HOUSING, NAVY AND MARINE CORPS

8 For an additional amount for “Family Housing,
9 Navy and Marine Corps” to cover costs arising from Ty-
10 phoon Paka related damage, \$15,600,000: *Provided*, That
11 such amount is designated by Congress as an emergency
12 requirement pursuant to section 251(b)(2)(A) of the Bal-
13 anced Budget and Emergency Deficit Control Act of 1985,
14 as amended.

15 For an additional amount for “Family Housing,
16 Navy and Marine Corps” to cover costs arising from El
17 Nino related damage, \$1,000,000, to be available only to
18 the extent that an official budget request for a specific
19 dollar amount that includes designation of the entire
20 amount of the request as an emergency requirement as
21 defined in the Balanced Budget and Emergency Deficit
22 Control Act of 1985, as amended, is transmitted by the
23 President to Congress: *Provided*, That the entire amount
24 is designated by Congress as an emergency requirement

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

3 FAMILY HOUSING, AIR FORCE

4 For an additional amount for “Family Housing, Air
5 Force” to cover costs arising from Typhoon Paka related
6 damage, \$1,500,000: *Provided*, That such amount is des-
7 ignated by Congress as an emergency requirement pursu-
8 ant to section 251(b)(2)(A) of the Balanced Budget and
9 Emergency Deficit Control Act of 1985, as amended.

10 For an additional amount for “Family Housing, Air
11 Force” to cover costs arising from El Nino related dam-
12 age, \$900,000, to be available only to the extent that an
13 official budget request for a specific dollar amount that
14 includes designation of the entire amount of the request
15 as an emergency requirement as defined in the Balanced
16 Budget and Emergency Deficit Control Act of 1985, as
17 amended, is transmitted by the President to Congress:
18 *Provided*, That the entire amount is designated by Con-
19 gress as an emergency requirement pursuant to section
20 251(b)(2)(A) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985, as amended.

1 CHAPTER 6
2 DEPARTMENT OF TRANSPORTATION
3 FEDERAL HIGHWAY ADMINISTRATION
4 FEDERAL-AID HIGHWAYS
5 (HIGHWAY TRUST FUND)
6 For an additional amount for the Emergency Relief
7 Program for emergency expenses resulting from floods
8 and other natural disasters, as authorized by 23 U.S.C.
9 125, \$259,000,000, to be derived from the Highway Trust
10 Fund and to remain available until expended: *Provided*,
11 That the entire amount is designated by Congress as an
12 emergency requirement pursuant to section 251(b)(2)(A)
13 of the Balanced Budget and Emergency Deficit Control
14 Act of 1985, as amended: *Provided further*, That of such
15 amount, \$35,000,000 shall be available only to the extent
16 that an official budget request for a specific dollar amount
17 that includes designation of the entire amount of the re-
18 quest as an emergency requirement as defined in such Act
19 is transmitted by the President to the Congress: *Provided*
20 *further*, That any obligations for the Emergency Relief
21 Program shall not be subject to the prohibition against
22 obligations in section 2(e)(3)(A) and (D) of the Surface
23 Transportation Extension Act of 1997: *Provided further*,
24 That 23 U.S.C. 125(b)(1) shall not apply to projects re-
25 sulting from flooding during the fall of 1997 through the
26 winter of 1998 in California.

1 FEDERAL RAILROAD ADMINISTRATION

2 EMERGENCY RAILROAD REHABILITATION AND REPAIR

3 For necessary expenses to repair and rebuild freight
4 rail lines of regional and short line railroads or a State
5 entity damaged by floods, \$9,000,000, to be awarded to
6 the States subject to the discretion of the Secretary on
7 a case-by-case basis: *Provided*, That not more than
8 \$2,650,000 shall be solely for damage incurred in the
9 Northern Plains States in March and April 1997: *Pro-*
10 *vided further*, That not more than \$6,350,000 shall be
11 solely for damage incurred as a result of El Nino in the
12 fall of 1997 through the winter of 1998: *Provided further*,
13 That funds provided under this head shall be available for
14 rehabilitation of railroad rights-of-way, bridges, and other
15 facilities which are part of the general railroad system of
16 transportation, and primarily used by railroads to move
17 freight traffic: *Provided further*, That railroad rights-of-
18 way, bridges, and other facilities owned by class I railroads
19 are not eligible for funding under this head, unless the
20 rights-of-way, bridges, or other facilities are under con-
21 tract lease to a class II or class III railroad under which
22 the lessee is responsible for all maintenance costs of the
23 line: *Provided further*, That railroad rights-of-way,
24 bridges, and other facilities owned by passenger railroads
25 or by tourist, scenic, or historic railroads are not eligible

1 for funding under this head: *Provided further*, That these
2 funds shall be available only to the extent an official budg-
3 et request for a specific dollar amount, that includes des-
4 ignation of the entire amount as an emergency require-
5 ment as defined in the Balanced Budget and Emergency
6 Deficit Control Act of 1985, as amended, is transmitted
7 by the President to the Congress: *Provided further*, That
8 the entire amount is designated by Congress as an emer-
9 gency requirement pursuant to section 251(b)(2)(A) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985, as amended: *Provided further*, That all funds made
12 available under this head are to remain available until
13 September 30, 1998.

14 CHAPTER 7

15 DEPARTMENT OF HOUSING AND URBAN

16 DEVELOPMENT

17 COMMUNITY PLANNING AND DEVELOPMENT

18 COMMUNITY DEVELOPMENT BLOCK GRANTS FUND

19 For an additional amount for “Community Develop-
20 ment Block Grants Fund”, as authorized under title I of
21 the Housing and Community Development Act of 1974,
22 \$20,000,000, which shall remain available until September
23 30, 2001, for use in States affected by the January, 1998
24 Northeast ice storm for which a Presidential disaster dec-
25 laration under title IV of the Robert T. Stafford Disaster

1 Relief and Emergency Assistance Act has been issued, to
2 assist in the long-term recovery and mitigation from the
3 effects of that ice storm: *Provided*, That such funds may
4 be used for eligible activities, except those activities by the
5 Federal Emergency Management Agency or the Small
6 Business Administration: *Provided further*, That in admin-
7 istering these amounts, the Secretary may waive, or speci-
8 fy alternative requirements for any provision of any stat-
9 ute or regulation that the Secretary administers in connec-
10 tion with the obligation by the Secretary or the use by
11 the recipient of these funds, except for statutory require-
12 ments related to civil rights, fair housing and non-
13 discrimination, the environment, and labor standards,
14 upon a finding that such waiver is required to facilitate
15 the use of such funds: *Provided further*, That the entire
16 amount shall be available only to the extent that an official
17 budget request of \$20,000,000, that includes designation
18 of the entire amount of the budget request as an emer-
19 gency requirement as defined in the Balanced Budget and
20 Emergency Deficit Control Act of 1985, as amended, is
21 transmitted by the President to the Congress: *Provided*
22 *further*, That the entire amount is designated by Congress
23 as an emergency requirement pursuant to section
24 251(b)(2)(A) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985, as amended.

1 **TITLE II**
2 **RESCISSIONS**
3 **DEPARTMENT OF EDUCATION**
4 **BILINGUAL AND IMMIGRANT EDUCATION**
5 **(RESCISSION)**

6 Of the amounts made available under this heading
7 in Public Law 105–78, \$75,000,000 are rescinded: *Pro-*
8 *vided*, That, to the extent necessary to carry out such re-
9 scission, the Secretary of Education shall deobligate funds
10 that have been obligated but have not been expended.

11 **DEPARTMENT OF TRANSPORTATION**
12 **FEDERAL AVIATION ADMINISTRATION**
13 **GRANTS-IN-AID FOR AIRPORTS**
14 **(AIRPORT AND AIRWAY TRUST FUND)**
15 **(RESCISSION OF CONTRACT AUTHORIZATION)**

16 Of the available contract authority balances under
17 this heading, \$610,000,000 (reduced by \$243,600,000)
18 are rescinded.

19 **GRANTS-IN-AID FOR AIRPORTS**
20 **(LIMITATION ON OBLIGATIONS)**

21 Notwithstanding the provisions of Public Law 105–
22 66, none of the funds in this or any other Act shall be
23 available for the planning or execution of programs the
24 obligations for which are in excess of \$1,425,000,000 (in-
25 creased by \$243,600,000) in fiscal year 1998 for grants-

1 in-aid for airport planning and development, and noise
2 compatibility planning and programs, notwithstanding
3 section 47117(h) of title 49, United States Code.

4 DEPARTMENT OF HOUSING AND URBAN
5 DEVELOPMENT

6 PUBLIC AND INDIAN HOUSING

7 SECTION 8 RESERVE PRESERVATION ACCOUNT

8 (RESCISSION)

9 Of the amounts recaptured under this heading during
10 fiscal year 1998 and prior years, \$2,193,600,000 are re-
11 scinded: *Provided*, That the Secretary of Housing and
12 Urban Development shall recapture \$2,193,600,000 in
13 amounts heretofore maintained as section 8 reserves made
14 available to housing agencies for tenant-based assistance
15 under the section 8 existing housing certificate and hous-
16 ing voucher programs.

17 INDEPENDENT AGENCY

18 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

19 NATIONAL AND COMMUNITY SERVICE PROGRAMS

20 OPERATING EXPENSES

21 (RESCISSION)

22 Of the amounts made available under this heading
23 in Public Law 105–65, \$250,000,000 are rescinded.

1 TITLE III

2 GENERAL PROVISIONS—THIS ACT

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

6 PROHIBITION ON USE OF FUNDS FOR MILITARY

7 OPERATIONS AGAINST IRAQ

8 SEC. 3002. None of the funds appropriated or other-
9 wise made available by this Act may be made available
10 for the conduct of offensive operations by United States
11 Armed Forces against Iraq for the purpose of obtaining
12 compliance by Iraq with United Nations Security Council
13 Resolutions relating to inspection and destruction of weap-
14 ons of mass destruction in Iraq unless such operations are
15 specifically authorized by a law enacted after the date of
16 the enactment of this Act.

17 SENSE OF THE HOUSE ON SPENDING OFFSETS FOR

18 EMERGENCY SUPPLEMENTAL APPROPRIATIONS

19 SEC. 3003. (a) FINDINGS.—The House of Represent-
20 atives finds that—

21 (1) the House has worked diligently to balance
22 the Federal budget for the first time in 30 years;

23 (2) the House is committed to fiscal responsibil-
24 ity and continued balanced budgets and will not

1 allow Washington to return to the days of deficit
2 spending;

3 (3) the House is committed to ensuring that the
4 current level of Federal discretionary spending does
5 not increase as a result of any emergency supple-
6 mental appropriations; and

7 (4) reducing spending to offset emergency sup-
8 plemental appropriations will send a clear message
9 to the American people that the Congress is serious
10 about preventing uncontrolled Federal spending.

11 (b) SENSE OF THE HOUSE.—It is the sense of the
12 House of Representatives that any emergency supple-
13 mental appropriations considered in the 105th Congress
14 shall not result in an increased level of total Federal dis-
15 cretionary spending.

16 This Act may be cited as the “1998 Emergency Sup-
17 plemental Appropriations Act”.

Passed the House of Representatives March 31,
1998.

Attest:

Clerk.