

Calendar No. 326105TH CONGRESS
2^D SESSION**S. 1768****[Report No. 105-168]**

Making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, for the fiscal year ending September 30, 1998, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 1998

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

A BILL

Making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, 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 re-
5 covery from natural disasters, and for overseas peacekeep-

1 ing efforts, for the fiscal year ending September 30, 1998,
 2 and for other purposes, namely:

3 TITLE I—EMERGENCY SUPPLEMENTAL APPRO-
 4 PRIATIONS FOR RECOVERY FROM NATURAL
 5 DISASTERS, AND FOR OVERSEAS PEACE-
 6 KEEPING EFFORTS, FOR THE FISCAL YEAR
 7 ENDING SEPTEMBER 30, 1998, AND FOR
 8 OTHER PURPOSES

9 CHAPTER 1

10 SUBCOMMITTEE ON AGRICULTURE, RURAL
 11 DEVELOPMENT, AND RELATED AGENCIES

12 DEPARTMENT OF AGRICULTURE

13 DEPARTMENTAL ADMINISTRATION

14 For an additional amount for “Departmental Admin-
 15 istration”, \$2,000,000.

16 OFFICE OF THE GENERAL COUNSEL

17 For an additional amount for the “Office of the Gen-
 18 eral Counsel”, \$235,000.

19 FARM SERVICE AGENCY

20 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

21 ACCOUNT

22 For an additional amount for the “Agricultural Cred-
 23 it Insurance Fund Program Account”, for the cost of di-
 24 rect and guaranteed loans authorized by 7 U.S.C. 1928–
 25 1929, including the cost of modifying such loans as de-

1 fined in section 502 of the Congressional Budget Act of
2 1974, as follows: farm ownership loans, \$3,574,197, of
3 which \$966,197 shall be for guaranteed loans; and direct
4 operating loans, \$3,162,000.

5 For an additional amount for the “Agricultural Cred-
6 it Insurance Fund Program Account” for the cost of emer-
7 gency insured loans authorized by 7 U.S.C. 1928–29, in-
8 cluding the cost of modifying such loans as defined in sec-
9 tion 502 of the Congressional Budget Act of 1974, for
10 losses resulting from ice storms, flooding, tornadoes and
11 other natural disasters, \$21,000,000, to remain available
12 until expended: *Provided*, That the entire amount shall be
13 available only to the extent that an official budget request
14 for \$21,000,000, that includes designation of the entire
15 amount of the request as an emergency requirement as
16 defined in the Balanced Budget and Emergency Deficit
17 Control Act of 1985, as amended, is transmitted by the
18 President to the Congress: *Provided further*, That the en-
19 tire amount is designated by the Congress as an emer-
20 gency requirement pursuant to section 251(b)(2)(A) of
21 such Act.

22 EMERGENCY CONSERVATION PROGRAM

23 For an additional amount for the “Emergency Con-
24 servation Program” for expenses resulting from ice
25 storms, flooding, tornadoes and other natural disasters,
26 \$60,000,000, to remain available until expended: *Pro-*

1 *vided*, That of the funds provided under this heading,
2 \$40,000,000 shall be made available only for flooding and
3 natural disaster relief in Georgia: *Provided further*, That
4 the entire amount shall be available only to the extent that
5 an official budget request for \$60,000,000, that includes
6 designation of the entire amount of the request as an
7 emergency requirement as defined in the Balanced Budget
8 and Emergency Deficit Control Act of 1985, as amended,
9 is transmitted by the President to the Congress: *Provided*
10 *further*, That the entire amount is designated by the Con-
11 gress as an emergency requirement pursuant to section
12 251(b)(2)(A) of such Act.

13 For necessary expenses to carry out the emergency
14 conservation program authorized under sections 401, 402,
15 and 404 of the Agricultural Credit Act of 1978 (16 U.S.C.
16 2201, 2202, 2204) to provide cost-sharing assistance to
17 maple producers to replace taps and tubing that were
18 damaged by ice storms in northeastern States in 1998,
19 \$4,480,000, to remain available until expended: *Provided*,
20 That the entire amount shall be available only to the ex-
21 tent that an official budget request for \$4,480,000, that
22 includes designation of the entire amount of the request
23 as an emergency requirement as defined in the Balanced
24 Budget and Emergency Deficit Control Act of 1985, as
25 amended, is transmitted by the President to the Congress:

1 *Provided further*, That the entire amount is designated by
2 the Congress as an emergency requirement pursuant to
3 section 251(b)(2)(A) of such Act.

4 COMMODITY CREDIT CORPORATION FUND

5 DAIRY AND LIVESTOCK DISASTER ASSISTANCE PROGRAM

6 Effective only for losses incurred beginning on No-
7 vember 27, 1997, through the date of enactment of this
8 Act, \$4,000,000 to implement a livestock and dairy indem-
9 nity program to compensate producers for losses of live-
10 stock and milk that had been produced but not marketed
11 due to natural disasters designated pursuant to a Presi-
12 dential or Secretarial declaration requested during such
13 a period in a manner similar to catastrophic loss coverage
14 available for other commodities under 7 U.S.C. 1508(b):
15 *Provided*, That in establishing a program described in the
16 preceding sentence, the Secretary shall, to the extent prac-
17 ticable, utilize gross income and payment limitations con-
18 ditions established for the Disaster Reserve Assistance
19 Program for the 1996 crop year: *Provided further*, That
20 the entire amount is designated by the Congress as an
21 emergency requirement pursuant to section 251(b)(2)(A)
22 of the Balanced Budget and Emergency Deficit Control
23 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, \$50,000,000, to re-
7 main available until expended: *Provided*, That of the funds
8 provided under this heading, \$10,000,000 shall be made
9 available only for flooding and natural disaster relief in
10 Georgia: *Provided further*, That the entire amount shall
11 be available only to the extent that an official budget re-
12 quest for \$50,000,000, that includes designation of the en-
13 tire amount of the request as an emergency requirement
14 as defined in the Balanced Budget and Emergency Deficit
15 Control Act of 1985, as amended, is transmitted by the
16 President to the Congress: *Provided further*, That the en-
17 tire amount is designated by the Congress as an emer-
18 gency requirement pursuant to section 251(b)(2)(A) of
19 such Act.

20 FOOD STAMP PROGRAM

21 Of the amounts made available under this head in
22 Public Law 105–86, funds for employment and training
23 shall remain available until expended as authorized by sec-
24 tion 16(h)(1) of the Food Stamp Act.

1 DEPARTMENT OF HEALTH AND HUMAN
2 SERVICES

3 FOOD AND DRUG ADMINISTRATION

4 SALARIES AND EXPENSES

5 For an additional amount for “Salaries and ex-
6 penses” from fees collected pursuant to section 736 of the
7 Federal Food, Drug, and Cosmetic Act, not to exceed
8 \$25,918,000, to remain available until expended.

9 CHAPTER 2

10 SUBCOMMITTEE ON DEFENSE

11 DEPARTMENT OF DEFENSE—MILITARY

12 MILITARY PERSONNEL

13 MILITARY PERSONNEL, ARMY

14 For an additional amount for “Military Personnel,
15 Army”, \$184,000,000: *Provided*, That such amount is des-
16 ignated by the Congress as an emergency requirement
17 pursuant to section 251(b)(2)(A) of the Balanced Budget
18 and Emergency Deficit Control Act of 1985, as amended.

19 MILITARY PERSONNEL, NAVY

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

1 MILITARY PERSONNEL, MARINE CORPS

2 For an additional amount for “Military Personnel,
3 Marine Corps”, \$5,100,000: *Provided*, That such amount
4 is designated by the Congress as an emergency require-
5 ment pursuant to section 251(b)(2)(A) of the Balanced
6 Budget and Emergency Deficit Control Act of 1985, as
7 amended.

8 MILITARY PERSONNEL, AIR FORCE

9 For an additional amount for “Military Personnel,
10 Air Force”, \$10,900,000: *Provided*, That such amount is
11 designated by the Congress as an emergency requirement
12 pursuant to section 251(b)(2)(A) of the Balanced Budget
13 and Emergency Deficit Control Act of 1985, as amended.

14 RESERVE PERSONNEL, NAVY

15 For an additional amount for “Reserve Personnel,
16 Navy”, \$4,100,000: *Provided*, That such amount is des-
17 ignated by the Congress as an emergency requirement
18 pursuant to section 251(b)(2)(A) of the Balanced Budget
19 and Emergency Deficit Control Act of 1985, as amended.

20 OPERATION AND MAINTENANCE

21 OPERATION AND MAINTENANCE, ARMY

22 For an additional amount for “Operation and Main-
23 tenance, Army”, \$1,886,000: *Provided*, That such amount
24 is designated by the Congress as an emergency require-
25 ment pursuant to section 251(b)(2)(A) of the Balanced

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

3 OPERATION AND MAINTENANCE, NAVY

4 For an additional amount for “Operation and Main-
5 tenance, Navy”, \$33,272,000: *Provided*, That such
6 amount is designated by the Congress as an emergency
7 requirement pursuant to section 251(b)(2)(A) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985,
9 as amended.

10 OPERATION AND MAINTENANCE, AIR FORCE

11 For an additional amount for “Operation and Main-
12 tenance, Air Force”, \$21,509,000: *Provided*, That such
13 amount is designated by the Congress as an emergency
14 requirement pursuant to section 251(b)(2)(A) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985,
16 as amended.

17 OPERATION AND MAINTENANCE, DEFENSE-WIDE

18 (INCLUDING TRANSFER OF FUNDS)

19 For an additional amount for “Operation and Main-
20 tenance, Defense-wide”, \$1,390,000: *Provided*, That such
21 amount is designated by the Congress as an emergency
22 requirement pursuant to section 251(b)(2)(A) of the Bal-
23 anced Budget and Emergency Deficit Control Act of 1985,
24 as amended.

1 For an additional amount for “Operation and Main-
2 tenance, Defense-wide”, \$44,000,000, for emergency ex-
3 penses resulting from natural disasters in the United
4 States: *Provided*, That the entire amount shall be available
5 only to the extent that an official budget request for
6 \$44,000,000, that includes designation of the entire
7 amount of the request as an emergency requirement as
8 defined in the Balanced Budget and Emergency Deficit
9 Control Act of 1985, as amended, is transmitted by the
10 President to the Congress: *Provided further*, That the en-
11 tire amount is designated by the Congress as an emer-
12 gency requirement pursuant to section 251(b)(2)(A) of
13 such Act: *Provided further*, That the Secretary of Defense
14 may transfer these funds to current applicable operation
15 and maintenance appropriations, to be merged with and
16 available for the same purposes and for the same time pe-
17 riod as the appropriation to which transferred: *Provided*
18 *further*, That the transfer authority provided in this provi-
19 sion is in addition to any transfer authority available to
20 the Department.

21 OPERATION AND MAINTENANCE, ARMY RESERVE

22 For an additional amount for “Operation and Main-
23 tenance, Army Reserve”, \$650,000: *Provided*, That such
24 amount is designated by the Congress as an emergency
25 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, AIR FORCE RESERVE

4 For an additional amount for “Operation and Main-
5 tenance, Air Force Reserve”, \$229,000: *Provided*, That
6 such amount is designated by the Congress as an emer-
7 gency requirement pursuant to section 251(b)(2)(A) of the
8 Balanced Budget and Emergency Deficit Control Act of
9 1985, as amended.

10 OPERATION AND MAINTENANCE, ARMY NATIONAL

11 GUARD

12 For an additional amount for “Operation and Main-
13 tenance, Army National Guard”, \$175,000: *Provided*,
14 That such amount is designated by the Congress as an
15 emergency requirement pursuant to section 251(b)(2)(A)
16 of the Balanced Budget and Emergency Deficit Control
17 Act of 1985, as amended.

18 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 For an additional amount for “Overseas Contingency
21 Operations Transfer Fund”, \$1,556,000,000, to remain
22 available until expended, of which \$46,000,000 shall be
23 available for classified programs: *Provided*, That such
24 amount is designated by the Congress as an emergency
25 requirement 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 the Secretary of De-
3 fense may transfer these funds to fiscal year 1998 appro-
4 priations for operation and maintenance, working capital
5 funds, and the Defense Health Program: *Provided further*,
6 That the funds transferred shall be merged with and shall
7 be available for the same purposes and for the same time
8 period as the appropriation to which transferred: *Provided*
9 *further*, That funds appropriated under this heading, or
10 made available by transfer of such funds, to any intel-
11 ligence agency or activity of the United States Govern-
12 ment shall be deemed to be specifically authorized by the
13 Congress for purposes of section 504 of the National Secu-
14 rity Act of 1947 (50 U.S.C. 414): *Provided further*, That
15 the transfer authority provided under this heading is in
16 addition to any other transfer authority contained in Pub-
17 lic Law 105–56.

18 REVOLVING AND MANAGEMENT FUNDS

19 NAVY WORKING CAPITAL FUND

20 For an additional amount for “Navy Working Capital
21 Fund”, \$23,017,000: *Provided*, That such amount is des-
22 ignated by the Congress as an emergency requirement
23 pursuant to section 251(b)(2)(A) of the Balanced Budget
24 and Emergency Deficit Control Act of 1985, as amended.

1 DEFENSE-WIDE WORKING CAPITAL FUND

2 For an additional amount for “Defense-wide Working
3 Capital Fund”, \$1,000,000: *Provided*, That such amount
4 is designated by the Congress as an emergency require-
5 ment pursuant to section 251(b)(2)(A) of the Balanced
6 Budget and Emergency Deficit Control Act of 1985, as
7 amended.

8 OTHER DEPARTMENT OF DEFENSE PROGRAMS

9 DEFENSE HEALTH PROGRAM

10 For an additional amount for the “Defense Health
11 Program”, \$1,900,000: *Provided*, That such amount is
12 designated by the 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 GENERAL PROVISIONS, CHAPTER 2

16 SEC. 201. In addition to the amounts provided in
17 Public Law 105–56, \$36,500,000 is appropriated under
18 the heading “Overseas Humanitarian, Disaster, and Civic
19 Aid”: *Provided*, That from the funds made available under
20 that heading, the Secretary of Defense shall make a grant
21 in the amount of \$16,500,000 to the American Red Cross
22 for Armed Forces emergency services: *Provided further*,
23 That from the funds made available under that heading,
24 the Secretary of Defense shall make a grant in the amount
25 of \$20,000,000 to the American Red Cross for reimburse-

1 ment for disaster relief and recovery expenditures at over-
2 seas locations: *Provided further*, That the entire amount
3 shall be available only to the extent that an official budget
4 request for \$36,500,000, that includes designation of the
5 entire amount of the request as an emergency requirement
6 as defined in the Balanced Budget and Emergency Deficit
7 Control Act of 1985, as amended, is transmitted by the
8 President to the Congress: *Provided further*, That the en-
9 tire amount is designated by the Congress as an emer-
10 gency requirement pursuant to section 251(b)(2)(A) of
11 such Act.

12 SEC. 202. The Secretary of the Army shall comply
13 with the memorandum of agreement entitled “Yakima
14 Training Center Proposed Land Acquisition: Recreational
15 Mitigation Requirements” that was entered into between
16 the Washington State Parks and Recreation Commission
17 and the Department of the Army (with the Commanding
18 General of I Corps, United States Army, acting for the
19 Department of the Army) on September 27, 1991.

20 SEC. 203. The President is urged to encourage other
21 nations who are allies and friends of the United States
22 to contribute to the burden being borne by the United
23 States in preventing the government of Iraq from using
24 Weapons of Mass Destruction, which pose a threat to the
25 world community. The President is also urged to seek fi-

1 nancial, in-kind and other contributions to help defray the
2 costs being incurred by the United States in this oper-
3 ation. For this purpose, a special account shall be estab-
4 lished in the Treasury which will accept such financial
5 contributions, and from which funds will be subject to obli-
6 gation through the normal appropriations process. The
7 Secretary of Defense, after consultation with the Secretary
8 of State, shall provide a report to the Congress within 60
9 days after enactment as to the status of this effort, and
10 shall make a comprehensive account of the efforts made
11 and results obtained to share the burden of the common
12 defense. The Director of the Office of Management and
13 Budget shall report to the Congress within 30 days as to
14 the establishment of such burden-sharing account in the
15 Department of the Treasury.

16 (TRANSFER OF FUNDS)

17 SEC. 204. Of the funds appropriated in Public Law
18 105-56, under the heading "Chemical Agents and Muni-
19 tions Destruction, Defense" for Operation and mainte-
20 nance, \$40,000,000 shall be transferred to "Operation
21 and Maintenance, Defense-Wide".

1 extent an official budget request for \$8,000,000, that in-
2 cludes designation of the entire amount of the request as
3 an emergency requirement as defined in the Balanced
4 Budget and Emergency Deficit Control Act of 1985, as
5 amended: *Provided further*, That the entire amount is des-
6 ignated by the Congress as an emergency requirement
7 pursuant to section 251(b)(2)(A) of the Balanced Budget
8 and Emergency Deficit Control Act of 1985, as amended.

9 An additional amount for emergency levee and water-
10 way repairs at Elba and Geneva, Alabama to be conducted
11 at full Federal expense, \$25,000,000, to remain available
12 until expended: *Provided*, That the Secretary of the Army
13 is authorized and directed to obligate and expend the
14 funds appropriated for the Elba and Geneva, Alabama lev-
15 ees and waterway repair to proceed with engineering and
16 design and reconstruction if the Secretary of the Army
17 certifies that such work is necessary to provide flood con-
18 trol benefits in the vicinity of Elba and Geneva, Alabama:
19 *Provided further*, That the Corps of Engineers shall not
20 be responsible for the future costs of operation, repair, re-
21 placement or rehabilitation of the project: *Provided fur-*
22 *ther*, That the entire amount shall be available only to the
23 extent an official budget request of \$25,000,000, that in-
24 cludes designation of the entire amount of the request as
25 an emergency requirement as defined in the Balanced

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

6 OPERATION AND MAINTENANCE, GENERAL

7 For emergency repairs due to flooding and other nat-
8 ural disasters, \$30,000,000, to remain available until ex-
9 pended, of which such amounts for eligible navigation
10 projects which may be derived from the Harbor Mainte-
11 nance Trust Fund pursuant to Public Law 99–662, shall
12 be derived from that Fund, and the remainder shall be
13 derived by transfer from the “Flood Control and Coastal
14 Emergencies” account: *Provided*, That the entire amount
15 shall be available only to the extent an official budget re-
16 quest for \$30,000,000, that includes designation of the en-
17 tire amount of the request as an emergency requirement
18 as defined in the Balanced Budget and Emergency Deficit
19 Control Act of 1985, as amended, is transmitted by the
20 President to the Congress: *Provided further*, That the en-
21 tire amount is designated by the Congress as an emer-
22 gency requirement pursuant to section 251(b)(2)(A) of the
23 Balanced Budget and Emergency Deficit Control Act of
24 1985, as amended.

1 DEPARTMENT OF ENERGY
2 ATOMIC ENERGY DEFENSE ACTIVITIES
3 WEAPONS ACTIVITIES
4 (TRANSFER OF FUNDS)

5 For an additional amount for atomic energy defense
6 weapons activities, including the purchase, construction,
7 and acquisition of plant and capitol equipment, and other
8 necessary expenses, \$4,000,000, to remain available until
9 expended, to be derived from funds appropriated in the
10 Energy and Water Development Appropriations Act,
11 1998, or prior year Acts, as follows: \$4,000,000 from
12 “Other Defense Activities”.

13 DEPARTMENTAL ADMINISTRATION

14 Such additional amounts as necessary, not to exceed
15 \$5,408,000, to cover increases in the estimated amount
16 of cost of Work For Others notwithstanding the provisions
17 of the Anti-Deficiency Act (31 U.S.C. 1511, et seq.): *Pro-*
18 *vided*, That such increases in cost of Work For Others
19 are offset by revenue increases of the same or greater
20 amount derived from fees authorized by sections 31 and
21 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2051
22 and 2053), to remain available until expended.

23 GENERAL PROVISIONS, CHAPTER 3

24 SEC. 301. Section 303 of the Energy and Water De-
25 velopment Appropriations Act, 1998 (Public Law 105-

1 62), does not apply to the worker transition plan for the
2 Pinellas Plant site.

3 SEC. 302. Section 2 of the Emergency Drought Relief
4 Act of 1996 (Public Law 104–318; 110 Stat. 3862) is
5 amended by adding at the end the following new section:

6 “(c) EXTENSION OF PERIODS FOR REPAYMENT.—
7 Notwithstanding any provision of the Reclamation Project
8 Act of 1939 (43 U.S.C. 485 et seq.), the Secretary of the
9 Interior—

10 “(1) shall extend the period for repayment by
11 the City of Corpus Christi, Texas, and the Nueces
12 River Authority under contract No. 6–07–01–x0675,
13 relating to the Nueces River reclamation project,
14 Texas, until—

15 “(A) August 1, 2029 for repayment pursu-
16 ant to the municipal and industrial water sup-
17 ply benefits portion of the contract; and

18 “(B) until August 1, 2044 for repayment
19 pursuant to the fish and wildlife and recreation
20 benefits portion of the contract, and

21 “(2) shall extend the period for repayment by
22 the Canadian River Municipal Water Authority
23 under contract No. 14–06–500–485 relating to the
24 Canadian River reclamation project, Texas, until Oc-
25 tober 1, 2021.”.

1 anced Budget and Emergency Deficit Control Act of 1985,
2 as amended, is transmitted by the President to the Con-
3 gress: *Provided further*, That the entire amount is des-
4 ignated by the 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 NATIONAL PARK SERVICE

8 CONSTRUCTION

9 For an additional amount for “Construction” to re-
10 pair damage caused by floods and other natural disasters,
11 \$8,500,000, to remain available until expended: *Provided*,
12 That the entire amount shall be available only to the ex-
13 tent that an official budget request for \$8,500,000, 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 the Congress:
18 *Provided further*, That the entire amount is designated by
19 the Congress as an emergency requirement pursuant to
20 section 251(b)(2)(A) of such Act.

21 UNITED STATES GEOLOGICAL SURVEY

22 SURVEYS, INVESTIGATIONS, AND RESEARCH

23 For an additional amount for “Surveys, Investiga-
24 tions, and Research” for emergency expenses resulting
25 from floods and other natural disasters, \$1,000,000, to

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

11 MINERALS MANAGEMENT SERVICE

12 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

13 For an additional amount for “Royalty and Offshore
14 Minerals Management” to meet increased demand and
15 workload requirements stemming from higher than antici-
16 pated leasing activity in the Gulf of Mexico, \$6,675,000,
17 to remain available until expended, to be derived from in-
18 creased receipts resulting from increases to rates in effect
19 on August 5, 1993, from rate increases to fee collections
20 for Outer Continental Shelf administrative activities per-
21 formed by the Minerals Management Service over and
22 above the rates in effect on September 30, 1993, and from
23 additional fees for Outer Continental Shelf administrative
24 activities established after September 30, 1993.

1 DEPARTMENT OF AGRICULTURE
2 FOREST SERVICE
3 STATE AND PRIVATE FORESTRY

4 For an additional amount for “State and Private
5 Forestry” for emergency expenses resulting from damages
6 from ice storms, tornadoes and other natural disasters,
7 \$48,000,000, to remain available until expended: *Pro-*
8 *vided*, That the entire amount shall be available only to
9 the extent that an official budget request for \$48,000,000,
10 that includes designation of the entire amount of the re-
11 quest as an emergency requirement as defined in the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985,
13 as amended, is transmitted by the President to the Con-
14 gress: *Provided further*, That the entire amount is des-
15 ignated by the Congress as an emergency requirement
16 pursuant to section 251(b)(2)(A) of the Balanced Budget
17 and Emergency Deficit Control Act of 1985, as amended.

18 NATIONAL FOREST SYSTEM

19 For an additional amount for the “National Forest
20 System” for emergency expenses resulting from damages
21 from ice storms, tornadoes and other natural disasters,
22 \$10,000,000, to remain available until expended: *Pro-*
23 *vided*, That the entire amount shall be available only to
24 the extent that an official budget request for \$10,000,000,
25 that includes designation of the entire amount of the re-
26 quest as an emergency requirement as defined in the Bal-

1 anced Budget and Emergency Deficit Control Act of 1985,
2 as amended, is transmitted by the President to the Con-
3 gress: *Provided further*, That the entire amount is des-
4 ignated by the 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 For an additional amount for the “National Forest
8 System” for expenses associated with payments to states
9 as specified in subsection (b)(2) of section 405 of this
10 chapter of this Act, \$2,000,000, to remain available until
11 expended.

12 DEPARTMENT OF HEALTH AND HUMAN
13 SERVICES

14 INDIAN HEALTH SERVICE

15 INDIAN HEALTH SERVICES

16 For an additional amount for “Indian Health Serv-
17 ices”, \$100,000, to remain available until expended, for
18 suicide prevention counseling.

19 GENERAL PROVISIONS, CHAPTER 4

20 SEC. 401. Construction of the Trappers Loop connec-
21 tor road, and any related actions, by any Federal or state
22 agency or other entity are deemed to be non-discretionary
23 actions authorized and directed by Congress under Title
24 III, section 304(e)(3) of the Omnibus Parks and Public
25 Lands Management Act of 1996 (110 Stat. 4093).

1 SEC. 402. Neither the issuance by the United States
2 of an easement on and across National Forest lands for
3 the Boulder City Pipeline (also known as Lakewood Pipe-
4 line) nor the acceptance of such easement by the City of
5 Boulder, Colorado, nor the relocation of such pipeline on
6 such easement, shall cause, be construed as, or result in
7 the abandonment, termination, relinquishment, revocation,
8 limitation, or diminution of any rights claimed by such city
9 pursuant to or as a result of any prior grant, including
10 the Act of July 26, 1866 (43 U.S.C. 661) and the Acts
11 authorizing the conveyance of such city of the Silver Lake
12 Watershed. The alignment of the relocated pipeline shall
13 be considered neither more nor less within the scope of
14 any prior grants than the alignment of the pipeline exist-
15 ing prior to the issuance of such easement.

16 SEC. 403. Notwithstanding any other provision of
17 law, the Secretary of the Interior, through the Bureau of
18 Indian Affairs, may hereafter directly transfer to Indian
19 tribes in North and South Dakota portable housing units
20 at the Grand Forks Air Force Base in North Dakota that
21 have been declared excess by the Department of Defense
22 and requested for transfer by the Department of the Inte-
23 rior.

24 SEC. 404. PETROGLYPH NATIONAL MONUMENT. (a)
25 SHORT TITLE.—This section may be cited as the

1 “Petroglyph National Monument Boundary Adjustment
2 Act”.

3 (b) FINDINGS.—Congress finds that—

4 (1) the purposes for which Petroglyph National
5 Monument (referred to in this section as “the monu-
6 ment”) was established continue to be valid;

7 (2) it is of mutual benefit to the trustee institu-
8 tions of the New Mexico State Trust lands and the
9 National Park Service for land exchange negotia-
10 tions to be completed with all due diligence, result-
11 ing in the transfer of all State Trust lands within
12 the boundaries of the monument to the United
13 States in accordance with State and Federal law;

14 (3) because the city of Albuquerque, New Mex-
15 ico, has acquired substantial acreage within the
16 monument boundaries, purchased with State and
17 municipal funds, the consolidation of land ownership
18 and jurisdiction under the National Park Service will
19 require the consent of the city of Albuquerque, and
20 options for National Park Service acquisition that
21 are not currently available;

22 (4) corridors for the development of Paseo del
23 Norte and Unser Boulevard are depicted on the map
24 referred to in section 102(a) of the Petroglyph Na-
25 tional Monument Establishment Act of 1990 (Public

1 Law 101–313; 16 U.S.C. 431 note), and the align-
2 ment of the roadways was anticipated by Congress
3 before the date of enactment of the Act;

4 (5) it was the expectation of the principal pro-
5 ponents of the monument, including the cities of Al-
6 buquerque and Rio Rancho, New Mexico, and the
7 National Park Service, that passage of the
8 Petroglyph National Monument Establishment Act
9 of 1990 (Public Law 101–313; 16 U.S.C. 431 note)
10 would allow the city of Albuquerque—

11 (A) to utilize the Paseo del Norte and
12 Unser Boulevard corridors through the monu-
13 ment; and

14 (B) to design and construct infrastructure
15 within the corridors with the cultural and natu-
16 ral resources of the monument in mind;

17 (6) the city of Albuquerque has not provided for
18 the establishment of rights-of-way for the Paseo del
19 Norte and Unser Boulevard corridors under the
20 Joint Powers Agreement (PANO 78–521.81–277A),
21 which expanded the boundary of the monument to
22 include the Piedras Marcadas and Boca Negra units,
23 pursuant to section 104 of the Petroglyph National
24 Monument Establishment Act of 1990 (Public Law
25 101–313; 16 U.S.C. 431 note);

1 (7) adequate planning and cooperation between
2 the city of Albuquerque and the National Park Serv-
3 ice is essential to avoid resource degradation within
4 the monument resulting from storm water runoff,
5 and drainage conveyances through the monument
6 should be designed and located to provide sufficient
7 capacity for effective runoff management; and

8 (8) the monument will best be managed for the
9 benefit and enjoyment of present and future genera-
10 tions with cooperation between the city of Albuquer-
11 que, the State of New Mexico, and the National
12 Park Service.

13 (c) STORM WATER DRAINAGE AND TECHNICAL AS-
14 SISTANCE.—

15 (1) STORM WATER DRAINAGE.—Not later than
16 180 days after the date of enactment of this Act, the
17 Secretary of the Interior, acting through the Direc-
18 tor of the National Park Service (referred to in this
19 section as the “Secretary”), and the city of Albu-
20 querque, New Mexico, shall enter into negotiations
21 to provide for the management of storm water run-
22 off and drainage within the monument, including the
23 design and construction of any storm water cor-
24 ridors, conveyances, and easements within the monu-
25 ment boundaries.

1 (2) DESIGN SPECIFICATIONS.—

2 (A) IN GENERAL.—At least 120 days be-
3 fore the initiation of any construction within
4 the corridor described in Exhibit B of the docu-
5 ment referred to in subparagraph (C), the city
6 of Albuquerque, New Mexico, shall provide to
7 the Secretary design specifications for the con-
8 struction project.

9 (B) TECHNICAL ASSISTANCE.—Prior to or
10 on receipt of the specifications, the Secretary
11 may provide the city with technical assistance
12 in the design of any construction project within
13 such corridor. Technical assistance provided by
14 the Secretary shall be solely to advise the city
15 on design.

16 (C) DOCUMENT.—The document described
17 in this section is the document entitled
18 “Petroglyph National Monument Roadway/Util-
19 ity Corridors”, on file with the Secretary of the
20 Interior and the mayor of the city of Albuquer-
21 que, New Mexico.

22 (d) ACQUISITION AUTHORITY; BOUNDARY ADJUST-
23 MENT; ADMINISTRATION AND MANAGEMENT OF THE
24 MONUMENT.—

1 (1) ACQUISITION AUTHORITY.—Section 103(a)
2 of the Petroglyph National Monument Establish-
3 ment Act of 1990 (Public Law 101–313, 16 U.S.C.
4 431 note) is amended—

5 (A) by striking “(a) The Secretary” and
6 inserting the following:

7 “(a) AUTHORITY.—

8 “(1) IN GENERAL.—Subject to paragraph (2),
9 the Secretary”;

10 (B) by striking “, except that lands or in-
11 terests therein owned by the State or a political
12 subdivision thereof may be acquired only by do-
13 nation or exchange”; and

14 (C) by adding at the end the following:

15 “(2) LAND OWNED BY THE STATE OR A POLITI-
16 CAL SUBDIVISION.—No land or interest in land
17 owned by the State or a political subdivision of the
18 State may be acquired by purchase before—

19 “(A) the State or political subdivision hold-
20 ing title to the land or interest in land identifies
21 the land or interest in land for disposal; and

22 “(B)(i) all private land within the monu-
23 ment boundary for which there is a willing sell-
24 er is acquired; or

1 “(ii) 2 years have elapsed after the
2 date on which the Secretary has made a
3 final offer (for which funds are available)
4 to acquire all remaining private land at
5 fair market value.”.

6 (2) BOUNDARY ADJUSTMENT.—Section 104(a)
7 of the Petroglyph National Monument Establish-
8 ment Act of 1990 (Public Law 101–313; 16 U.S.C.
9 431 note) is amended—

10 (A) by redesignating paragraphs (1) and
11 (2) as subparagraphs (A) and (B), respectively,
12 and indenting appropriately;

13 (B) by striking ‘(a) Upon’ and inserting
14 the following:

15 “(a) PIEDRAS MARCADAS UNIT.—

16 “(1) IN GENERAL.—Upon”; and

17 (C) by adding at the end the following:

18 “(2) BOUNDARY ADJUSTMENT.—

19 “(A) EXCLUSION OF PASEO DEL NORTE
20 CORRIDOR.—Notwithstanding paragraph (1),
21 effective as of the date of enactment of this
22 subparagraph—

23 “(i) the boundary of the monument is
24 adjusted to exclude the Paseo Del Norte
25 corridor in the Piedras Marcadas Unit de-

1 scribed in Exhibit B of the document de-
2 scribed in subparagraph (B); and

3 “(ii) the inclusion of the Paseo Del
4 Norte corridor within the boundary of the
5 monument before the date of enactment of
6 this paragraph shall have no effect on any
7 future ownership, use, or management of
8 the corridor.

9 “(B) DOCUMENT.—The document de-
10 scribed in this subparagraph is the document
11 entitled ‘Petroglyph National Monument Road-
12 way/Utility Corridors’, on file with the Sec-
13 retary of the Interior and the mayor of the city
14 of Albuquerque, New Mexico.”

15 (e) ADMINISTRATION AND MANAGEMENT OF THE
16 MONUMENT.—Section 105 of the Petroglyph National
17 Monument Establishment Act of 1990 (Public Law 101–
18 313, 16 U.S.C. 431 note) is amended by adding at the
19 end the following:

20 “(f) BOCA NEGRA AND PIEDRAS MARCADAS
21 UNITS.—If the binding agreement providing for the ex-
22 pansion of the monument pursuant to section 104 is
23 amended, in accordance with the terms of the agreement,
24 to transfer to the National Park Service responsibility for
25 operation, maintenance, and repair of any or all property

1 within the Boca Negra or Piedras Marcadas unit of the
2 monument, the Secretary may employ, at a comparable
3 grade and salary within the National Park Service, any
4 willing employees of the city assigned to the unit.”.

5 (f) DOUBLE EAGLE II AIRPORT ACCESS ROAD.—The
6 Administrator of the Federal Aviation Administration
7 shall allow the use of the access road to the Double Eagle
8 II Airport in existence on the date of enactment of this
9 Act for visitor access to the monument.

10 SEC. 405. TRANSPORTATION SYSTEM MORATO-
11 RIUM.—(a)(1) The Chief of the Forest Service, Depart-
12 ment of Agriculture, in his sole discretion, may authorize
13 and execute any projects, including timber sales, that were
14 previously scheduled for initiation or completion in fiscal
15 year 1998 or fiscal year 1999, or that may be scheduled
16 hereafter, notwithstanding any moratorium on construc-
17 tion of roads in roadless areas within the National Forest
18 System adopted as policy or by regulation that would oth-
19 erwise be applicable to such projects.

20 (2) Any projects authorized pursuant to subsection
21 (a)(1) shall—

22 (A) comply with all applicable laws and regula-
23 tions and be consistent with applicable land and re-
24 source management plans, except any regulations or

1 plan amendments which establish or implement the
2 moratorium referred to in subsection (a)(1); and

3 (B) be subject to administrative appeals pursu-
4 ant to Part 215 of title 36 of the Code of Federal
5 Regulations and to judicial review.

6 (b)(1) For any previously scheduled projects that are
7 referred to in, but not authorized pursuant to, subsection
8 (a)(1), the Chief shall, to the maximum extent practicable,
9 prepare and authorize substitute projects to be offered or
10 initiated in fiscal year 1998 or fiscal year 1999.

11 (2)(A) The Chief shall pay as soon as practicable
12 after fiscal year 1998 and fiscal year 1999 to any State
13 in which previously scheduled projects that are referred
14 to in, but not authorized pursuant to, subsection (a)(1)
15 would have occurred 25 percentum of any receipts from
16 such projects that —

17 (i) were anticipated in fiscal year 1998 or fiscal
18 year 1999 in the absence of any moratorium re-
19 ferred to in subsection (a)(1); and

20 (ii) are not offset by revenues received in such
21 fiscal years from substitute projects authorized pur-
22 suant to subsection (b)(1).

23 (B) After reporting the amount of funds required to
24 make any payments required by subsection (b)(2)(A), and
25 the source from which such funds are to be derived, to

1 the Committees on Appropriations of the House of Rep-
2 resentatives and the Senate, the Chief shall make any pay-
3 ments required by subsection (b)(2)(A) from—

4 (i) the \$2,000,000 appropriated for the pur-
5 poses of this section in Chapter 4 of this Act; or

6 (ii) in the event that the amount referred to in
7 subsection (b)(2)(B)(i) is not sufficient to cover the
8 payments required under subsection (b)(2), from any
9 funds appropriated to the Forest Service in fiscal
10 year 1998 or fiscal year 1999, as the case may be,
11 that are not specifically earmarked for another pur-
12 pose by the applicable appropriation act or a com-
13 mittee or conference report thereon.

14 (C) Any State which receives payments required by
15 subsection (b)(2)(A) shall expend such funds only in the
16 manner, and for the purposes, prescribed in section 500
17 of title 16 of the United States Code.

18 (c)(1) During the term of the moratorium referred
19 to in subsection (a)(1), the Chief shall prepare, and submit
20 to the Committees on Appropriations of the House of Rep-
21 resentatives and the Senate a report on, each of the follow-
22 ing:

23 (A) a study of whether standards and guide-
24 lines in existing land and resource management
25 plans compel or encourage entry into roadless areas

1 within the National Forest System for the purpose
2 of constructing roads or undertaking any other
3 ground-disturbing activities;

4 (B) an inventory of all roads within the Na-
5 tional Forest System and the uses which they serve,
6 in a format that will inform and facilitate the devel-
7 opment of a long-term Forest Service transportation
8 policy; and

9 (C) a comprehensive and detailed analysis of
10 the economic and social effects of the moratorium
11 referred to in subsection (a)(1) on county, State,
12 and regional levels.

13 (2) The Chief shall fund the study, inventory and
14 analysis required by subsection (c)(1) in fiscal year 1998
15 from funds appropriated for Forest Research in such fis-
16 cal year that are not specifically earmarked for another
17 purpose in the applicable appropriation act or a committee
18 or conference report thereon.

1 gency requirement pursuant to section 251(b)(2)(A) of
2 such Act.

3 FAMILY HOUSING, NAVY AND MARINE CORPS

4 For an additional amount for “Family Housing,
5 Navy and Marine Corps”, \$18,100,000: *Provided*, That
6 the entire amount shall be available only to the extent that
7 an official budget request for \$18,100,000, that includes
8 designation of the entire amount of the request as an
9 emergency requirement as defined in the Balanced Budget
10 and Emergency Deficit Control Act of 1985, as amended,
11 is transmitted by the President to the Congress: *Provided*
12 *further*, That such amount is designated by the Congress
13 as an emergency requirement pursuant to section
14 251(b)(2)(A) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985, as amended.

16 FAMILY HOUSING, AIR FORCE

17 For an additional amount for “Family Housing, Air
18 Force”, \$2,400,000: *Provided*, That the entire amount
19 shall be available only to the extent that an official budget
20 request for \$2,400,000, that includes designation of the
21 entire amount of the request as an emergency requirement
22 as defined in the Balanced Budget and Emergency Deficit
23 Control Act of 1985, as amended, is transmitted by the
24 President to the Congress: *Provided further*, That such
25 amount is designated by the Congress as an emergency

1 FEDERAL HIGHWAY ADMINISTRATION
2 FEDERAL-AID HIGHWAYS
3 EMERGENCY RELIEF PROGRAM
4 (HIGHWAY TRUST FUND)

5 For an additional amount for the Emergency Relief
6 Program for emergency expenses resulting from flooding
7 and other natural disasters, as authorized by 23 U.S.C.
8 125, \$259,000,000, to be derived from the Highway Trust
9 Fund and to remain available until expended: *Provided*,
10 That the entire amount shall be available only to the ex-
11 tent an official budget request for \$259,000,000, that in-
12 cludes designation of the entire amount as an emergency
13 requirement as defined in the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985, as amended is trans-
15 mitted by the President to the Congress: *Provided further*,
16 That the entire amount is designated by the Congress as
17 an emergency requirement pursuant to section
18 251(b)(2)(A) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985, as amended: *Provided further*,
20 That any obligations for the Emergency Relief Program
21 shall not be subject to the prohibition against obligations
22 in section 2(e)(3) (A) and (D) of the Surface Transpor-
23 tation Extension Act of 1997: *Provided further*, That no
24 announcement of any allocation of funds provided under
25 this section shall be made prior to 15 days after the notifi-
26 cation of the House and Senate Committees on Appropria-

1 tions, the House and Senate Transportation Appropria-
2 tions Subcommittees, the Senate Environment and Public
3 Works Committee, and the House Transportation and In-
4 frastructure Committee: *Provided further*, That if suffi-
5 cient carryover balances for the necessary expenses for ad-
6 ministration, operation (including motor carrier safety
7 program operations), and research of the Federal High-
8 way Administration are not available, and pending the re-
9 authorization of the Federal-aid highway program, the
10 Secretary of Transportation may borrow such sums as
11 may be necessary for such expenses from the unobligated
12 balances of discretionary allocations for the Federal-aid
13 highway program made available by this Act.

14 RELATED AGENCY

15 NATIONAL TRANSPORTATION SAFETY BOARD

16 SALARIES AND EXPENSES

17 For an additional amount for “Salaries and Ex-
18 penses” for necessary expenses resulting from the crash
19 of TWA Flight 800, \$5,400,000: *Provided*, That the entire
20 amount is available only for costs associated with rental
21 of the Calverton facility, of which not to exceed \$500,000
22 is for security expenses: *Provided further*, That no funds
23 or unobligated balances are available to provide for or per-
24 mit flight operations at the Calverton airstrip.

1 CHAPTER 9
2 SUBCOMMITTEE ON TREASURY AND GENERAL
3 GOVERNMENT
4 DEPARTMENT OF THE TREASURY
5 AUTOMATION ENHANCEMENT
6 YEAR 2000 CENTURY DATE CHANGE CONVERSION

7 For necessary expenses of the Department of the
8 Treasury for Year 2000 century date change conversion
9 requirements, \$39,410,000, to remain available until Sep-
10 tember 30, 2000.

11 FINANCIAL MANAGEMENT SERVICE
12 SALARIES AND EXPENSES

13 For an additional amount for “Salaries and Ex-
14 penses”, for Year 2000 century date change conversion
15 requirements, \$5,300,000, to remain available until Sep-
16 tember 30, 2000.

17 CHAPTER 10
18 SUBCOMMITTEE ON VA, HUD, AND
19 INDEPENDENT AGENCIES
20 DEPARTMENT OF VETERANS AFFAIRS
21 VETERANS BENEFITS ADMINISTRATION
22 COMPENSATION AND PENSIONS

23 For an additional amount for “Compensation and
24 pensions”, \$550,000,000, to remain available until ex-
25 pended.

1 CHAPTER 11
2 OFFSETS AND RESCISSIONS
3 DEPARTMENT OF AGRICULTURE
4 FOOD SAFETY AND INSPECTION SERVICE
5 (RESCISSION)
6 Of the funds made available under this heading in
7 Public Law 105–86, \$502,000 are rescinded.
8 FARM SERVICE AGENCY
9 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM
10 ACCOUNT
11 (RESCISSION)
12 Of the funds made available for the cost of the unsub-
13 sidized guaranteed operating loans under this heading in
14 Public Law 105–86, \$6,736,197 are rescinded.
15 RURAL HOUSING SERVICE
16 SALARIES AND EXPENSES
17 (RESCISSION)
18 Of the funds made available under this heading in
19 Public Law 105–86, \$846,000 are rescinded.
20 DEPARTMENT OF THE INTERIOR
21 BUREAU OF LAND MANAGEMENT
22 MANAGEMENT OF LANDS AND RESOURCES
23 (RESCISSION)
24 Of the funds made available under this heading in
25 Public Law 104–208, \$1,188,000 are rescinded.

1 BUREAU OF INDIAN AFFAIRS
2 CONSTRUCTION
3 (RESCISSION)

4 Of the funds made available under this heading in
5 Public Law 104–208, \$837,000 are rescinded.

6 DEPARTMENT OF TRANSPORTATION
7 OFFICE OF THE SECRETARY
8 PAYMENTS TO AIR CARRIERS
9 (RESCISSION)

10 Of the funds made available under this heading in
11 Public Law 101–516 and subsequently obligated,
12 \$2,499,000 shall be deobligated and are hereby rescinded.

13 PAYMENTS TO AIR CARRIERS
14 (AIRPORT AND AIRWAY TRUST FUND)
15 (RESCISSION)

16 Of the budgetary resources provided for “Small Com-
17 munity Air Service” by Public Law 101–508 for fiscal
18 years prior to fiscal year 1998, \$3,000,000 are rescinded.

19 FEDERAL AVIATION ADMINISTRATION
20 GRANTS-IN-AID FOR AIRPORTS
21 (AIRPORT AND AIRWAY TRUST FUND)
22 (RESCISSION OF CONTRACT AUTHORIZATION)

23 Of the unobligated balances authorized under 49
24 U.S.C. 48103 as amended, \$185,893,000 are rescinded.

1 FEDERAL RAILROAD ADMINISTRATION
2 CONRAIL LABOR PROTECTION
3 (RESCISSION)

4 Of the budgetary resources provided by direct appro-
5 priation and by transfer for “Conrail Labor Protection”,
6 unobligated balances of \$508,234 are rescinded.

7 DEPARTMENT OF THE TREASURY
8 UNITED STATES CUSTOMS SERVICE
9 SALARIES AND EXPENSES
10 (RESCISSION)

11 Of the funds made available under this heading in
12 Public Law 104–208, \$5,300,000, and in Public Law
13 104–208, as amended by Public Law 105–18, \$6,000,000
14 are rescinded.

15 INTERNAL REVENUE SERVICE
16 INFORMATION TECHNOLOGY INVESTMENTS
17 (RESCISSION)

18 Of the funds made available under this heading in
19 Public Law 105–61, \$33,410,000 are rescinded.

20 GENERAL PROVISION, CHAPTER 11

21 SEC. 1101. Not to exceed \$67,400,000 may be obli-
22 gated in fiscal year 1998 for contracts with Utilization and
23 Quality Control Peer Review Organizations pursuant to
24 part B of title XI of the Social Security Act.

1 TITLE II—GENERAL PROVISIONS—THIS ACT

2 SEC. 2001. No part of any appropriation contained
3 in this Act shall remain available for obligation beyond
4 the current fiscal year unless expressly so provided herein.

5 SEC. 2002. None of the funds appropriated or other-
6 wise made available in this or any other Act may be obli-
7 gated or expended by the Patent and Trademark Office
8 to plan for the design, construction or lease of new facili-
9 ties until 30 days after the submission of a report, to be
10 delivered not later than May 1, 1998, to the Committees
11 on Appropriations analyzing the cost versus the benefit of
12 relocating to a new facility, and the cost associated with
13 leasing versus lease-purchase, federal construction, or
14 other alternatives for new space, and shall only be made
15 available in accordance with section 605 of Public Law
16 105–119.

17 SEC. 2003. Funds appropriated pursuant to Public
18 Law 105–78 to carry out Title XX of the Public Health
19 Service Act are available for use for prevention service
20 demonstration grants without application of the limitation
21 of section 2010(c) of that Title.

22 SEC. 2004. PROVISIONS RELATING TO UNIVERSAL
23 SERVICE SUPPORT FOR PUBLIC INSTITUTIONAL TELE-
24 COMMUNICATIONS USERS. (a) NO INFERENCE REGARD-
25 ING EXISTING UNIVERSAL SERVICE ADMINISTRATIVE

1 MECHANISM.—Nothing in this section may be considered
2 as expressing the approval of the Congress of the action
3 of the Federal Communications Commission in establish-
4 ing, or causing to be established, one or more corporations
5 to administer the schools and libraries program and the
6 rural health care provider program under section 254(h)
7 of the Communications Act of 1934 (47 U.S.C. 254(h)),
8 or the approval of any provision of such programs.

9 (b) FCC TO REPORT TO THE CONGRESS.—

10 (1) REPORT DUE DATE.—Pursuant to the find-
11 ings of the General Accounting Office (B–278820)
12 dated February 10, 1998, the Federal Communica-
13 tions Commission shall, by May 8, 1998, submit a
14 2-part report to the Congress under this section.

15 (2) REVISED STRUCTURE.—The report shall
16 propose a revised structure for the administration of
17 the programs established under section 254(h) of the
18 Communications Act of 1934 (47 U.S.C. 254(h)).
19 The revised structure shall consist of a single entity.

20 (A) LIMITATION ON ADMINISTRATION OF
21 PROGRAMS.—The entity proposed by the Com-
22 mission to administer the programs—

23 (i) is limited exclusively to the min-
24 isterial acts of processing the applications
25 necessary to determine eligibility for dis-

1 counts under section 254(h) of the Com-
2 munications Act of 1934 (47 U.S.C.
3 254(h)) as determined by the Commission;

4 (ii) may not administer the programs
5 in any manner that requires that entity to
6 interpret the intent of the Congress in es-
7 tablishing the programs or interpret any
8 rule promulgated by the Commission in
9 carrying out the programs.

10 (B) APA REQUIREMENTS WAIVED.—In
11 preparing the report required by this section,
12 the Commission shall find that good cause ex-
13 ists to waive the requirements of section 553 of
14 title 5, United States Code, to the extent nec-
15 essary to enable the Commission to submit the
16 report to the Congress by May 8, 1998.

17 (3) REPORT ON FUNDING OF SCHOOLS AND LI-
18 BRARIES PROGRAM AND RURAL HEALTH CARE PRO-
19 GRAM.—The report required by this section shall
20 also provide the following information about the con-
21 tributions to, and requests for funding from, the
22 schools and libraries subsidy program:

23 (A) An estimate of the expected reductions
24 in interstate access charges anticipated on July
25 1, 1998, including individual estimates of—

- 1 (i) the value of the current price cap
2 formula, excluding the “g” (growth) com-
3 ponent;
- 4 (ii) the value of the “g” (growth)
5 component;
- 6 (iii) the value of the exogenous cost
7 component;
- 8 (iv) the amount of available head-
9 room; and
- 10 (v) the amount of reductions for in-
11 cumbent local exchange carriers still sub-
12 ject to rate-of-return regulation.

13 (B) The 1997 interstate rate of return for
14 each incumbent local exchange carrier subject
15 to price cap regulation;

16 (C) Based on the information in subpara-
17 graphs (A) and (B), a complete explanation and
18 accounting for any headroom claimed to be
19 available to an incumbent local exchange carrier
20 whose actual rate of return is greater than
21 11.25 percent.

22 (D) An accounting of the total contribu-
23 tions to the universal service fund that are
24 available for use to support the schools and li-
25 braries program under section 254(h) of the

1 Communications Act of 1934 (47 U.S.C.
2 254(h)) for the second quarter of 1998.

3 (E) An accounting of the amount of the
4 contribution described in subparagraph (D)
5 that the Commission expects to receive from—

6 (i) incumbent local exchange carriers;

7 (ii) interexchange carriers;

8 (iii) information service providers;

9 (iv) commercial mobile radio service
10 providers; and

11 (v) any other provider.

12 (F) With regard to incumbent local ex-
13 change carriers—

14 (i) the amount of the contribution for
15 universal services under section 254 of the
16 Communications Act of 1934 (47 U.S.C.
17 254) that will be recovered from subscrib-
18 ers; and

19 (ii) the amount that will be passed on
20 to interexchange carriers in the form of in-
21 creased access charges, the access and end-
22 user rate elements in which any increase in
23 incumbent local exchange carrier contribu-
24 tions will be reflected, and an explanation
25 of why this method of cost recovery is con-

1 sistent with the goal of competitive neu-
2 trality set forth in section 254(d) of that
3 Act (47 U.S.C. 254(d)).

4 (G) Based on the applications for funding
5 under section 254(h) of the Communications
6 Act of 1934 (47 U.S.C. 254(h)) received as of
7 April 15, 1998, an estimate of the costs of pro-
8 viding universal service support to schools and
9 libraries under that section disaggregated by el-
10 igible services and facilities as set forth in the
11 eligibility list of the Schools and Libraries Cor-
12 poration, including—

13 (i) the amounts requested for costs
14 associated with telecommunications serv-
15 ices;

16 (ii) the amounts requested for costs
17 described in clause (i) plus the costs of in-
18 ternal connections under the program; and

19 (iii) the amounts requested for the
20 costs described in clause (ii), plus the cost
21 of internet access.

22 (H) A justification for the amount, if any,
23 by which the total requested disbursements
24 from the fund described in subparagraph (G)

1 exceeds the amount of available contributions
2 described in subparagraph (D).

3 (I) Based on the amount described in sub-
4 paragraph (G), an estimate of the amount of
5 contributions that will be required for the
6 schools and libraries program in the third and
7 fourth quarters of 1998, and, to the extent
8 these estimated contributions for the third and
9 fourth quarter exceed the current second-quar-
10 ter contribution, the Commission shall provide
11 an estimate of the amount of support that will
12 be needed for each of the eligible services and
13 facilities as set forth in the eligibility list of the
14 Schools and Libraries Corporation, and
15 disaggregated as specified in subparagraph (G).

16 (J) An explanation of why restricting the
17 basis of telecommunications carriers' contribu-
18 tions to universal service under 254(a)(3) of the
19 Communications Act of 1934 (47 U.S.C.
20 254(a)(3)) to interstate revenues, while requir-
21 ing that contributions to universal service under
22 section 254(h) of that Act (47 U.S.C. 254(h))
23 be based on both interstate as well as intrastate
24 revenues, is consistent with the provisions of
25 section 254(d) of that Act (47 U.S.C. 254(d)).

1 (K) An explanation as to whether access
2 charge reductions should be passed through on
3 a dollar-for-dollar basis to each customer class
4 on a proportionate basis.

5 (c) SCHOOLS AND LIBRARIES PROGRAM ASSISTANCE
6 CRITERIA.—In carrying out the schools and libraries pro-
7 gram under paragraphs (1)(B) and (2) of section 254(h)
8 of the Communications Act of 1934 (47 U.S.C. 254(h)),
9 the Commission shall prioritize assistance on the basis of
10 need. In determining need under this section, the Commis-
11 sion shall make funds available for distance delivery edu-
12 cation programs where advanced learning technologies are
13 not otherwise available at affordable rates.

14 (d) IMPOSITION OF CAP ON COMPENSATION OF INDI-
15 VIDUALS EMPLOYED TO CARRY OUT THE PROGRAMS.—
16 No officer or employee of the entity to be proposed to be
17 established under subsection (b)(2) of this section may be
18 compensated at an annual rate of pay, including any non-
19 regular, extraordinary, or unexpected payment based on
20 specific determinations of exceptionally meritorious service
21 or otherwise, bonuses, or any other compensation (either
22 monetary or in-kind), which exceeds the rate of basic pay
23 in effect from time to time for level I of the Executive
24 Schedule under section 5312 of title 5, United States
25 Code.

1 (e) SECOND-HALF 1998 CONTRIBUTIONS.—Before
2 June 1, 1998, the Federal Communications Commission
3 may not—

4 (1) adjust the contribution factors for tele-
5 communications carriers under section 254; or

6 (2) collect any such contribution due for the
7 third or fourth quarter of calendar year 1998.

8 This Act may be cited as the “1998 Emergency Sup-
9 plemental Appropriations Act for Recovery From Natural
10 Disasters, and for Overseas Peacekeeping Efforts”.

Calendar No. 326

105TH CONGRESS
2^D SESSION

S. 1768

[Report No. 105-168]

A BILL

Making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, for the fiscal year ending September 30, 1998, and for other purposes.

MARCH 17, 1998

Read twice and placed on the calendar