

In the Senate of the United States,

March 25, 1999.

Resolved, That the bill from the House of Representatives (H.R. 1141) entitled “An Act making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

- 1 *That the following sums are appropriated, out of any*
- 2 *money in the Treasury not otherwise appropriated, for the*
- 3 *fiscal year ending September 30, 1999, and for other pur-*
- 4 *poses, namely:*

1 *and the rural business enterprise grant program under sec-*
2 *tion 310B(c) of the Consolidated Farm and Rural Develop-*
3 *ment Act (7 U.S.C. 1932(c)), \$500,000: Provided, That the*
4 *entire amount shall be available only to the extent an offi-*
5 *cial budget request for \$700,000, that includes designation*
6 *of the entire amount of the request as an emergency require-*
7 *ment as defined in the Balanced Budget and Emergency*
8 *Deficit Control Act of 1985, as amended, is transmitted by*
9 *the President to Congress: Provided further, That the entire*
10 *amount is designated by the Congress as an emergency re-*
11 *quirement under section 251(b)(2)(A) of such Act.*

12 *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

13 *SUPPLY*

14 *(SECTION 32)*

15 *For an additional amount for the fund maintained for*
16 *funds made available under section 32 of the Act of August*
17 *24, 1935 (7 U.S.C. 612c), \$150,000,000: Provided, That the*
18 *entire amount shall be available only to the extent an offi-*
19 *cial budget request for \$150,000,000, that includes designa-*
20 *tion of the entire amount of the request as an emergency*
21 *requirement as defined in the Balanced Budget and Emer-*
22 *gency Deficit Control Act of 1985, as amended, is trans-*
23 *mitted by the President to Congress: Provided further, That*
24 *the entire amount is designated by the Congress as an emer-*
25 *gency requirement under section 251(b)(2)(A) of such Act.*

1 *FARM SERVICE AGENCY*2 *SALARIES AND EXPENSES*

3 *For an additional amount for “Salaries and Ex-*
4 *penses”, \$42,753,000, to remain available until expended:*
5 *Provided, That the entire amount is designated by the Con-*
6 *gress as an emergency requirement pursuant to section*
7 *251(b)(2)(A) of the Balanced Budget and Emergency Def-*
8 *icit Control Act of 1985, as amended.*

9 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*10 *ACCOUNT*

11 *For additional gross obligations for the principal*
12 *amount of direct and guaranteed loans as authorized by*
13 *7 U.S.C. 1928–1929, to be available from funds in the Agri-*
14 *cultural Credit Insurance Fund, as follows: farm ownership*
15 *loans, \$550,000,000, of which \$350,000,000 shall be for*
16 *guaranteed loans; operating loans, \$370,000,000, of which*
17 *\$185,000,000 shall be for subsidized guaranteed loans; and*
18 *for emergency insured loans, \$175,000,000 to meet the needs*
19 *resulting from natural disasters.*

20 *For the additional cost of direct and guaranteed loans,*
21 *including the cost of modifying loans as defined in section*
22 *502 of the Congressional Budget Act of 1974, to remain*
23 *available until expended, as follows: farm ownership loans,*
24 *\$35,505,000, of which \$5,565,000 shall be for guaranteed*
25 *loans; operating loans, \$28,804,000, of which \$16,169,000*
26 *shall be for subsidized guaranteed loans; and for emergency*

1 *insured loans, \$41,300,000 to meet the needs resulting from*
2 *natural disasters; and for additional administrative ex-*
3 *penses to carry out the direct and guaranteed loan pro-*
4 *grams, \$4,000,000: Provided, That the entire amounts are*
5 *designated by the Congress as emergency requirements pur-*
6 *suant to section 251(b)(2)(A) of the Balanced Budget and*
7 *Emergency Deficit Control Act of 1985, as amended.*

8 *EMERGENCY CONSERVATION PROGRAM*

9 *For an additional amount for the “Emergency Con-*
10 *servation Program” for expenses resulting from natural dis-*
11 *asters, \$30,000,000, to remain available until expended:*
12 *Provided, That the entire amount shall be available only*
13 *to the extent that an official budget request for \$30,000,000,*
14 *that 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 sec-*
20 *tion 251(b)(2)(A) of such Act.*

21 *COMMODITY CREDIT CORPORATION FUND*

22 *LIVESTOCK INDEMNITY PROGRAM*

23 *An amount of \$3,000,000 is provided to implement a*
24 *livestock indemnity program as established in Public Law*
25 *105–18: Provided, That the entire amount shall be available*
26 *only to the extent an official budget request for \$3,000,000,*

1 *that 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 the Congress:*
5 *Provided further, That the entire amount is designated by*
6 *the Congress as an emergency requirement pursuant to sec-*
7 *tion 251(b)(2)(A) of such Act.*

8 *NATURAL RESOURCES CONSERVATION SERVICE*

9 *WATERSHED AND FLOOD PREVENTION OPERATIONS*

10 *For an additional amount for “Watershed and Flood*
11 *Prevention Operations” to repair damages to the waterways*
12 *and watersheds, including debris removal that would not*
13 *be authorized under the Emergency Watershed Program, re-*
14 *sulting from natural disasters, \$100,000,000, to remain*
15 *available until expended: Provided, That the entire amount*
16 *shall be available only to the extent that an official budget*
17 *request for \$100,000,000, that includes designation of the*
18 *entire amount of the request as an emergency requirement*
19 *as defined in the Balanced Budget and Emergency Deficit*
20 *Control Act of 1985, as amended, is transmitted by the*
21 *President to the Congress: Provided further, That the entire*
22 *amount is designated by the Congress as an emergency re-*
23 *quirement pursuant to section 251(b)(2)(A) of such Act.*

24 *RURAL COMMUNITY ADVANCEMENT PROGRAM*

25 *For an additional amount for the costs of direct loans*
26 *and grants of the rural utilities programs described in sec-*

1 *tion 381E(d)(2) of the Consolidated Farm and Rural Devel-*
2 *opment Act (7 U.S.C. 2009f), as provided in 7 U.S.C.*
3 *1926(a) and 7 U.S.C. 1926C for distribution through the*
4 *national reserve, \$30,000,000, of which \$25,000,000 shall*
5 *be for grants under such program: Provided, That the entire*
6 *amount shall be available only to the extent an official*
7 *budget request for \$30,000,000, that includes designation of*
8 *the entire amount of the request as an emergency require-*
9 *ment as defined in the Balanced Budget and Emergency*
10 *Deficit Control Act of 1985, as amended, is transmitted by*
11 *the President to the Congress: Provided further, That the*
12 *entire amount is designated by the Congress as an emer-*
13 *gency requirement pursuant to section 251(b)(2)(A) of such*
14 *Act.*

15 *RURAL HOUSING SERVICE*

16 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

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

24 *For the additional cost of direct and guaranteed loans,*
25 *including the cost of modifying loans, as defined in section*

1 502 of the Congressional Budget Act of 1974, to remain
2 available until expended, \$1,534,000, as follows: section 502
3 loans, \$1,182,000; and section 504 housing repair loans,
4 \$352,000: *Provided, That the entire amount shall be avail-*
5 *able only to the extent that an official budget request for*
6 *\$1,534,000, that includes designation of the entire amount*
7 *of the request as an emergency requirement as defined in*
8 *the Balanced Budget and Emergency Deficit Control Act*
9 *of 1985, as amended, is transmitted by the President to the*
10 *Congress: Provided further, That the entire amount is des-*
11 *ignated by the Congress as an emergency requirement pur-*
12 *suant to section 251(b)(2)(A) of such Act.*

13 *RURAL HOUSING ASSISTANCE GRANTS*

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

1 *GENERAL PROVISIONS, THIS CHAPTER*

2 *SEC. 1101. The Secretary of Agriculture may waive*
3 *the limitation established under the second sentence of the*
4 *second paragraph of section 32 of the Act of August 24, 1935*
5 *(7 U.S.C. 612c), on the amount of funds that may be de-*
6 *voted during fiscal year 1999 to any 1 agricultural com-*
7 *modity or product thereof.*

8 *SEC. 1102. CROP LOSS ASSISTANCE. (a) IN GEN-*
9 *ERAL.—Section 1102 of the Agriculture, Rural Develop-*
10 *ment, Food and Drug Administration, and Related Agen-*
11 *cies Appropriations Act, 1999 (section 101(a) of division*
12 *A of Public Law 105–277), is amended—*

13 (1) *in subsection (a), by inserting “(not later*
14 *than June 15, 1999)” after “made available”; and*

15 (2) *in subsection (g)(1), by inserting “or private*
16 *crop insurance (including a rain and hail policy)”*
17 *before the period at the end.*

18 *(b) DESIGNATION AS EMERGENCY REQUIREMENT.—*
19 *Such sums as are necessary to carry out the amendments*
20 *made by subsection (a): Provided, That such amount shall*
21 *be available only to the extent an official budget request,*
22 *that includes designation of the entire amount of the request*
23 *as an emergency requirement for purposes of the Balanced*
24 *Budget and Emergency Deficit Control Act of 1985, is*
25 *transmitted by the President to the Congress: Provided fur-*

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

4 *SEC. 1103. Notwithstanding section 11 of the Com-*
5 *modity Credit Corporation Charter Act (15 U.S.C. 714i),*
6 *an additional \$28,000,000 shall be provided through the*
7 *Commodity Credit Corporation in fiscal year 1999 for tech-*
8 *nical assistance activities performed by any agency of the*
9 *Department of Agriculture in carrying out any conserva-*
10 *tion or environmental program funded by the Commodity*
11 *Credit Corporation: Provided, That the entire amount shall*
12 *be available only to the extent an official budget request*
13 *for \$28,000,000, that includes designation of the entire*
14 *amount of the request as an emergency requirement as de-*
15 *finied in the Balanced Budget and Emergency Deficit Con-*
16 *trol Act of 1985, as amended, is transmitted by the Presi-*
17 *dent to the Congress: Provided further, That the entire*
18 *amount is designated by the Congress as an emergency re-*
19 *quirement pursuant to section 251(b)(2)(A) of such Act.*

20 *SEC. 1104. Notwithstanding any other provision of*
21 *law, monies available under section 763 of the Agriculture,*
22 *Rural Development, Food and Drug Administration, and*
23 *Related Agencies Appropriations Act, 1999, shall be pro-*
24 *vided by the Secretary of the Agriculture directly to any*
25 *State determined by the Secretary of Agriculture to have*

1 *been materially affected by the commercial fishery failure*
2 *or failures declared by the Secretary of Commerce in Sep-*
3 *tember, 1998 under section 312(a) of the Magnuson-Stevens*
4 *Fishery Conservation and Management Act. Such State*
5 *shall disburse the funds to individuals with family incomes*
6 *below the Federal poverty level who have been adversely af-*
7 *ected by the commercial fishery failure or failures: Pro-*
8 *vided, That the entire amount shall be available only to*
9 *the extent an official budget request for such amount, that*
10 *includes designation of the entire amount of the request as*
11 *an emergency requirement as defined in the Balanced*
12 *Budget and Emergency Deficit Control Act of 1985, as*
13 *amended, is transmitted by the President to the Congress:*
14 *Provided further, That the entire amount is designated by*
15 *the Congress as an emergency requirement under section*
16 *251(b)(2)(A) of such Act.*

17 *SEC. 1105. (a) For an additional amount for the Live-*
18 *stock Assistance Program under Public Law 105–277,*
19 *\$70,000,000: Provided, That the entire amount shall be*
20 *available only to the extent an official budget request for*
21 *\$70,000,000, that includes designation of the entire amount*
22 *of the request as an emergency requirement as defined in*
23 *the Balanced Budget and Emergency Deficit Control Act*
24 *of 1985, as amended, is transmitted by the President to the*
25 *Congress: Provided further, That the entire amount is des-*

1 *ignated by the Congress as an emergency requirement pur-*
2 *suant to section 251(b)(2)(A) of such Act.*

3 *(b) An additional amount of \$250,000,000 is rescinded*
4 *as provided in section 3002 of this Act.*

5 *SEC. 1106. CROP INSURANCE OPTIONS FOR PRO-*
6 *DUCERS WHO APPLIED FOR CROP REVENUE COVERAGE*

7 *PLUS. (a) ELIGIBLE PRODUCERS.—This section applies*
8 *with respect to a producer eligible for insurance under the*
9 *Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) who*
10 *applied for the supplemental crop insurance endorsement*
11 *known as Crop Revenue Coverage PLUS (referred to in this*
12 *section as “CRCPLUS”) for the 1999 crop year for a spring*
13 *planted agricultural commodity.*

14 *(b) ADDITIONAL PERIOD FOR OBTAINING OR TRANS-*
15 *FERRING COVERAGE.—Notwithstanding the sales closing*
16 *date for obtaining crop insurance coverage established*
17 *under section 508(f)(2) of the Federal Crop Insurance Act*
18 *(7 U.S.C. 1508(f)(2)) and notwithstanding any other provi-*
19 *sion of law, the Federal Crop Insurance Corporation shall*
20 *provide a 14-day period beginning on the date of enactment*
21 *of this Act, but not to extend beyond April 12, 1999, during*
22 *which a producer described in subsection (a) may—*

23 *(1) with respect to a federally reinsured policy,*
24 *obtain from any approved insurance provider a level*
25 *of coverage for the agricultural commodity for which*

1 *tion 101(d) of the Omnibus Consolidated and Emergency*
2 *Supplemental Appropriations Act, 1999 (Public Law 105–*
3 *277)): Provided further, That such assistance may be made*
4 *available notwithstanding such provisions of law regulating*
5 *the making, performance, amendment, or modification of*
6 *contracts as the Administrator of the United States Agency*
7 *for International Development (USAID) may specify: Pro-*
8 *vided further, That at least five days prior to any use of*
9 *the authority in the preceding proviso the Administrator*
10 *of USAID shall report in writing to the Committees on Ap-*
11 *propriations of his intent to exercise such authority: Pro-*
12 *vided further, That up to \$6,000,000 of the funds appro-*
13 *priated by this paragraph may be transferred to “Oper-*
14 *ating Expenses of the Agency for International Develop-*
15 *ment”, to remain available until September 30, 2000, to*
16 *be used for administrative costs of USAID in addressing*
17 *the effects of those hurricanes, of which up to \$1,000,000*
18 *may be used to contract directly for the personal services*
19 *of individuals in the United States: Provided further, That*
20 *of the funds made available under this heading, not less*
21 *than \$2,000,000 should be made available to support the*
22 *clearance of landmines and other unexploded ordnance in*
23 *Nicaragua and Honduras: Provided further, That, of the*
24 *amount appropriated under this heading, up to*
25 *\$10,000,000 may be made available to establish and sup-*

1 port a scholarship fund for qualified low-to-middle income
2 students to attend Zamorano Agricultural University in
3 Honduras: Provided further, That up to \$1,500,000 of the
4 funds appropriated by this heading may be transferred to
5 “Operating Expenses of the Agency for International Devel-
6 opment, Office of Inspector General”, to remain available
7 until expended, to be used for costs of audits, inspections,
8 and other activities associated with the expenditure of funds
9 appropriated by this heading: Provided further, That
10 \$500,000 of the funds appropriated by this heading shall
11 be made available to the Comptroller General for purposes
12 of monitoring the provision of assistance using funds ap-
13 propriated by this heading: Provided further, That any
14 funds appropriated by this heading that are made available
15 for nonproject assistance shall be obligated and expended
16 subject to the regular notification procedures of the Commit-
17 tees on Appropriations and to the notification procedures
18 relating to the reprogramming of funds under section 634A
19 of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1):
20 Provided further, That funds appropriated under this head-
21 ing shall be obligated and expended subject to the regular
22 notification procedures of the Committees on Appropria-
23 tions: Provided further, That the entire amount shall be
24 available only to the extent that an official budget request
25 for \$611,000,000, that includes designation of the entire

1 amount of the request as an emergency requirement as de-
2 fined in the Balanced Budget and Emergency Deficit Con-
3 trol Act of 1985, as amended, is transmitted by the Presi-
4 dent to the Congress: Provided further, That the entire
5 amount is designated by the Congress as an emergency re-
6 quirement pursuant to section 251(b)(2)(A) of the Balanced
7 Budget and Emergency Deficit Control Act of 1985, as
8 amended: Provided further, That the Agency for Inter-
9 national Development should undertake efforts to promote
10 reforestation, with careful attention to the choice, place-
11 ment, and management of species of trees consistent with
12 watershed management objectives designed to minimize fu-
13 ture storm damage, and to promote energy conservation
14 through the use of renewable energy and energy-efficient
15 services and technologies: Provided further, That reforest-
16 ation and energy initiatives under this heading should be
17 integrated with other sustainable development efforts: Pro-
18 vided further, That of the funds made available under this
19 heading, up to \$10,000,000 may be used to build permanent
20 single family housing for those who are homeless as a result
21 of the effects of hurricanes in Central America and the Car-
22 ibbean.

23 *INTERNATIONAL DISASTER ASSISTANCE*

24 *Notwithstanding section 10 of Public Law 91-672, for*
25 *an additional amount for “International Disaster Assist-*
26 *ance” for necessary expenses for international disaster re-*

1 *lief, rehabilitation, and reconstruction assistance, pursuant*
2 *to section 491 of the Foreign Assistance Act of 1961, as*
3 *amended, \$35,000,000, to remain available until expended:*
4 *Provided, That the entire amount shall be available only*
5 *to the extent that an official budget request for \$35,000,000,*
6 *that includes designation of the entire amount of the request*
7 *as an emergency requirement as defined in the Balanced*
8 *Budget and Emergency Deficit Control Act of 1985, as*
9 *amended, is transmitted by the President to the Congress:*
10 *Provided further, That the entire amount is designated by*
11 *the Congress as an emergency requirement pursuant to sec-*
12 *tion 251(b)(2)(A) of the Balanced Budget and Emergency*
13 *Deficit Control Act of 1985, as amended.*

14 *OTHER BILATERAL ECONOMIC ASSISTANCE*

15 *ECONOMIC SUPPORT FUND*

16 *For necessary expenses to enable the President to carry*
17 *out chapter 4 of part II of the Foreign Assistance Act of*
18 *1961, as amended, in addition to amounts otherwise avail-*
19 *able for such purposes: to provide assistance to Jordan,*
20 *\$50,000,000, to remain available until September 30, 2001:*
21 *Provided, That the entire amount made available for fiscal*
22 *year 1999 herein is designated by the Congress as an emer-*
23 *gency requirement pursuant to section 251(b)(2)(A) of the*
24 *Balanced Budget and Emergency Deficit Control Act of*
25 *1985, as amended.*

1 *MILITARY ASSISTANCE*
2 *FUNDS APPROPRIATED TO THE PRESIDENT*
3 *FOREIGN MILITARY FINANCING PROGRAM*

4 *For necessary expenses for grants to enable the Presi-*
5 *dent to carry out section 23 of the Arms Export Control*
6 *Act, in addition to amounts otherwise available for such*
7 *purposes, \$50,000,000, to become available upon enactment*
8 *of this Act and to remain available until September 30,*
9 *2001, which shall be for grants only for Jordan: Provided,*
10 *That funds appropriated under this heading shall be non-*
11 *repayable, notwithstanding section 23(b) and section 23(c)*
12 *of the Arms Export Control Act: Provided further, That the*
13 *entire amount made available for fiscal year 1999 herein*
14 *is designated by the Congress as an emergency requirement*
15 *pursuant to section 251(b)(2)(A) of the Balanced Budget*
16 *and Emergency Deficit Control Act of 1985, as amended.*

17 *DEPARTMENT OF THE TREASURY*

18 *DEBT RESTRUCTURING*

19 *Notwithstanding section 10 of Public Law 91–672, for*
20 *an additional amount for “Debt Restructuring”,*
21 *\$41,000,000, to remain available until expended and subject*
22 *to the terms and conditions under the same heading in the*
23 *Foreign Operations, Export Financing, and Related Pro-*
24 *grams Appropriations Act, 1999, as included in Public*
25 *Law 105–277, section 101(d): Provided, That up to*

1 \$25,000,000 may be used for a contribution to the Central
2 America Emergency Trust Fund, administered by the
3 International Bank for Reconstruction and Development:
4 Provided further, That such funds shall be subject to the
5 regular notification procedures of the Committees on Appro-
6 priations: Provided further, That the entire amount is des-
7 ignated by the Congress as an emergency requirement pur-
8 suant to section 251(b)(2)(A) of the Balanced Budget and
9 Emergency Deficit Control Act of 1985, as amended.

10 *GENERAL PROVISION, THIS CHAPTER*

11 *SEC. 1201. The value of articles, services, and military*
12 *education and training authorized as of November 15, 1998,*
13 *to be drawn down by the President under the authority of*
14 *section 506(a)(2) of the Foreign Assistance Act of 1961, as*
15 *amended, shall not be counted against the ceiling limitation*
16 *of that section.*

17 *CHAPTER 3*

18 *DEPARTMENT OF THE INTERIOR*

19 *UNITED STATES FISH AND WILDLIFE SERVICE*

20 *CONSTRUCTION*

21 *For an additional amount for “Construction”,*
22 *\$12,612,000, to remain available until expended, to repair*
23 *damage due to rain, winds, ice, snow, and other acts of*
24 *nature, and to replace and repair power generation equip-*
25 *ment: Provided, That the entire amount is designated by*

1 *the Congress as an emergency requirement pursuant to sec-*
2 *tion 251(b)(2)(A) of the Balanced Budget and Emergency*
3 *Deficit Control Act of 1985, as amended: Provided further,*
4 *That the amount provided shall be available only to the ex-*
5 *tent that an official budget request that includes designation*
6 *of the entire amount as an emergency requirement pursuant*
7 *to section 251(b)(2)(A) of the Balanced Budget and Emer-*
8 *gency Deficit Control Act of 1985, as amended, is trans-*
9 *mitted by the President to the Congress.*

10 *OTHER RELATED AGENCY*

11 *UNITED STATES HOLOCAUST MEMORIAL COUNCIL*

12 *HOLOCAUST MEMORIAL COUNCIL*

13 *For an additional amount for “Holocaust Memorial*
14 *Council”, \$2,000,000, to remain available until expended,*
15 *for the Holocaust Museum to address security needs: Pro-*
16 *vided, That the entire amount is designated by the Congress*
17 *as an emergency requirement pursuant to section*
18 *251(b)(2)(A) of the Balanced Budget and Emergency Def-*
19 *icit Control Act of 1985, as amended: Provided further,*
20 *That the amount provided shall be available only to the ex-*
21 *tent that an official budget request that includes designation*
22 *of the entire amount as an emergency requirement pursuant*
23 *to section 251(b)(2)(A) of the Balanced Budget and Emer-*
24 *gency Deficit Control Act of 1985, as amended, is trans-*
25 *mitted by the President to the Congress.*

1 *dentially-declared disaster as identified by the Director as*
2 *those which have not or will not be addressed by other Fed-*
3 *eral disaster assistance programs and for which it is deemed*
4 *appropriate to supplement the efforts and available re-*
5 *sources of States, local governments and disaster relief orga-*
6 *nizations: Provided further, That the Director shall estab-*
7 *lish review groups within FEMA to review each request by*
8 *a State of its unmet needs and certify as to the actual costs*
9 *associated with the unmet needs as well as the commitment*
10 *and ability of each state to provide its match requirement:*
11 *Provided further, That the Director shall implement all*
12 *mitigation and buyout efforts in a manner consistent with*
13 *the requirements of section 404 of the Robert T. Stafford*
14 *Disaster Relief and Emergency Assistance Act: Provided*
15 *further, That the Director shall publish a notice in the Fed-*
16 *eral Register governing the allocation and use of the funds*
17 *under this heading, including provisions for ensuring the*
18 *compliance of the states with the requirements of this pro-*
19 *gram: Provided further, That 10 days prior to distribution*
20 *of funds, the Director shall submit a list to the House and*
21 *Senate Committees on Appropriations, setting forth the pro-*
22 *posed uses of funds and the most recent estimates of unmet*
23 *needs: Provided further, That the Director shall submit*
24 *quarterly reports to the Committees regarding the actual*
25 *projects and needs for which funds have been provided*

1 *under this heading: Provided further, That to the extent any*
 2 *funds under this heading are used in a manner inconsistent*
 3 *with the requirements of the program established under this*
 4 *heading and any rules issued pursuant thereto, the Director*
 5 *shall recapture an equivalent amount of funds from the*
 6 *State from any existing funds or future funds awarded to*
 7 *the State under this heading or any other program admin-*
 8 *istered by the Federal Emergency Management Agency:*
 9 *Provided further, That the entire amount shall be available*
 10 *only to the extent an official budget request, that includes*
 11 *designation of the entire amount of the request as an emer-*
 12 *gency requirement as defined by the Balanced Budget and*
 13 *Emergency Deficit Control Act of 1985, as amended, is*
 14 *transmitted by the President to the Congress: Provided fur-*
 15 *ther, That the entire amount is designated by the Congress*
 16 *as an emergency requirement pursuant to section*
 17 *251(b)(2)(A) of the Balanced Budget and Emergency Def-*
 18 *icit Control Act of 1985, as amended.*

19 *GENERAL PROVISION, THIS TITLE*

20 *SEC. 1401. EMERGENCY STEEL LOAN GUARANTEE*
 21 *PROGRAM. (a) SHORT TITLE.—This section may be cited*
 22 *as the “Emergency Steel Loan Guarantee Act of 1999”.*

23 *(b) CONGRESSIONAL FINDINGS.—Congress finds*
 24 *that—*

1 (1) *the United States steel industry has been se-*
2 *verely harmed by a record surge of more than*
3 *40,000,000 tons of steel imports into the United*
4 *States in 1998, caused by the world financial crisis;*

5 (2) *this surge in imports resulted in the loss of*
6 *more than 10,000 steel worker jobs in 1998, and was*
7 *the imminent cause of 3 bankruptcies by medium-*
8 *sized steel companies, Acme Steel, Laclede Steel, and*
9 *Geneva Steel;*

10 (3) *the crisis also forced almost all United States*
11 *steel companies into—*

12 (A) *reduced volume, lower prices, and fi-*
13 *nancial losses; and*

14 (B) *an inability to obtain credit for contin-*
15 *ued operations and reinvestment in facilities;*

16 (4) *the crisis also has affected the willingness of*
17 *private banks and investment institutions to make*
18 *loans to the U.S. steel industry for continued oper-*
19 *ation and reinvestment in facilities;*

20 (5) *these steel bankruptcies, job losses, and finan-*
21 *cial losses are also having serious negative effects on*
22 *the tax base of cities, counties, and States, and on the*
23 *essential health, education, and municipal services*
24 *that these government entities provide to their citi-*
25 *zens; and*

1 (6) *a strong steel industry is necessary to the*
2 *adequate defense preparedness of the United States in*
3 *order to have sufficient steel available to build the*
4 *ships, tanks, planes, and armaments necessary for the*
5 *national defense.*

6 (c) *DEFINITIONS.—For purposes of this section—*

7 (1) *the term “Board” means the Loan Guarantee*
8 *Board established under subsection (e);*

9 (2) *the term “Program” means the Emergency*
10 *Steel Guaranteed Loan Program established under*
11 *subsection (d); and*

12 (3) *the term “qualified steel company” means*
13 *any company that—*

14 (A) *is incorporated under the laws of any*
15 *State;*

16 (B) *is engaged in the production and man-*
17 *ufacture of a product defined by the American*
18 *Iron and Steel Institute as a basic steel mill*
19 *product, including ingots, slab and billets, plates,*
20 *flat-rolled steel, sections and structural products,*
21 *bars, rail type products, pipe and tube, and wire*
22 *rod; and*

23 (C) *has experienced layoffs, production*
24 *losses, or financial losses since the beginning of*
25 *the steel import crisis, after January 1, 1998.*

1 (d) *ESTABLISHMENT OF EMERGENCY STEEL GUARAN-*
2 *TEED LOAN PROGRAM.*—*There is established the Emergency*
3 *Steel Guaranteed Loan Program, to be administered by the*
4 *Board, the purpose of which is to provide loan guarantees*
5 *to qualified steel companies in accordance with this section.*

6 (e) *LOAN GUARANTEE BOARD MEMBERSHIP.*—*There*
7 *is established a Loan Guarantee Board, which shall be com-*
8 *posed of—*

9 (1) *the Secretary of Commerce, who shall serve*
10 *as Chairman of the Board;*

11 (2) *the Secretary of Labor; and*

12 (3) *the Secretary of the Treasury.*

13 (f) *LOAN GUARANTEE PROGRAM.*—

14 (1) *AUTHORITY.*—*The Program may guarantee*
15 *loans provided to qualified steel companies by private*
16 *banking and investment institutions in accordance*
17 *with the procedures, rules, and regulations established*
18 *by the Board.*

19 (2) *TOTAL GUARANTEE LIMIT.*—*The aggregate*
20 *amount of loans guaranteed and outstanding at any*
21 *one time under this section may not exceed*
22 *\$1,000,000,000.*

23 (3) *INDIVIDUAL GUARANTEE LIMIT.*—*The aggre-*
24 *gate amount of loans guaranteed under this section*

1 *with respect to a single qualified steel company may*
2 *not exceed \$250,000,000.*

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

6 (5) *TIMELINES.*—*The Board shall approve or*
7 *deny each application for a guarantee under this sec-*
8 *tion as soon as possible after receipt of such applica-*
9 *tion.*

10 (6) *ADDITIONAL COSTS.*—*For the additional cost*
11 *of the loans guaranteed under this subsection, includ-*
12 *ing the costs of modifying the loans as defined in sec-*
13 *tion 502 of the Congressional Budget Act of 1974 (2*
14 *U.S.C. 661a), there is appropriated \$140,000,000 to*
15 *remain available until expended.*

16 (g) *REQUIREMENTS FOR LOAN GUARANTEES.*—*A loan*
17 *guarantee may be issued under this section upon applica-*
18 *tion to the Board by a qualified steel company pursuant*
19 *to an agreement to provide a loan to that qualified steel*
20 *company by a private bank or investment company, if the*
21 *Board determines that—*

22 (1) *credit is not otherwise available to that com-*
23 *pany under reasonable terms or conditions sufficient*
24 *to meet its financing needs, as reflected in the finan-*
25 *cial and business plans of that company;*

1 (2) *the prospective earning power of that com-*
2 *pany, together with the character and value of the se-*
3 *curity pledged, furnish reasonable assurance of repay-*
4 *ment of the loan to be guaranteed in accordance with*
5 *its terms;*

6 (3) *the loan to be guaranteed bears interest at a*
7 *rate determined by the Board to be reasonable, taking*
8 *into account the current average yield on outstanding*
9 *obligations of the United States with remaining peri-*
10 *ods of maturity comparable to the maturity of such*
11 *loan; and*

12 (4) *the company has agreed to an audit by the*
13 *General Accounting Office, prior to the issuance of the*
14 *loan guarantee and annually while any such guaran-*
15 *teed loan is outstanding.*

16 (h) *TERMS AND CONDITIONS OF LOAN GUARAN-*
17 *TEES.—*

18 (1) *LOAN DURATION.—All loans guaranteed*
19 *under this section shall be payable in full not later*
20 *than December 31, 2005, and the terms and condi-*
21 *tions of each such loan shall provide that the loan*
22 *may not be amended, or any provision thereof*
23 *waived, without the consent of the Board.*

24 (2) *LOAN SECURITY.—Any commitment to issue*
25 *a loan guarantee under this section shall contain such*

1 *affirmative and negative covenants and other protec-*
2 *tive provisions that the Board determines are appro-*
3 *priate. The Board shall require security for the loans*
4 *to be guaranteed under this section at the time at*
5 *which the commitment is made.*

6 (3) *FEES.*—*A qualified steel company receiving*
7 *a guarantee under this section shall pay a fee in an*
8 *amount equal to 0.5 percent of the outstanding prin-*
9 *cipal balance of the guaranteed loan to the Depart-*
10 *ment of the Treasury.*

11 (i) *REPORTS TO CONGRESS.*—*The Secretary of Com-*
12 *merce shall submit to the Congress annually, a full report*
13 *of the activities of the Board under this section during fiscal*
14 *years 1999 and 2000, and annually thereafter, during such*
15 *period as any loan guaranteed under this section is out-*
16 *standing.*

17 (j) *SALARIES AND ADMINISTRATIVE EXPENSES.*—*For*
18 *necessary expenses to administer the Program, \$5,000,000*
19 *is appropriated to the Department of Commerce, to remain*
20 *available until expended, which may be transferred to the*
21 *Office of the Assistant Secretary for Trade Development of*
22 *the International Trade Administration.*

23 (k) *TERMINATION OF GUARANTEE AUTHORITY.*—*The*
24 *authority of the Board to make commitments to guarantee*

1 *any loan under this section shall terminate on December*
2 *31, 2001.*

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

7 *(m) EMERGENCY DESIGNATION.—The entire amount*
8 *made available to carry out this section—*

9 *(1) is designated by the Congress as an emer-*
10 *gency requirement pursuant to section 251(b)(2)(A) of*
11 *the Balanced Budget and Emergency Deficit Control*
12 *Act of 1985 (2 U.S.C. 901(b)(2)(A)); and*

13 *(2) shall be available only to the extent that an*
14 *official budget request that includes designation of the*
15 *entire amount of the request as an emergency require-*
16 *ment (as defined in the Balanced Budget and Emer-*
17 *gency Deficit Control Act of 1985) is transmitted by*
18 *the President to the Congress.*

19 *SEC. 1402. PETROLEUM DEVELOPMENT MANAGEMENT.*

20 *(a) SHORT TITLE.—This section may be cited as the*
21 *“Emergency Oil and Gas Guaranteed Loan Program Act”.*

22 *(b) FINDINGS.—Congress finds that—*

23 *(1) consumption of foreign oil in the United*
24 *States is estimated to equal 56 percent of all oil con-*

1 *sumed, and that percentage could reach 68 percent by*
2 *2010 if current prices prevail;*

3 *(2) the number of oil and gas rigs operating in*
4 *the United States is at its lowest since 1944, when*
5 *records of this tally began;*

6 *(3) if prices do not increase soon, the United*
7 *States could lose at least half its marginal wells,*
8 *which in aggregate produce as much oil as the United*
9 *States imports from Saudi Arabia;*

10 *(4) oil and gas prices are unlikely to increase for*
11 *at least several years;*

12 *(5) declining production, well abandonment, and*
13 *greatly reduced exploration and development are*
14 *shrinking the domestic oil and gas industry;*

15 *(6) the world's richest oil producing regions in*
16 *the Middle East are experiencing increasingly greater*
17 *political instability;*

18 *(7) United Nations policy may make Iraq the*
19 *swing oil producing nation, thereby granting Saddam*
20 *Hussein tremendous power;*

21 *(8) reliance on foreign oil for more than 60 per-*
22 *cent of our daily oil and gas consumption is a na-*
23 *tional security threat;*

1 (9) *the level of United States oil security is di-*
2 *rectly related to the level of domestic production of oil,*
3 *natural gas liquids, and natural gas; and*

4 (10) *a national security policy should be devel-*
5 *oped that ensures that adequate supplies of oil are*
6 *available at all times free of the threat of embargo or*
7 *other foreign hostile acts.*

8 (c) *DEFINITIONS.—In this section:*

9 (1) *BOARD.—The term “Board” means the Loan*
10 *Guarantee Board established by subsection (e).*

11 (2) *PROGRAM.—The term “Program” means the*
12 *Emergency Oil and Gas Guaranteed Loan Program*
13 *established by subsection (d).*

14 (3) *QUALIFIED OIL AND GAS COMPANY.—The*
15 *term “qualified oil and gas company” means a com-*
16 *pany that—*

17 (A) *is incorporated under the laws of any*
18 *State;*

19 (B) *is—*

20 (i) *an independent oil and gas com-*
21 *pany (within the meaning of section*
22 *57(a)(2)(B)(i) of the Internal Revenue Code*
23 *of 1986); or*

24 (ii) *a small business concern under sec-*
25 *tion 3 of the Small Business Act (15 U.S.C.*

1 632) that is an oil field service company
2 whose main business is providing tools,
3 products, personnel, and technical solutions
4 on a contractual basis to exploration and
5 production operators who drill, complete,
6 produce, transport, refine and sell hydro-
7 carbons and their byproducts as their main
8 commercial business; and

9 (C) has experienced layoffs, production
10 losses, or financial losses since the beginning of
11 the oil import crisis, after January 1, 1997.

12 (d) *EMERGENCY OIL AND GAS GUARANTEED LOAN*
13 *PROGRAM.*—

14 (1) *IN GENERAL.*—*There is established the Emer-*
15 *gency Oil and Gas Guaranteed Loan Program, the*
16 *purpose of which shall be to provide loan guarantees*
17 *to qualified oil and gas companies in accordance with*
18 *this section.*

19 (2) *LOAN GUARANTEE BOARD.*—*There is estab-*
20 *lished to administer the Program a Loan Guarantee*
21 *Board, to be composed of—*

22 (A) *the Secretary of Commerce, who shall*
23 *serve as Chairperson of the Board;*

24 (B) *the Secretary of Labor; and*

25 (C) *the Secretary of the Treasury.*

1 (e) *AUTHORITY.*—

2 (1) *IN GENERAL.*—*The Program may guarantee*
3 *loans provided to qualified oil and gas companies by*
4 *private banking and investment institutions in ac-*
5 *cordance with procedures, rules, and regulations es-*
6 *tablished by the Board.*

7 (2) *TOTAL GUARANTEE LIMIT.*—*The aggregate*
8 *amount of loans guaranteed and outstanding at any*
9 *one time under this section shall not exceed*
10 *\$500,000,000.*

11 (3) *INDIVIDUAL GUARANTEE LIMIT.*—*The aggre-*
12 *gate amount of loans guaranteed under this section*
13 *with respect to a single qualified oil and gas company*
14 *shall not exceed \$10,000,000.*

15 (4) *MINIMUM GUARANTEE AMOUNT.*—*No single*
16 *loan in an amount that is less than \$250,000 may be*
17 *guaranteed under this section.*

18 (5) *EXPEDITIOUS ACTION ON APPLICATIONS.*—
19 *The Board shall approve or deny an application for*
20 *a guarantee under this section as soon as practicable*
21 *after receipt of an application.*

22 (f) *REQUIREMENTS FOR LOAN GUARANTEES.*—*The*
23 *Board may issue a loan guarantee on application by a*
24 *qualified oil and gas company under an agreement by a*
25 *private bank or investment company to provide a loan to*

1 *the qualified oil and gas company, if the Board determines*
2 *that—*

3 *(1) credit is not otherwise available to the com-*
4 *pany under reasonable terms or conditions sufficient*
5 *to meet its financing needs, as reflected in the finan-*
6 *cial and business plans of the company;*

7 *(2) the prospective earning power of the com-*
8 *pany, together with the character and value of the se-*
9 *curity pledged, provide a reasonable assurance of re-*
10 *payment of the loan to be guaranteed in accordance*
11 *with its terms;*

12 *(3) the loan to be guaranteed bears interest at a*
13 *rate determined by the Board to be reasonable, taking*
14 *into account the current average yield on outstanding*
15 *obligations of the United States with remaining peri-*
16 *ods of maturity comparable to the maturity of the*
17 *loan; and*

18 *(4) the company has agreed to an audit by the*
19 *General Accounting Office before issuance of the loan*
20 *guarantee and annually while the guaranteed loan is*
21 *outstanding.*

22 *(g) TERMS AND CONDITIONS OF LOAN GUARANTEES.—*

23 *(1) LOAN DURATION.—All loans guaranteed*
24 *under this section shall be repayable in full not later*
25 *than December 31, 2010, and the terms and condi-*

1 *tions of each such loan shall provide that the loan*
2 *agreement may not be amended, or any provision of*
3 *the loan agreement waived, without the consent of the*
4 *Board.*

5 (2) *LOAN SECURITY.*—*A commitment to issue a*
6 *loan guarantee under this section shall contain such*
7 *affirmative and negative covenants and other protec-*
8 *tive provisions as the Board determines are appro-*
9 *priate. The Board shall require security for the loans*
10 *to be guaranteed under this section at the time at*
11 *which the commitment is made.*

12 (3) *FEES.*—*A qualified oil and gas company re-*
13 *ceiving a loan guarantee under this section shall pay*
14 *a fee in an amount equal to 0.5 percent of the out-*
15 *standing principal balance of the guaranteed loan to*
16 *the Department of the Treasury.*

17 (h) *REPORTS.*—*During fiscal year 1999 and each fis-*
18 *cal year thereafter until each guaranteed loan has been re-*
19 *paid in full, the Secretary of Commerce shall submit to the*
20 *Congress a report on the activities of the Board.*

21 (i) *SALARIES AND ADMINISTRATIVE EXPENSES.*—*For*
22 *necessary expenses to administer the Program, \$2,500,000*
23 *is appropriated to the Department of Commerce, to remain*
24 *available until expended, which may be transferred to the*

1 *Office of the Assistant Secretary for Trade Development of*
2 *the International Trade Administration.*

3 (j) *TERMINATION OF GUARANTEE AUTHORITY.—The*
4 *authority of the Board to make commitments to guarantee*
5 *any loan under this section shall terminate on December*
6 *31, 2001.*

7 (k) *REGULATORY ACTION.—Not later than 60 days*
8 *after the date of enactment of this Act, the Board shall issue*
9 *such final procedures, rules, and regulations as are nec-*
10 *essary to carry out this section.*

11 (l) *EMERGENCY DESIGNATION.—The entire amount*
12 *made available to carry out this section—*

13 (1) *is designated by the Congress as an emer-*
14 *gency requirement pursuant to section 251(b)(2)(A) of*
15 *the Balanced Budget and Emergency Deficit Control*
16 *Act of 1985 (2 U.S.C. 901(b)(2)(A)); and*

17 (2) *shall be available only to the extent that the*
18 *President submits to the Congress a budget request*
19 *that includes designation of the entire amount of the*
20 *request as an emergency requirement.*

21 *SEC. 1403. DEDUCTION FOR OIL AND GAS PRODUC-*
22 *TION. (a) DEDUCTION.—Subject to the limitations in sub-*
23 *section (c), the Secretary of the Interior shall allow lessees*
24 *operating one or more qualifying wells on public land to*
25 *deduct from the amount of royalty otherwise payable to the*

1 *Secretary on production from a qualifying well, the amount*
2 *of expenditures made by such lessees after April 1, 1999*
3 *to—*

4 *(1) increase oil or gas production from existing*
5 *wells on public land;*

6 *(2) drill new oil or gas wells on existing leases*
7 *on public land; or*

8 *(3) explore for oil or gas on public land.*

9 *(b) DEFINITIONS.—For purposes of this section—*

10 *(1) the term “lessee” means any person to whom*
11 *the United States issues a lease for oil and gas explo-*
12 *ration, production, or development on public land, or*
13 *any person to whom operating rights in such lease*
14 *have been assigned;*

15 *(2) the term “public land” has the same mean-*
16 *ing given such term in section 103(e) of the Federal*
17 *Land Policy and Management Act of 1976 (43 U.S.C.*
18 *1702(e)); and*

19 *(3) the term “qualifying well” means any well*
20 *for the production of natural gas, crude oil, or both*
21 *that is on public land and—*

22 *(A) has production that is treated as mar-*
23 *ginal production under section 631A(e)(6) of the*
24 *Internal Revenue Code of 1986; or*

1 (B) has been classified as a qualifying well
2 by the Secretary of the Interior for purposes of
3 maximizing the benefits of this section.

4 (c) *SUNSET*.—The Secretary of the Interior shall not
5 allow a deduction under this section after—

6 (1) September 30, 2000;

7 (2) the thirtieth consecutive day on which the
8 price for West Texas Intermediate crude oil on the
9 New York Mercantile Exchange closes above \$18 per
10 barrel; or

11 (3) lessees have deducted a total of \$123,000,000
12 under this section—

13 whichever occurs first.

14 (d) *ADMINISTRATIVE COSTS*.—For necessary expenses
15 of the Department of the Interior under this section,
16 \$2,000,000 is appropriated to the Secretary of the Interior,
17 to remain available until expended.

18 (e) *EMERGENCY DESIGNATION*.—The entire amount
19 made available to carry out this section—

20 (1) shall be available only to the extent an offi-
21 cial budget request for \$125,000,000, that includes
22 designation of the entire amount of the request as an
23 emergency requirement as defined in the Balanced
24 Budget and Emergency Deficit Control Act of 1985,

1 *as amended, is transmitted by the President to the*
2 *Congress; and*

3 *(2) is designated by the Congress as an emer-*
4 *gency requirement pursuant to section 251(b)(2)(A) of*
5 *such Act.*

6 *(f) ADDITIONAL AMOUNT.—An additional amount of*
7 *\$125,000,000 is rescinded as provided in section 3002 of*
8 *this Act.*

9 *TITLE II—SUPPLEMENTAL APPROPRIATIONS*

10 *CHAPTER 1*

11 *DEPARTMENT OF JUSTICE*

12 *IMMIGRATION AND NATURALIZATION SERVICE*

13 *SALARIES AND EXPENSES*

14 *ENFORCEMENT AND BORDER AFFAIRS*

15 *For an additional amount for “Salaries and Expenses,*
16 *Enforcement and Border Affairs” to support increased de-*
17 *tention requirements for criminal and illegal aliens,*
18 *\$80,000,000, which shall remain available until September*
19 *30, 2000.*

20 *DEPARTMENT OF COMMERCE*

21 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*

22 *OPERATIONS, RESEARCH, AND FACILITIES*

23 *For the necessary expenses of additional research,*
24 *management, and enforcement activities in the Northeast*
25 *Multispecies fishery, and for the acquisition of shoreline*
26 *data for nautical charts, \$3,880,000, to remain available*

1 *until expended: Provided, That from unobligated balances*
2 *in this account available under the heading “CLIMATE AND*
3 *GLOBAL CHANGE RESEARCH”, \$2,000,000 shall be made*
4 *available for regional applications programs at the Univer-*
5 *sity of Northern Iowa consistent with the direction in the*
6 *report to accompany Public Law 105–277.*

7 *DEPARTMENT OF STATE*

8 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

9 *ENFORCEMENT*

10 *For an additional amount for “International Nar-*
11 *cotics Control and Law Enforcement”, \$23,000,000, for*
12 *additional counterdrug research and development activi-*
13 *ties: Provided, That the entire amount is designated by the*
14 *Congress as an emergency requirement pursuant to section*
15 *251(b)(2)(A) of the Balanced Budget and Emergency Def-*
16 *icit Control Act of 1985: Provided further, That such*
17 *amount shall be available only to the extent an official*
18 *budget request that includes designation of the entire*
19 *amount of the request as an emergency requirement as de-*
20 *fin ed in such Act is transmitted by the President to the*
21 *Congress.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses,” \$921,000, to remain available until expended.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

RESERVE PERSONNEL, ARMY

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

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, \$7,300,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, \$1,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$50,000,000.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$16,000,000.

1 *OPERATION AND MAINTENANCE, AIR FORCE*

2 *For an additional amount for “Operation and Mainte-*
3 *nance, Air Force”, \$8,000,000.*

4 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For an additional amount for “Operation and Mainte-*
7 *nance, Defense-Wide”, \$21,000,000, of which \$20,000,000 is*
8 *available only for the CINC initiative fund.*

9 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

10 *For an additional amount for “Operation and Mainte-*
11 *nance, Army National Guard”, \$20,000,000.*

12 *OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

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

15 *NEW HORIZONS EXERCISE TRANSFER FUND*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For emergency expenses incurred by United States*
18 *military forces to participate in the New Horizons Exercise*
19 *programs to undertake relief, rehabilitation, and restora-*
20 *tion operations and training activities in response to disas-*
21 *ters within the United States Southern Command area of*
22 *responsibility; \$46,000,000, to remain available for transfer*
23 *until September 30, 1999: Provided, That the Secretary of*
24 *Defense may transfer these funds to operation and mainte-*
25 *nance accounts: Provided further, That the funds trans-*

1 *ferred shall be merged with and shall be available for the*
2 *same purposes and for the same time period, as the appro-*
3 *priation to which transferred: Provided further, That the*
4 *transfer authority provided in this paragraph is in addi-*
5 *tion to any other transfer authority contained in Public*
6 *Law 105–262.*

7 *GENERAL PROVISIONS, THIS CHAPTER*

8 *SEC. 2201. Of the amounts appropriated or otherwise*
9 *made available in the Department of Defense Appropria-*
10 *tions Act, 1999 (Public Law 105–262) for “Operation and*
11 *maintenance, defense-wide”, up to \$8,000,000 may be made*
12 *available for the award of a grant to a consortium of non-*
13 *profit, higher education institutions for the purpose of cre-*
14 *ating a computer network among such institutions to en-*
15 *hance teaching and learning opportunities in science, tech-*
16 *nology and communications.*

17 *SEC. 2202. (a) UNITED STATES MILITARY ACAD-*
18 *EMY.—Section 4344(b)(3) of title 10, United States Code,*
19 *is amended by striking “five persons” and inserting “10*
20 *persons”.*

21 *(b) UNITED STATES NAVAL ACADEMY.—Section*
22 *6957(b)(3) of such title is amended by striking “five per-*
23 *sons” and inserting “10 persons”.*

1 (c) *UNITED STATES AIR FORCE ACADEMY.*—Section
2 9344(b)(3) of such title is amended by striking “five per-
3 sons” and inserting “10 persons”.

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

9 SEC. 2203. (a) *AUTHORITY TO MAKE PAYMENTS.*—
10 Subject to the provisions of this section, the Secretary of
11 Defense is authorized to make payments for the settlement
12 of the claims arising from the deaths caused by the accident
13 involving a United States Marine Corps EA-6B aircraft
14 on February 3, 1998, near Cavalese, Italy.

15 (b) *DEADLINE FOR EXERCISE OF AUTHORITY.*—The
16 Secretary shall make the decision to exercise the authority
17 in subsection (a) not later than 90 days after the date of
18 enactment of this Act.

19 (c) *SOURCE OF PAYMENTS.*—Notwithstanding any
20 other provision of law, of the amounts appropriated or oth-
21 erwise made available for the Department of the Navy for
22 operation and maintenance for fiscal year 1999 or other
23 unexpended balances from prior years, the Secretary shall
24 make available \$40,000,000 only for emergency and ex-

1 *traordinary expenses associated with the settlement of the*
2 *claims arising from the accident described in subsection (a).*

3 (d) *AMOUNT OF PAYMENT.*—*The amount of the pay-*
4 *ment under this section in settlement of the claims arising*
5 *from the death of any person associated with the accident*
6 *described in subsection (a) may not exceed \$2,000,000.*

7 (e) *TREATMENT OF PAYMENTS.*—*Any amount paid to*
8 *a person under this section is intended to supplement any*
9 *amount subsequently determined to be payable to the person*
10 *under section 127 or chapter 163 of title 10, United States*
11 *Code, or any other provision of law for administrative set-*
12 *tlement of claims against the United States with respect*
13 *to damages arising from the accident described in sub-*
14 *section (a).*

15 (f) *CONSTRUCTION.*—*The payment of an amount*
16 *under this section may not be considered to constitute a*
17 *statement of legal liability on the part of the United States*
18 *or otherwise as evidence of any material fact in any judicial*
19 *proceeding or investigation arising from the accident de-*
20 *scribed in subsection (a).*

21 *SEC. 2204. Notwithstanding any other provision of*
22 *law, a military technician (dual status) (as defined in sec-*
23 *tion 10216 of title 10, United States Code) performing ac-*
24 *tive duty without pay while on leave from technician em-*
25 *ployment under section 6323(d) of title 5, United States*

1 Code, may, in the discretion of the Secretary concerned, be
2 authorized a per diem allowance under this title, in lieu
3 of commutation for subsistence and quarters as described
4 in section 1002(b) of title 37, United States Code.

5 *SEC. 2205. OPERATIONAL SUPPORT AIRCRAFT MULTI-*
6 *YEAR LEASING DEMONSTRATION PROJECT. (a) AUTHORITY*
7 *TO LEASE.—Effective on or after October 1, 1999, the Sec-*
8 *retary of the Air Force may obtain transportation for oper-*
9 *ational support purposes, including transportation for com-*
10 *batant Commanders in Chief, by lease of aircraft, on such*
11 *terms and conditions as the Secretary may deem appro-*
12 *priate, consistent with this section, through an operating*
13 *lease consistent with OMB Circular A–11.*

14 *(b) MAXIMUM LEASE TERM FOR MULTI-YEAR*
15 *LEASE.—The term of any lease into which the Secretary*
16 *enters under this section shall not exceed ten years from*
17 *the date on which the lease takes effect.*

18 *(c) COMMERCIAL TERMS.—The Secretary may include*
19 *terms and conditions in any lease into which the Secretary*
20 *enters under this section that are customary in the leasing*
21 *of aircraft by a nongovernmental lessor to a nongovern-*
22 *mental lessee.*

23 *(d) TERMINATION PAYMENTS.—The Secretary may, in*
24 *connection with any lease into which the Secretary enters*
25 *under this section, to the extent the Secretary deems appro-*

1 *priate, provide for special payments to the lessor if either*
2 *the Secretary terminates or cancels the lease prior to the*
3 *expiration of its term or the aircraft is damaged or de-*
4 *stroyed prior to the expiration of the term of the lease. In*
5 *the event of termination or cancellation of the lease, the*
6 *total value of such payments shall not exceed the value of*
7 *one year's lease payment.*

8 *(e) OBLIGATION AND EXPENDITURE OF FUNDS.—Not-*
9 *withstanding any other provision of law—*

10 *(1) an obligation need not be recorded upon en-*
11 *tering into a lease under this section, in order to pro-*
12 *vide for the payments described in subsection (d); and*

13 *(2) any payments required under a lease under*
14 *this section, and any payments made pursuant to*
15 *subsection (d), may be made from—*

16 *(A) appropriations available for the per-*
17 *formance of the lease at the time the lease takes*
18 *effect;*

19 *(B) appropriations for the operation and*
20 *maintenance available at the time which the*
21 *payment is due; and*

22 *(C) funds appropriated for those payments.*

23 *(f) OTHER AUTHORITY PRESERVED.—The authority*
24 *granted to the Secretary of the Air Force by this section*
25 *is separate from and in addition to, and shall not be con-*

1 *strued to impair or otherwise affect, the authority of the*
 2 *Secretary to procure transportation or enter into leases*
 3 *under a provision of law other than this section.*

4 *CHAPTER 3*

5 *DEPARTMENT OF THE INTERIOR*

6 *BUREAU OF INDIAN AFFAIRS*

7 *OPERATION OF INDIAN PROGRAMS*

8 *(TRANSFER OF FUNDS)*

9 *For an additional amount for “Operation of Indian*
 10 *Programs”, \$1,136,000, to remain available until expended*
 11 *for suppression of western spruce budworm: Provided, That*
 12 *such funds shall be derived by transfer of funds provided*
 13 *in previous appropriations acts under the heading “Forest*
 14 *Service, Wildland Fire Management”.*

15 *BUREAU OF LAND MANAGEMENT*

16 *MANAGEMENT OF LANDS AND RESOURCES*

17 *Of the funds provided under this heading in prior Ap-*
 18 *propriations Acts for the Automated Land and Mineral*
 19 *Record System, \$1,000,000 shall be available until expended*
 20 *to meet increased workload requirements stemming from the*
 21 *anticipated higher volume of Applications for Permits to*
 22 *Drill in the Powder River Basin: Provided, That unless*
 23 *there is an agreement in place between the coal mining op-*
 24 *erator and the gas producer, the funds made available here-*
 25 *in shall not be used to approve Applications for Permits*
 26 *to Drill for well sites that are located within an area cov-*

1 *ered by: (1) an existing coal lease, or (2) an existing coal*
2 *mining permit, or (3) an existing Lease by Application for*
3 *a coal mining lease, or (4) a future Lease by Application*
4 *for an area adjacent to and within one mile of an area*
5 *covered by (1), (2), or (3) above. Nothing in this paragraph*
6 *shall be construed or operate as a restriction on current re-*
7 *sources appropriated to the Department of the Interior.*

8 *OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN*
9 *INDIANS*

10 *FEDERAL TRUST PROGRAMS*

11 *For an additional amount for “Federal Trust Pro-*
12 *grams”, \$6,800,000, to remain available until expended for*
13 *activities pursuant to the Trust Management Improvement*
14 *Project High Level Implementation Plan.*

15 *BUREAU OF RECLAMATION*

16 *WATER AND RELATED RESOURCES*

17 *For an additional amount for “Water and Related Re-*
18 *sources” for emergency repairs to the Headgate Rock Hy-*
19 *droelectric Project, \$5,000,000 is appropriated pursuant to*
20 *the Snyder Act (25 U.S.C.), to be expended by the Bureau*
21 *of Reclamation, to remain available until expended.*

1 *DEPARTMENT OF AGRICULTURE*2 *FOREST SERVICE*3 *WILDLAND FIRE MANAGEMENT*

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

10 *CHAPTER 4*11 *DEPARTMENT OF HEALTH AND HUMAN*12 *SERVICES*13 *OFFICE OF THE SECRETARY*14 *GENERAL DEPARTMENTAL MANAGEMENT*

15 *For an additional amount for “general departmental*
16 *management”, \$1,400,000, to reduce the backlog of pending*
17 *nursing home appeals before the Departmental Appeals*
18 *Board.*

19 *RELATED AGENCY*20 *CORPORATION FOR PUBLIC BROADCASTING*

21 *For an additional amount for the Corporation for*
22 *Public Broadcasting, to remain available until expended,*
23 *\$18,000,000: Provided, That such funds be made available*
24 *to National Public Radio, as the designated manager of the*

1 *Public Radio Satellite System, for acquisition of satellite*
2 *capacity.*

3 *CHAPTER 5*

4 *DEPARTMENT OF DEFENSE*

5 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

6 *For an additional amount for “Military Construction,*
7 *Army National Guard” to cover the incremental costs aris-*
8 *ing from the consequences of Hurricane Georges,*
9 *\$14,500,000, as authorized by 10 U.S.C. 2854, to remain*
10 *available until September 30, 2003.*

11 *CHAPTER 6*

12 *DEPARTMENT OF HOUSING AND URBAN*

13 *DEVELOPMENT*

14 *COMMUNITY DEVELOPMENT BLOCK GRANTS*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *Of amounts appropriated for fiscal year 1999 for sala-*
17 *ries and expenses under the Salaries and Expenses account*
18 *in title II of Public Law 105–276, \$3,400,000 shall be*
19 *transferred to the Community Development Block Grants*
20 *account in title II of Public Law 105–276 for grants for*
21 *service coordinators and congregate services for the elderly*
22 *and disabled: Provided, That in distributing such amount,*
23 *the Secretary of Housing and Urban Development shall give*
24 *priority to public housing agencies that submitted eligible*
25 *applications for renewal of fiscal year 1995 elderly service*

1 *coordinator grants pursuant to the Notice of Funding*
2 *Availability for Service Coordinator Funds for Fiscal Year*
3 *1998, as published in the Federal Register on June 1, 1998.*

4 *MANAGEMENT AND ADMINISTRATION*

5 *OFFICE OF INSPECTOR GENERAL*

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

9 *CHAPTER 7*

10 *DEPARTMENT OF DEFENSE—CIVIL*

11 *DEPARTMENT OF THE ARMY*

12 *CORPS OF ENGINEERS—CIVIL*

13 *CONSTRUCTION, GENERAL*

14 *For an additional amount for “Construction, Gen-*
15 *eral”, \$500,000 shall be available for technical assistance*
16 *related to shoreline erosion at Lake Tahoe, Nevada caused*
17 *by high lake levels pursuant to section 219 of the Water*
18 *Resources Development Act of 1992.*

1 *(Public Law 105–292), \$3,000,000, to remain available*
2 *until expended: Provided, That the amount of the rescission*
3 *under chapter 2 of title III of this Act under the heading*
4 *“CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS” is*
5 *hereby increased by \$3,000,000.*

6 **GENERAL PROVISIONS, THIS TITLE**

7 *SEC. 2301. The Department of the Interior and Re-*
8 *lated Agencies Appropriations Act, 1999 (as contained in*
9 *division A, section 101(e) of the Omnibus Consolidated and*
10 *Emergency Supplemental Appropriations Act, 1999 (Public*
11 *Law 105–277)) is amended under the heading “Forest Serv-*
12 *ice, Reconstruction and Construction” by inserting before*
13 *the final period the following: “: Provided further, That not-*
14 *withstanding any other provision of law, funds appro-*
15 *priated for Forest Service construction of a new forestry*
16 *research facility at Auburn University, Auburn, Alabama,*
17 *shall be available for a direct payment to Auburn Univer-*
18 *sity for this purpose, but no more than \$4,000,000 shall*
19 *be available for such payment prior to October 1, 1999: Pro-*
20 *vided further, That if within the life of the facility the*
21 *USDA Forest Service needs additional space for collabo-*
22 *rative laboratory activities on the Auburn University cam-*
23 *pus, Auburn University shall provide such laboratory space*
24 *within the new facility constructed with these funds, free*
25 *of any charge for rent”.*

1 *SEC. 2302. None of the funds made available under*
2 *this or any other Act may be used by the Secretary of the*
3 *Interior to issue and finalize the rule to revise 43 C.F.R.*
4 *Part 3809, published on February 9, 1999 at 64 Fed. Reg.*
5 *6421 or the Draft Environmental Impact Statement on*
6 *Surface Management Regulations for Locatable Mineral*
7 *Operations, published in February, 1999, unless the Sec-*
8 *retary has provided a period of not less than 120 days for*
9 *accepting public comment on the proposed rule after the re-*
10 *port of the National Academy of Sciences' Committee on*
11 *Hardrock Mining on Federal Lands, authorized and re-*
12 *quired by the Department of the Interior and Related Agen-*
13 *cies Appropriations Act, 1999 (as contained in division A,*
14 *section 101(e) of the Omnibus Consolidated and Emergency*
15 *Supplemental Appropriations Act, 1999 (Public Law 105-*
16 *277)) is submitted to the appropriate federal agencies, the*
17 *Congress, and the Governors of the affected states in accord-*
18 *ance with the requirements of that Act.*

19 *SEC. 2303. CIVIL LIBERTIES PUBLIC EDUCATION*
20 *FUND. Notwithstanding any other provision of law and in*
21 *addition to any funds appropriated for this purpose, the*
22 *Attorney General may transfer from any funds available*
23 *to the Department of Justice not more than \$4,300,000 to*
24 *the Fund established under the Civil Liberties Act of 1988*
25 *(50 U.S.C. App. 1989b et seq.) for the purpose of paying*

1 *restitution to individuals (1) who are eligible for restitution*
2 *under such Act and have filed timely claims for the restitu-*
3 *tion, or (2) who are found eligible under the settlement*
4 *agreement in the case of Carmen Mochizuki et al. vs. United*
5 *States (Case No. 97–294C, United States Court of Federal*
6 *Claims) and filed timely claims covered by the agreement.*

7 *SEC. 2304. Division A, section 101(a), title XI, section*
8 *1122(c) is amended by inserting after “basis” “: Provided,*
9 *That no administrative costs shall be charged against this*
10 *program which would have been incurred otherwise”.*

11 *SEC. 2305. None of the funds in this or any other Act*
12 *shall be used to issue a notice of final rulemaking with re-*
13 *spect to the valuation of crude oil for royalty purposes, in-*
14 *cluding a rulemaking derived from proposed rules published*
15 *in 63 Federal Register 6113 (1998), 62 Federal Register*
16 *36030, and 62 Federal Register 3742 (1997) until October*
17 *1, 1999, or until there is a negotiated agreement on the*
18 *rule.*

19 *SEC. 2306. Of the \$2,200,000 appropriated in Public*
20 *Law 105–276 in accordance with H.R. Conference Report*
21 *No. 105–769 to meet sewer infrastructure needs associated*
22 *with the 2002 Winter Olympic Games shall be awarded to*
23 *Wasatch County, UT, for both water and sewer.*

24 *SEC. 2307. For the remainder of fiscal year 1999, no*
25 *funds may be used by the Department of the Interior to*

1 *implement Secretarial Order 3208, issued January 5, 1999,*
2 *regarding the “Reorganization of the Office of the Special*
3 *Trustee for American Indians”. Fiscal year 1999 funds ap-*
4 *propriated for purposes of reforming trust funds manage-*
5 *ment practices shall continue to be administered as if the*
6 *Order had not been issued.*

7 *SEC. 2308. EXTENSION OF AIRPORT IMPROVEMENT*
8 *PROGRAM. (a) AUTHORIZATION OF APPROPRIATIONS.—Sec-*
9 *tion 48103 of title 49, United States Code, as amended by*
10 *section 110(b)(1) of title I of division C of the Omnibus*
11 *Consolidated and Emergency Supplemental Appropriations*
12 *Act, 1999 (Public Law 105–277), is amended by striking*
13 *“\$1,205,000,000” and all that follows through “October 1,*
14 *1998”and inserting “\$1,607,000,000 for the 8-month period*
15 *beginning October 1, 1998.”.*

16 *(b) OBLIGATIONAL AUTHORITY.—Section 47104(c) of*
17 *title 49, United States Code, as amended by section*
18 *110(b)(2) of title I of division C of the Omnibus Consoli-*
19 *dated and Emergency Supplemental Appropriations Act,*
20 *1999 (Public Law 105–277), is amended by striking*
21 *“March 31, 1999” and inserting “May 31, 1999”.*

22 *(c) LIQUIDATION OF CONTRACT AUTHORIZATION.—*
23 *The Department of Transportation and Related Agencies*
24 *Appropriations Act, 1999, as enacted in section 101(g) of*
25 *Public Law 105–277, is amended as follows: Under the*

1 heading “Grants-in-Aid for Airports, (Liquidation of Con-
2 tract Authorization), (Airport and Airway Trust Fund)”,
3 delete the last proviso, and insert the following in lieu there-
4 of: “: Provided further, That not more than \$1,300,000,000
5 of funds limited under this heading may be obligated before
6 the enactment of a bill extending contract authorization for
7 the Grants-in-Aid for airports program beyond May 31,
8 1999.”.

9 SEC. 2309. (a) Section (a) of section 149, division C
10 of Pubic Law 105–277 is amended by striking “April 1,
11 1999” and inserting in lieu thereof “September 30, 1999”.

12 (b) Section (b) of section 149, division C of Public Law
13 105–277 is amended by striking “April 1, 1999” each time
14 it appears and inserting in lieu thereof “September 30,
15 1999”.

16 SEC. 2310. (a) Section 339(b)(3) of the Consolidated
17 Farm and Rural Development Act (7 U.S.C. 1989(b)(3) is
18 amended—

19 (1) by striking the comma and the remainder of
20 paragraph (3) following the comma; and

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

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

1 *SEC. 2311. PROHIBITION ON TREATING ANY FUNDS*
2 *RECOVERED FROM TOBACCO COMPANIES AS AN OVERPAY-*
3 *MENT FOR PURPOSES OF MEDICAID. (a) AMENDMENT TO*
4 *SOCIAL SECURITY ACT.—Section 1903(d)(3) of the Social*
5 *Security Act (42 U.S.C. 1396b(d)(3)) is amended—*

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

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

8 *“(B)(i) Subparagraph (A) and paragraph (2)(B)*
9 *shall not apply to any amount recovered or paid to*
10 *a State as part of the comprehensive settlement of No-*
11 *vember 1998 between manufacturers of tobacco prod-*
12 *ucts, as defined in section 5702(d) of the Internal*
13 *Revenue Code of 1986, and State Attorneys General,*
14 *or as part of any individual State settlement or judg-*
15 *ment reached in litigation initiated or pursued by a*
16 *State against one or more such manufacturers.*

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

22 (b) *PROHIBITION ON PAYMENT FOR ADMINISTRATIVE*
23 *EXPENSES INCURRED IN PURSUING TOBACCO LITIGA-*
24 *TION.—Section 1903(i) of the Social Security Act (42*
25 *U.S.C. 1396b(i)) is amended—*

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

3 (2) *by inserting after paragraph (18) the fol-*
4 *lowing new paragraph:*

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

8 (c) *EFFECTIVE DATE.—This section and the amend-*
9 *ments made by this section shall apply to amounts paid*
10 *to a State prior to, on, or after the date of enactment of*
11 *this Act.*

12 SEC. 2312. *EXTENSION OF AVIATION INSURANCE PRO-*
13 *GRAM. Section 44310 of title 49, United States Code, is*
14 *amended by striking “March 31, 1999.” and inserting*
15 *“May 31, 1999.”.*

16 SEC. 2313. *TITLE 49 RECODIFICATION CORRECTION.*
17 *Effective December 31, 1998, section 4(k) of the Act of July*
18 *5, 1994 (Public Law 103–272, 108 Stat. 1370), as amended*
19 *by section 7(a)(3)(D) of the Act of October 31, 1994 (Public*
20 *Law 103–429, 108 Stat. 4329), is repealed.*

21 SEC. 2314. *Notwithstanding any other provision of*
22 *law, the taking of a Cook Inlet beluga whale under the ex-*
23 *emption provided in section 101(b) of the Marine Mammal*
24 *Protection Act (16 U.S.C. 1371(a)) between the date of the*
25 *enactment of this Act and October 1, 2000 shall be consid-*

1 *ered a violation of such Act unless such taking occurs pursu-*
2 *ant to a cooperative agreement between the National Marine*
3 *Fisheries Service and Cook Inlet Marine Mammal Council.*

4 *SEC. 2315. Funds provided in the Department of Com-*
5 *merce, Justice, and State, the Judiciary, and Related Agen-*
6 *cies Appropriations Act, 1999 (Public Law 105–277, divi-*
7 *sion A, section 101(b)) for the construction of correctional*
8 *facility in Barrow, Alaska shall be made available to the*
9 *North Slope Borough.*

10 *SEC. 2316. LIABILITY OF CERTAIN NATURAL GAS*
11 *PRODUCERS. The Natural Gas Policy Act of 1978 (15*
12 *U.S.C. 3301 et seq.) is amended by adding at the end the*
13 *following:*

14 **“SEC. 603. LIABILITY OF CERTAIN NATURAL GAS PRO-**
15 **DUCERS.**

16 *“If the Commission orders any refund of any rate or*
17 *charge made, demanded, or received for reimbursement of*
18 *State ad valorem taxes in connection with the sale of nat-*
19 *ural gas before 1989, the refund shall be ordered to be made*
20 *without interest or penalty of any kind.”.*

21 *SEC. 2317. Section 328 of the Department of the Inte-*
22 *rior and Related Agencies Appropriations Act, 1999 (Public*
23 *Law 105–277, division A, section 1(e), title III) is amended*
24 *by striking “none of the funds in this Act” and inserting*

1 “none of the funds provided in this Act to the Indian Health
2 Service or Bureau of Indian Affairs”.

3 SEC. 2318. (a) *LOAN DEFICIENCY PAYMENTS FOR*
4 *CLUB WHEAT PRODUCERS.*—In making loan deficiency
5 payments available under section 135 of the Agricultural
6 Market Transition Act (7 U.S.C. 7235) to producers of club
7 wheat, the Secretary of Agriculture may not assess a pre-
8 mium adjustment on the amount that would otherwise be
9 computed for club wheat under the section to reflect the pre-
10 mium that is paid for club wheat to ensure its availability
11 to create a blended specialty product known as western
12 white wheat.

13 (b) *RETROACTIVE APPLICATION.*—As soon as prac-
14 ticable after the date of the enactment of this Act, the Sec-
15 retary of Agriculture shall make a payment to each pro-
16 ducer of club wheat that received a discounted loan defi-
17 ciency payment under section 135 of the Agricultural Mar-
18 ket Transition Act (7 U.S.C. 7235) before that date as a
19 result of the assessment of a premium adjustment against
20 club wheat. The amount of the payment for a producer shall
21 be equal to the difference between—

22 (1) the loan deficiency payment that would have
23 been made to the producer in the absence of the pre-
24 mium adjustment; and

1 (2) *the loan deficiency payment actually received*
2 *by the producer.*

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

8 *SEC. 2319. GLACIER BAY. (a) DUNGENESS CRAB*
9 *FISHERMEN.—Section 123(b) of the Department of the Inte-*
10 *rior and Related Agencies Appropriations Act, 1999 (sec-*
11 *tion 101(e) of division A of Public Law 105–277) is*
12 *amended—*

13 (1) *in paragraph (1)—*

14 (A) *by striking “February 1, 1999” and in-*
15 *serting “June 1, 1999”; and*

16 (B) *by striking “1996” and inserting*
17 *“1998”; and*

18 (2) *by striking “the period January 1, 1999,*
19 *through December 31, 2004, based on the individual’s*
20 *net earnings from the Dungeness crab fishery during*
21 *the period January 1, 1991, through December 31,*
22 *1996” and inserting “for the period beginning Janu-*
23 *ary 1, 1999 that is equivalent in length to the period*
24 *established by such individual under paragraph (1),*

1 *based on the individual's net earnings from the Dun-*
2 *geness crab fishery during such established period”.*

3 **(b) OTHERS AFFECTED BY FISHERY CLOSURES AND**
4 **RESTRICTIONS.**—*Section 123 of the Department of the Inte-*
5 *rior and Related Agencies Appropriations Act, 1999 (sec-*
6 *tion 101(e) of division A of Public Law 105–277), as*
7 *amended, is amended further by redesignating subsection*
8 *(c) as subsection (d) and inserting immediately after sub-*
9 *section (b) the following new subsection:*

10 **“(c) OTHERS AFFECTED BY FISHERY CLOSURES AND**
11 **RESTRICTIONS.**—*The Secretary of the Interior is authorized*
12 *to provide such funds as are necessary for a program devel-*
13 *oped with the concurrence of the State of Alaska to fairly*
14 *compensate United States fish processors, fishing vessel crew*
15 *members, communities, and others negatively affected by re-*
16 *strictions on fishing in Glacier Bay National Park. For the*
17 *purpose of receiving compensation under the program re-*
18 *quired by this subsection, a potential recipient shall provide*
19 *a sworn and notarized affidavit to establish the extent of*
20 *such negative effect.”.*

21 **(c) IMPLEMENTATION.**—*Section 123 of the Department*
22 *of the Interior and Related Agencies Appropriations Act,*
23 *1999 (section 101(e) of division A of Public Law 105–277),*
24 *as amended, is amended further by inserting at the end the*
25 *following new subsection:*

1 “(e) *IMPLEMENTATION AND EFFECTIVE DATE.*—The
2 *Secretary of the Interior shall publish an interim final rule*
3 *for the federal implementation of subsection (a) and shall*
4 *provide an opportunity for public comment on such interim*
5 *final rule. The effective date of the prohibitions in para-*
6 *graphs (2) through (5) of section (a) shall be 60 days after*
7 *the publication in the Federal Register of a final rule for*
8 *the federal implementation of subsection (a). In the event*
9 *that any individual eligible for compensation under sub-*
10 *section (b) has not received full compensation by June 15,*
11 *1999, the Secretary shall provide partial compensation on*
12 *such date to such individual and shall expeditiously provide*
13 *full compensation thereafter.”.*

14 (d) *Of the funds provided under the heading “National*
15 *Park Service, Construction” in Public Law 105–277,*
16 *\$3,000,000 shall not be available for obligation until Octo-*
17 *ber 1, 1999.*

18 *SEC. 2320. WHITE RIVER SCHOOL DISTRICT #47–1.*
19 *From any unobligated funds that are available to the Sec-*
20 *retary of Education to carry out section 306(a)(1) of the*
21 *Department of Education Appropriations Act, 1996, the*
22 *Secretary shall provide not more than \$239,000, under such*
23 *terms and conditions as the Secretary determines appro-*
24 *priate, to the White River School District #47–1, White*
25 *River, South Dakota, to be used to repair damage caused*

1 *by water infiltration at the White River High School, which*
2 *shall remain available until expended.*

3 *SEC. 2321. (a) The treatment provided to firefighters*
4 *under section 628(f) of the Treasury and General Govern-*
5 *ment Appropriations Act, 1999 (as included in section*
6 *101(h) of division A of the Omnibus Consolidated and*
7 *Emergency Supplemental Appropriations Act, 1999 (Public*
8 *Law 105–277)) shall be provided to any firefighter who—*

9 *(1) on the effective date of section 5545b of title*
10 *5, United States Code—*

11 *(A) was subject to such section; and*

12 *(B) had a regular tour of duty that aver-*
13 *aged more than 60 hours per week; and*

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

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

19 *(B) does not include a basic 40-hour work-*
20 *week.*

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

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

1 *SEC. 2322. SENSE OF THE SENATE: EXPRESSING THE*
2 *SENSE OF THE SENATE THAT A PENDING SALE OF WHEAT*
3 *AND OTHER AGRICULTURAL COMMODITIES TO IRAN BE AP-*
4 *PROVED. (a) The Senate finds:*

5 *(1) That an export license is pending for the sale*
6 *of United States wheat and other agricultural com-*
7 *modities to the nation of Iran.*

8 *(2) That this sale of agricultural commodities*
9 *would increase United States agricultural exports by*
10 *about \$500,000,000, at a time when agricultural ex-*
11 *ports have fallen dramatically.*

12 *(3) That sanctions on food are counterproductive*
13 *to the interest of United States farmers and to the*
14 *people who would be fed by these agricultural exports.*

15 *(b) Now therefore, it is the sense of the Senate that*
16 *the pending license for this sale of United States wheat and*
17 *other agricultural commodities to Iran be approved by the*
18 *administration.*

19 *SEC. 2323. PROHIBITION. (a) Notwithstanding any*
20 *other provision of law, prior to eight months after Congress*
21 *receives the report of the National Gambling Impact Study*
22 *Commission, the Secretary of the Interior shall not—*

23 *(1) promulgate as final regulations, or in any*
24 *way implement, the proposed regulations published on*
25 *January 22, 1998, at 63 Fed. Reg. 3289; or*

1 (2) *issue a notice of proposed rulemaking for, or*
2 *promulgate, or in any way implement, any similar*
3 *regulations to provide for procedures for gaming ac-*
4 *tivities under the Indian Gaming Regulatory Act (25*
5 *U.S.C. 2701 et seq.), in any case in which a State as-*
6 *serts a defense of sovereign immunity to a lawsuit*
7 *brought by an Indian tribe in a Federal court under*
8 *section 11(d)(7) of that Act (25 U.S.C. 2710(d)(7)) to*
9 *compel the State to participate in compact negotia-*
10 *tions for class III gaming (as that term is defined in*
11 *section 4(8) of that Act (25 U.S.C. 2703(8))).*

12 (3) *approve class III gaming on Indian lands by*
13 *any means other than a Tribal-State compact entered*
14 *into between a State and a tribe.*

15 (b) *DEFINITIONS.—*

16 (1) *The terms “class III gaming”, “Secretary”,*
17 *“Indian lands”, and “Tribal-State compact” shall*
18 *have the same meaning for the purposes of this section*
19 *as those terms have under the Indian Gaming Regu-*
20 *latory Act (25 U.S.C. 2701 et seq.).*

21 (2) *The “report of the National Gambling Im-*
22 *pact Study Commission” is the report described in*
23 *section 4(b) of Public Law 104–169 (18 U.S.C. sec.*
24 *1955 note).*

1 *SEC. 2324. FINDINGS AND SENSE OF SENATE RE-*
2 *GARDING SEQUENTIAL BILLING POLICY FOR HOME*
3 *HEALTH PAYMENTS UNDER THE MEDICARE PROGRAM. (a)*
4 *FINDINGS.—The Senate finds the following:*

5 *(1) Section 4611 of the Balanced Budget Act of*
6 *1997 included a provision that transfers financial re-*
7 *sponsibility for certain home health visits under the*
8 *medicare program under title XVIII of the Social Se-*
9 *curity Act (42 U.S.C. 1395 et seq.) from part A to*
10 *part B of such program.*

11 *(2) The sole intent of the transfer described in*
12 *paragraph (1) was to extend the solvency of the Fed-*
13 *eral Hospital Insurance Trust Fund under section*
14 *1817 of such Act (42 U.S.C. 1395i).*

15 *(3) The transfer described in paragraph (1) was*
16 *supposed to be “seamless” so as not to disrupt the*
17 *provision of home health services under the medicare*
18 *program.*

19 *(4) The Health Care Financing Administration*
20 *has imposed a sequential billing policy that prohibits*
21 *home health agencies under the medicare program*
22 *from submitting claims for reimbursement for home*
23 *health services provided to a beneficiary unless all*
24 *claims for reimbursement for home health services*

1 *that were previously provided to such beneficiary have*
2 *been completely resolved.*

3 *(5) The Health Care Financing Administration*
4 *has also expanded medical reviews of claims for reim-*
5 *bursement submitted by home health agencies, result-*
6 *ing in a significant slowdown nationwide in the proc-*
7 *essing of such claims.*

8 *(6) The sequential billing policy described in*
9 *paragraph (4), coupled with the slowdown in claims*
10 *processing described in paragraph (5), has substan-*
11 *tially increased the cash flow problems of home health*
12 *agencies because payments are often delayed by at*
13 *least 3 months.*

14 *(7) The vast majority of home health agencies*
15 *under the medicare program are small businesses that*
16 *cannot operate with significant cash flow problems.*

17 *(8) There are many other elements under the*
18 *medicare program relating to home health agencies,*
19 *such as the interim payment system under section*
20 *1861(v)(1)(L) of such Act (42 U.S.C. 1395x(v)(1)(L)),*
21 *that are creating financial problems for home health*
22 *agencies, thereby forcing more than 2,200 home health*
23 *agencies nationwide to close since the date of enact-*
24 *ment of the Balanced Budget Act of 1997.*

1 **(b) SENSE OF THE SENATE.**—*It is the sense of the Sen-*
2 *ate that the Health Care Financing Administration*
3 *should—*

4 (1) *evaluate and monitor the use of the sequen-*
5 *tial billing policy (as described in subsection (a)(4))*
6 *in making payments to home health agencies under*
7 *the medicare program under title XVIII of the Social*
8 *Security Act (42 U.S.C. 1395 et seq.);*

9 (2) *ensure that—*

10 (A) *contract fiscal intermediaries under the*
11 *medicare program are timely in their random*
12 *medical review of claims for reimbursement sub-*
13 *mitted by home health agencies; and*

14 (B) *such intermediaries adhere to Health*
15 *Care Financing Administration instructions*
16 *that limit the number of claims for reimburse-*
17 *ment held for such review for any particular*
18 *home health agency to no more than 10 percent*
19 *of the total number of claims submitted by the*
20 *agency; and*

21 (3) *ensure that such intermediaries are consid-*
22 *ering and implementing constructive alternatives,*
23 *such as expedited reviews of claims for reimburse-*
24 *ment, for home health agencies with no history of bill-*

1 *ing problems who have cash flow problems due to ran-*
2 *dom medical reviews and sequential billing.*

3 *SEC. 2325. A payment of \$800,000 from the total*
4 *amount of \$1,000,000 for construction of the Pike's Peak*
5 *Summit House, as specified in Conference Report 105-337,*
6 *accompanying the Department of the Interior and Related*
7 *Agencies Appropriations Act for fiscal year 1998, Public*
8 *Law 105-83, and payments of \$2,000,000 for the Borough*
9 *of Ketchikan to participate in a study of the feasibility and*
10 *dynamics of manufacturing veneer products in Southeast*
11 *Alaska and \$200,000 for construction of the Pike's Peak*
12 *Summit House, as specified in Conference Report 105-825*
13 *accompanying the Department of the Interior and Related*
14 *Agencies Appropriations Act for fiscal year 1999 (as con-*
15 *tained in division A, section 101(e) of the Omnibus Consoli-*
16 *dated and Emergency Supplemental Appropriations Act,*
17 *1999 (Public Law 105-277)), shall be paid in lump sum*
18 *and shall be considered direct payments, for the purposes*
19 *of all applicable law except that these direct grants may*
20 *not be used for lobbying activities.*

21 *SEC. 2326. Section 617 of the Department of Com-*
22 *merce, Justice, and State, the Judiciary, and Related Agen-*
23 *cies Appropriations Act, 1999 (as added by section 101(b)*
24 *of division A of the Omnibus Consolidated and Emergency*

1 *Supplemental Appropriations Act, 1999 (Public Law 105–*
2 *277)) is amended—*

3 *(1) by striking subsection (a) and inserting in*
4 *lieu thereof the following:*

5 *“(a) None of the funds made available in this Act or*
6 *any other Act hereafter enacted may be used to issue or*
7 *renew a fishing permit or authorization for any fishing ves-*
8 *sel of the United States greater than 165 feet in registered*
9 *length, of more than 750 gross registered tons, or that has*
10 *an engine or engines capable of producing a total of more*
11 *than 3,000 shaft horsepower as specified in the permit ap-*
12 *plication required under part 648.4(a)(5) of title 50, Code*
13 *of Federal Regulations, part 648.12 of title 50, Code of Fed-*
14 *eral Regulations, and the authorization required under part*
15 *648.80(d)(2) of title 50, Code of Federal Regulations, to en-*
16 *gage in fishing for Atlantic mackerel or herring (or both)*
17 *under the Magnuson-Stevens Fishery Conservation and*
18 *Management Act (16 U.S.C. 1801 et seq.), unless the re-*
19 *gional fishery management council of jurisdiction rec-*
20 *ommends after October 21, 1998, and the Secretary of Com-*
21 *merce approves, conservation and management measures in*
22 *accordance with such Act to allow such vessel to engage in*
23 *fishing for Atlantic mackerel or herring (or both).”;* and

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

1 *SEC. 2327. The Corps of Engineers is directed to repro-*
2 *gram \$800,000 of the funds made available to that agency*
3 *in fiscal year 1999 for the operation of the Pick-Sloan*
4 *project to perform the preliminary work needed to transfer*
5 *Federal lands to the tribes and State of South Dakota, and*
6 *to provide the Lower Brule Sioux Tribe and Cheyenne*
7 *River Sioux Tribe with funds to begin protecting invaluable*
8 *Indian cultural sites, under the Cheyenne River Sioux*
9 *Tribe, Lower Brule Sioux Tribe, and State of South Dakota*
10 *Terrestrial Wildlife Habitat Restoration Act.*

11 *SEC. 2328. GLACIER BAY. No funds may be expended*
12 *by the Secretary of the Interior to implement closures or*
13 *other restrictions of subsistence or commercial fishing or*
14 *subsistence gathering in Glacier Bay National Park, except*
15 *the closure of Dungeness crab fisheries under section 123(b)*
16 *of the Department of the Interior and Related Agencies Ap-*
17 *propriations Act, 1999 (section 101(e) of division A of Pub-*
18 *lic Law 105–277), until such time as the State of Alaska’s*
19 *legal claim to ownership and jurisdiction over submerged*
20 *lands and tidelands in the affected area has been resolved*
21 *either by a final determination by the judiciary or by a*
22 *settlement between the parties to the lawsuit.*

1 *TITLE III—RESCISSIONS AND OFFSETS*2 *CHAPTER 1*3 *DEPARTMENT OF AGRICULTURE*4 *FOOD AND NUTRITION SERVICE*5 *FOOD STAMP PROGRAM*6 *(RESCISSION)*

7 *Of the amounts made available under this heading in*
8 *division A, section 101(a), title IV of Public Law 105–277,*
9 *\$521,000,000 are rescinded.*

10 *FARM SERVICE AGENCY*11 *EMERGENCY CONSERVATION FUND*

12 *Of the amount made available under the heading*
13 *“EMERGENCY CONSERVATION PROGRAM” in chapter 1 of*
14 *title II of the 1998 Supplemental Appropriations and Re-*
15 *sciissions Act (Public Law 105–174; 112 Stat. 68), \$700,000*
16 *are rescinded.*

17 *CHAPTER 2*18 *DEPARTMENT OF JUSTICE*19 *OFFICE OF INSPECTOR GENERAL*20 *(RESCISSION)*

21 *Of the unobligated balances available under this head-*
22 *ing, \$5,000,000 are rescinded.*

1 *IMMIGRATION AND NATURALIZATION SERVICE*

2 *SALARIES AND EXPENSES*

3 *ENFORCEMENT AND BORDER AFFAIRS*

4 *(RESCISSION)*

5 *Of the unobligated balances available under this head-*
6 *ing, excluding funds appropriated for equipment and facili-*
7 *ties, \$40,000,000 are rescinded.*

8 *CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND*

9 *PROGRAM DIRECTION*

10 *(RESCISSION)*

11 *Of the unobligated balances available under this head-*
12 *ing, excluding funds appropriated for equipment and facili-*
13 *ties, \$25,000,000 are rescinded.*

14 *DEPARTMENT OF COMMERCE*

15 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*

16 *OPERATIONS, RESEARCH AND FACILITIES*

17 *(RESCISSION)*

18 *Of the unobligated balances available under this head-*
19 *ing, \$1,000,000 are rescinded.*

20 *PROCUREMENT, ACQUISITION, AND CONSTRUCTION*

21 *Of the unobligated balances available under this head-*
22 *ing, \$2,000,000 are rescinded.*

1 heading, “Operation and Maintenance, Defense-Wide”,
 2 \$217,700,000.

3 *CHAPTER 4*

4 *BILATERAL ECONOMIC ASSISTANCE*

5 *FUNDS APPROPRIATED TO THE PRESIDENT*

6 *OTHER BILATERAL ASSISTANCE*

7 *ECONOMIC SUPPORT FUND*

8 *(RESCISSION)*

9 *Of the funds made available for Haiti under this head-*
 10 *ing in Public Law 105–118 and in the Omnibus Consoli-*
 11 *dated and Emergency Supplemental Appropriations Act,*
 12 *1999 (Public Law 105–277), \$10,000,000 are rescinded.*

13 *ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC*

14 *STATES*

15 *(RESCISSION)*

16 *Of the funds made available for Bosnia and*
 17 *Herzegovina under this heading in Public Law 105–118*
 18 *and in the Omnibus Consolidated and Emergency Supple-*
 19 *mental Appropriations Act, 1999 (Public Law 105–277),*
 20 *\$10,000,000 are rescinded.*

21 *ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE*

22 *FORMER SOVIET UNION*

23 *(RESCISSION)*

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

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

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

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

14 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*
15 *(RESCISSION)*

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

20 *CHAPTER 5*

21 *DEPARTMENT OF THE INTERIOR*

22 *BUREAU OF LAND MANAGEMENT*

23 *MANAGEMENT OF LANDS AND RESOURCES*

24 *(RESCISSION)*

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

1 *CHAPTER 6*
2 *DEPARTMENT OF LABOR*
3 *EMPLOYMENT AND TRAINING ADMINISTRATION*
4 *STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT*
5 *SERVICE OPERATIONS*
6 *Under this heading in section 101(f) of Public Law*
7 *105–277, delete “\$3,132,076,000” and insert*
8 *“\$3,114,676,000”; and delete “\$180,933,000” and insert*
9 *“\$163,533,000”.*

10 *DEPARTMENT OF EDUCATION*
11 *EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT*
12 *(RESCISSION)*
13 *Of the funds made available under this heading in sec-*
14 *tion 101(f) of Public Law 105–277, \$8,000,000 are re-*
15 *scinded.*

16 *CHAPTER 7*
17 *DEPARTMENT OF DEFENSE*
18 *BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV*
19 *(RESCISSION)*
20 *Of the funds made available under this heading in*
21 *Public Law 105–237, \$14,500,000 are rescinded.*

1 *CHAPTER 8*
2 *DEPARTMENT OF HOUSING AND URBAN*
3 *DEVELOPMENT*
4 *PUBLIC AND INDIAN HOUSING*
5 *HOUSING CERTIFICATE FUND*
6 *(DEFERRAL)*

7 *Of the funds made available under this heading in*
8 *Public Law 105–276 for use in connection with expiring*
9 *or terminating section 8 contracts, \$350,000,000 shall not*
10 *become available until October 1, 1999.*

11 *COMMUNITY PLANNING AND DEVELOPMENT*
12 *COMMUNITY DEVELOPMENT BLOCK GRANTS*
13 *(RESCISSION)*

14 *Of the unobligated balances available under this head-*
15 *ing in the 1998 Supplemental Appropriations and Rescis-*
16 *sions Act (Public Law 105–174), \$63,600,000 are rescinded.*

17 *Of the unobligated balances available under this head-*
18 *ing in division B, of the Omnibus Consolidated and Emer-*
19 *gency Supplemental Appropriations, 1999 (Public Law*
20 *105–277), \$250,000,000 are rescinded.*

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

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

8 *CHAPTER 9*
9 *DEPARTMENT OF DEFENSE—CIVIL*
10 *DEPARTMENT OF THE ARMY*
11 *CORPS OF ENGINEERS—CIVIL*
12 *CONSTRUCTION, GENERAL*
13 *(RESCISSION)*

14 *Of the amounts made available under this heading in*
15 *Public Law 105–245 for the Lackawanna River, Scranton,*
16 *Pennsylvania, \$5,500,000 are rescinded.*

17 *CHAPTER 10*
18 *EXECUTIVE OFFICE OF THE PRESIDENT AND*
19 *FUNDS APPROPRIATED TO THE PRESIDENT*
20 *FEDERAL DRUG CONTROL PROGRAMS*
21 *SPECIAL FORFEITURE FUND*
22 *(RESCISSION)*

23 *Of the funds made available under this heading in di-*
24 *vision A of the Omnibus Consolidated and Emergency Sup-*
25 *plemental Appropriations, 1999 (Public Law 105–277)*
26 *\$1,250,000 are rescinded.*

1 *GENERAL PROVISIONS, THIS TITLE*

2 *SEC. 3001. (a) Division B, title V, chapter 1 of the*
3 *Omnibus Consolidated and Emergency Supplemental Ap-*
4 *propriations Act, 1999 (Public Law 105–277) is repealed.*

5 *(b) Section 832(a) of the Western Hemisphere Drug*
6 *Elimination Act (Public Law 105–277) is amended—*

7 *(1) in the first sentence—*

8 *(A) by striking “Secretary of Agriculture”*
9 *and inserting “Secretary of State”; and*

10 *(B) by striking “the Agricultural Research*
11 *Service of the Department of Agriculture” and*
12 *inserting “the Department of State”;*

13 *(2) in paragraph (5), by inserting “(without re-*
14 *gard to any requirement in law relating to public no-*
15 *tice or competition)” after “to contract”; and*

16 *(3) by adding at the end the following:*

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

21 *SEC. 3002. Of the funds appropriated with an emer-*
22 *gency designation in division B of Public Law 105–277,*
23 *other than those appropriated to the Department of De-*
24 *fense—Military, \$343,000,000 are rescinded: Provided,*
25 *That these reductions shall be applied proportionally to*

1 *each appropriation account and budget activity being re-*
2 *duced by this section: Provided further, That within 30*
3 *days of enactment of this Act, the Director of the Office of*
4 *Management and Budget shall submit to the Committees*
5 *on Appropriations a listing of the amounts by account of*
6 *the reductions made pursuant to this section.*

7 *SEC. 3003. Of the funds appropriated or otherwise*
8 *made available for fiscal year 1999 for the non-defense dis-*
9 *cretionary category, \$100,000,000 are rescinded as a result*
10 *of revised economic assumptions from inflation adjusted ac-*
11 *counts: Provided, That within 30 days of enactment of this*
12 *Act, the Director of the Office of Management and Budget*
13 *shall submit to the Committees on Appropriations a listing*
14 *of the amounts by account of the reductions made pursuant*
15 *to this section.*

16 *SEC. 3004. GAO AND INSPECTOR GENERAL AUDIT.*
17 *The Inspector General of the Department of Housing and*
18 *Urban Development and the Comptroller General of the*
19 *United States shall conduct an audit of the Department of*
20 *Housing and Urban Development to assess the extent the*
21 *Department has been in compliance with the Department*
22 *of Housing and Urban Development Reform Act of 1989*
23 *over the last two years. The Inspector General of the Depart-*
24 *ment of Housing and Urban Development and the Comp-*
25 *troller General of the United States shall issue a prelimi-*

1 nary report to the Congress on this assessment within 6
2 months and a final report within 12 months.

3 *TITLE IV—TECHNICAL CORRECTIONS*

4 *SEC. 4001. The Agriculture, Rural Development, Food*
5 *and Drug Administration, and Related Agencies Appro-*
6 *priations Act, 1999 (as contained in division A, section*
7 *101(a) of the Omnibus Consolidated and Emergency Sup-*
8 *plemental Appropriations Act, 1999 (Public Law 105–*
9 *277)) is amended:*

10 (1) *in title III, under the heading “Rural Com-*
11 *munity Advancement Program (Including Transfer of*
12 *Funds)”, by inserting “1926d,” after “1926c,”; by in-*
13 *serting “, 306(a)(2), and 306D” after “381E(d)(2)”*
14 *the first time it appears in the paragraph; and by*
15 *striking “, as provided in 7 U.S.C. 1926(a) and 7*
16 *U.S.C. 1926C”,*

17 (2) *in title VII, in section 718 by striking “this*
18 *Act” and inserting in lieu thereof “annual appropria-*
19 *tions Acts”,*

20 (3) *in title VII, in section 747 by striking “302”*
21 *and inserting in lieu thereof “203”, and*

22 (4) *in title VII, in section 763(b)(3) by striking*
23 *“section 402(d) of Public Law 94–265” and inserting*
24 *in lieu thereof “section 116(a) of Public Law 104–*
25 *297”.*

1 *SEC. 4002. The Foreign Operations, Export Financ-*
2 *ing, and Related Programs Appropriations Act, 1999 (as*
3 *contained in division A, section 101(d) of the Omnibus Con-*
4 *solidated and Emergency Supplemental Appropriations*
5 *Act, 1999 (Public Law 105–277)) is amended:*

6 (1) *in title II under the heading “Burma” by*
7 *striking headings “Economic Support Fund” and*
8 *and inserting in lieu thereof headings “Child Sur-*
9 *vival and Disease Programs Fund”, “Economic Sup-*
10 *port Fund”, and,*

11 (2) *in title V in section 587 by striking “199–*
12 *339” and inserting in lieu thereof “99–399”,*

13 (3) *in title V in subsection 594(a) by striking*
14 *“subparagraph (C)” and inserting in lieu thereof*
15 *“subsection (c)”,*

16 (4) *in title V in subsection 594(b) by striking*
17 *“subparagraph (a)” and inserting in lieu thereof*
18 *“subsection (a)”,* and

19 (5) *in title V in subsection 594(c) by striking*
20 *“521 of the annual appropriations Act for Foreign*
21 *Operations, Export Financing, and Related Pro-*
22 *grams” and inserting in lieu thereof “520 of this*
23 *Act”.*

24 *SEC. 4003. Subsection 1706(b) of title XVII of the*
25 *International Financial Institutions Act (22 U.S.C. 262r–*

1 262r-2), as added by section 614 of the Foreign Operations,
2 Export Financing, and Related Programs Appropriations
3 Act, 1999, is amended by striking “June 30” and inserting
4 in lieu thereof “September 30”.

5 SEC. 4004. *The Department of the Interior and Re-*
6 *lated Agencies Appropriations Act, 1999 (as contained in*
7 *division A, section 101(e) of the Omnibus Consolidated and*
8 *Emergency Supplemental Appropriations Act, 1999 (Public*
9 *Law 105-277)) is amended:*

10 (1) in the last proviso under the heading
11 “United States Fish and Wildlife Service, Adminis-
12 trative Provisions” by striking “section 104(c)(50)(B)
13 of the Marine Mammal Protection Act (16 U.S.C.
14 1361-1407)” and inserting in lieu thereof “section
15 104(c)(5)(B) of the Marine Mammal Protection Act of
16 1972 (16 U.S.C. 1361-1407)”.

17 (2) under the heading “Bureau of Indian Af-
18 fairs, Operation of Indian Programs”, by striking
19 “\$94,010,000” and inserting in lieu thereof
20 “\$94,046,000”, by striking “\$114,871,000” and in-
21 serting in lieu thereof “\$114,891,000”, by striking
22 “\$387,365,000” and inserting in lieu thereof
23 “\$389,307,000”, and by striking “\$52,889,000” and
24 inserting in lieu thereof “\$53,039,000”.

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

4 (4) The amendments made by paragraphs (1),
5 (2), and (3) of this section shall take effect as if in-
6 cluded in Public Law 105–277 on the date of its en-
7 actment.

8 SEC. 4005. *The Departments of Labor, Health and*
9 *Human Services, Education, and Related Agencies Appro-*
10 *priations Act, 1999 (as contained in division A, section*
11 *101(f) of the Omnibus Consolidated and Emergency Sup-*
12 *plemental Appropriations Act, 1999 (Public Law 105–*
13 *277)) is amended:*

14 (1) in title I, under the heading “Federal Unem-
15 ployment Benefits and Allowances”, by striking “dur-
16 ing the current fiscal year” and inserting in lieu
17 thereof “from October 1, 1998, through September 30,
18 1999”;

19 (2) in title II under the heading “Office of the
20 Secretary, General Departmental Management” by
21 striking “\$180,051,000” and inserting in lieu thereof
22 “\$188,051,000”;

23 (3) in title II under the heading “Children and
24 Families Services Programs, (Including Rescissions)”
25 by striking “notwithstanding section 640(a)(6), of the

1 *funds made available for the Head Start Act,*
2 *\$337,500,000 shall be set aside for the Head Start*
3 *Program for Families with Infants and Toddlers*
4 *(Early Head Start): Provided further, That”;*

5 *(4) in title II under the heading “Office of the*
6 *Secretary, General Departmental Management” by*
7 *inserting after the first proviso the following: “Pro-*
8 *vided further, That of the funds made available under*
9 *this heading for carrying out title XX of the Public*
10 *Health Service Act, \$10,831,000 shall be for activities*
11 *specified under section 2003(b)(2), of which*
12 *\$9,131,000 shall be for prevention service demonstra-*
13 *tion grants under section 510(b)(2) of title V of the*
14 *Social Security Act, as amended, without application*
15 *of the limitation of section 2010(c) of said title XX.”;*

16 *(5) in title III under the heading “Special Edu-*
17 *cation” by inserting before the period at the end of*
18 *the paragraph the following: “: Provided further, That*
19 *\$1,500,000 shall be for the recipient of funds provided*
20 *by Public Law 105–78 under section 687(b)(2)(G) of*
21 *the Act to provide information on diagnosis, interven-*
22 *tion, and teaching strategies for children with disabili-*
23 *ties”;*

1 (6) in title II under the heading “Public Health
2 and Social Services Emergency Fund” by striking
3 “\$322,000” and inserting in lieu thereof “\$180,000”;

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

7 (8) in title III under the heading “Vocational
8 and Adult Education” by striking “\$6,000,000” the
9 first time that it appears and inserting in lieu thereof
10 “\$14,000,000”, and by inserting before the period at
11 the end of the paragraph the following: “: Provided
12 further, That of the amounts made available for the
13 Perkins Act, \$4,100,000 shall be for tribally controlled
14 postsecondary vocational institutions under section
15 117”;

16 (9) in title III under the heading “Higher Edu-
17 cation” by inserting after the first proviso the fol-
18 lowing: “Provided further, That funds available for
19 part A, subpart 2 of title VII of the Higher Education
20 Act shall be available to fund awards for academic
21 year 1999–2000 for fellowships under part A, subpart
22 1 of title VII of said Act, under the terms and condi-
23 tions of part A, subpart 1.”;

24 (10) in title III under the heading “Education
25 Research, Statistics, and Improvement” by inserting

1 *after the third proviso the following: “Provided fur-*
2 *ther, That of the funds appropriated under section*
3 *10601 of title X of the Elementary and Secondary*
4 *Education Act of 1965, as amended, \$1,000,000 shall*
5 *be used to conduct a violence prevention demonstra-*
6 *tion program: Provided further, That of the funds ap-*
7 *propriated under section 10601 of title X of the Ele-*
8 *mentary and Secondary Education Act of 1965, as*
9 *amended, \$50,000 shall be awarded to the Center for*
10 *Educational Technologies to conduct a feasibility*
11 *study and initial planning and design of an effective*
12 *CD ROM product that would complement the book,*
13 *We the People: The Citizen and the Constitution.”;*

14 *(11) in title III under the heading “Reading Ex-*
15 *cellence” by inserting before the period at the end of*
16 *the paragraph the following: “: Provided, That up to*
17 *one percent of the amount appropriated shall be*
18 *available October 1, 1998 for peer review of applica-*
19 *tions”;*

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

1 (13)(A) in title VIII in section 405 by striking
2 subsection (e) and inserting in lieu thereof the fol-
3 lowing:

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

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

12 “(2) by striking the item relating to the title
13 heading for title VII and inserting in lieu thereof the
14 following:

15 “TITLE VII—EDUCATION AND TRAINING”.

16 (B) The amendments made by paragraph
17 (13)(A) of this section shall take effect as if included
18 in Public Law 105–277 on the date of its enactment.

19 SEC. 4006. The last sentence of section 5595(b) of title
20 5, United States Code (as added by section 309(a)(2) of the
21 Legislative Branch Appropriations Act, 1999, Public Law
22 105–275) is amended by striking “(a)(1)(G)” and inserting
23 in lieu thereof “(a)(1)(C)”.

24 SEC. 4007. Division B, title II, chapter 5 of the Omni-
25 bus Consolidated and Emergency Supplemental Appropria-

1 *tions Act, 1999 (Public Law 105–277) is amended under*
2 *the heading “Capitol Police Board, Security Enhance-*
3 *ments” by inserting before the period at the end of the para-*
4 *graph “: Provided further, That for purposes of carrying*
5 *out the plan or plans described under this heading and con-*
6 *sistent with the approval of such plan or plans pursuant*
7 *to this heading, the Capitol Police Board shall transfer the*
8 *portion of the funds made available under this heading*
9 *which are to be used for personnel and overtime increases*
10 *for the United States Capitol Police to the heading “Capitol*
11 *Police Board, Capitol Police, Salaries” under the Act mak-*
12 *ing appropriations for the legislative branch for the fiscal*
13 *year involved, and shall allocate such portion between the*
14 *Sergeant at Arms of the House of Representatives and the*
15 *Sergeant at Arms and Doorkeeper of the Senate in such*
16 *amounts as may be approved by the Committee on Appro-*
17 *priations of the House of Representatives and the Com-*
18 *mittee on Appropriations of the Senate”.*

19 *SEC. 4008. Division B, title 1, chapter 3 of the Omni-*
20 *bus Consolidated and Emergency Supplemental Appropria-*
21 *tions Act, 1999 (Public Law 105–277) is amended under*
22 *the heading “Family Housing, Navy and Marine Corps”*
23 *by striking the word “Hurricane” and inserting in lieu*
24 *thereof “Hurricanes Georges and”.*

1 *SEC. 4009. The Department of Transportation and Re-*
2 *lated Agencies Appropriations Act, 1999, as contained in*
3 *division A, section 101(g) of the Omnibus Consolidated and*
4 *Emergency Supplemental Appropriations Act, 1999 (Public*
5 *Law 105–277), is amended in title I under the heading*
6 *“Capital Investment Grants (Including Transfer of*
7 *Funds)” within the project description of project number*
8 *127, by inserting the words “and bus facilities” after the*
9 *word “replacements”, and within the project description of*
10 *project number 261 by striking the words “Multimodal Cen-*
11 *ter” and inserting “buses and bus related facilities”.*

12 *SEC. 4010. The Department of Transportation and Re-*
13 *lated Agencies Appropriations Act, 1999, as contained in*
14 *division A, section 101(g) of the Omnibus Consolidated and*
15 *Emergency Supplemental Appropriations Act, 1999 (Public*
16 *Law 105–277), is amended in title I under the heading*
17 *“Federal-Aid Highways (Limitation on Obligations)*
18 *(Highway Trust Fund)” by striking “not more than*
19 *\$38,000,000 shall be available for the implementation and*
20 *execution of the Ferry Boat and Ferry Terminal Facility*
21 *Program”, and inserting in lieu thereof, “not more than*
22 *\$59,290,000 shall be available for the implementation and*
23 *execution of the Ferry Boat and Ferry Terminal Facility*
24 *Program”.*

1 *SEC. 4011. (a) AMERICAN FISHERIES ACT.—The*
2 *American Fisheries Act (title II of division C of Public Law*
3 *105–277) is amended—*

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

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

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

10 *(4) in section 213(c)(1) by striking “title” and*
11 *inserting “subtitle”; and*

12 *(5) in section 213(c)(2) by striking “title” and*
13 *inserting “subtitle”.*

14 *(b) TITLE 46.—Section 12122(c) of title 46, United*
15 *States Code, is amended by inserting a comma after “state-*
16 *ment or representations”.*

17 *SEC. 4012. Section 113 of the Department of Justice*
18 *Appropriations Act, 1999 (section 101(b) of division A of*
19 *Public Law 105–277) is amended by striking “section*
20 *102(2) of the Federally Recognized Indian Tribe List Act*
21 *of 1994 (25 U.S.C. 479a(2))” and inserting “section 4(b)*
22 *of the Indian Self-Determination and Education Assistance*
23 *Act (25 U.S.C. 450b(b))”.*

1 *SEC. 4013. DENALI COMMISSION. The Denali Commis-*
2 *sion Act of 1998 (title III of division C of Public Law 105-*
3 *277) is amended—*

4 (1) *in section 303(b)(1)(D) by striking in two*
5 *instances “Alaska Federation or Natives” and insert-*
6 *ing “Alaska Federation of Natives”;*

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

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

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

18 (5) *by inserting at the end of section 306 the fol-*
19 *lowing new subsections:*

20 “(g) *ADMINISTRATIVE EXPENSES AND RECORDS.—The*
21 *Commission is hereby prohibited from using more than 5*
22 *percent of the amounts appropriated under the authority*
23 *of this Act or transferred pursuant to section 329 of the*
24 *Department of Transportation and Related Agencies Ap-*
25 *propriations Act, 1999 (section 101(g) of division A of this*

1 Act) for administrative expenses. The Commission and its
2 grantees shall maintain accurate and complete records
3 which shall be available for audit and examination by the
4 Comptroller General of his or her designee.

5 “(h) INSPECTOR GENERAL.—Section 8G(a)(2) of the
6 Inspector General Act of 1978 (5 U.S.C. App. 3, section
7 8G(a)(2)) is amended by inserting ‘the Denali Commission,’
8 after ‘the Corporation for Public Broadcasting.’; and

9 (6) in section 307(b) by inserting immediately
10 before “The Commission” the following: “Funds
11 transferred to the Commission pursuant to section
12 329 of the Department of Transportation and Related
13 Agencies Appropriations Act, 1999 (section 101(g) of
14 division A of this Act) shall be available without fur-
15 ther appropriation and until expended.”.

16 SEC. 4014. Section 3347(b) of title 5, United States
17 Code, as added by the Federal Vacancies Reform Act of
18 1998, is amended by striking “provision to which subsection
19 (a)(2) applies” and inserting “provision to which sub-
20 section (a)(1) applies”.

21 SEC. 4015. Of the amount appropriated under the
22 heading “ENVIRONMENTAL PROGRAMS AND MANAGEMENT”
23 in title III of the Departments of Veterans Affairs and
24 Housing and Urban Development, and Independent Agen-
25 cies Appropriations Act, 1999 (Public Law 105–276),

1 \$1,300,000 shall be transferred to the “STATE AND TRIBAL
2 ASSISTANCE GRANTS” account for a grant for water and
3 wastewater infrastructure projects in the State of Idaho.

4 *SEC. 4016. (a) Notwithstanding any other provision*
5 *of this Act, none of the amounts provided by this Act are*
6 *designated 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.*

9 *(b) An additional amount of \$2,250,000,000 is re-*
10 *scinded as provided in section 3002 of this Act.*

11 *SEC. 4017. Notwithstanding any other provision of*
12 *this Act, none of the amounts provided by this Act are des-*
13 *ignated by the Congress as an emergency requirement pur-*
14 *suant to section 251(b)(2)(A) of the Balanced Budget and*
15 *Emergency Deficit Control Act of 1985.*

16 *TITLE V—MISCELLANEOUS*

17 *SEC. 5001. (a) DISPOSAL AUTHORIZED.—Subject to*
18 *subsection (c), the President may dispose of the material*
19 *in the National Defense Stockpile specified in the table in*
20 *subsection (b).*

21 *(b) TABLE.—The total quantity of the material au-*
22 *thorized for disposal by the President under subsection (a)*
23 *is as follows:*

Authorized Stockpile Disposal

Material for disposal	Quantity
Zirconium ore	17,383 short dry tons

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

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

7 (2) *avoidable loss to the United States.*

8 (d) *RELATIONSHIP TO OTHER DISPOSAL AUTHOR-*
9 *ITY.*—*The disposal authority provided in subsection (a) is*
10 *new disposal authority and is in addition to, and shall not*
11 *affect, any other disposal authority provided by law regard-*
12 *ing the material specified in such subsection.*

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

18 SEC. 5002. (a) *AVAILABILITY OF SETTLEMENT*
19 *AMOUNT.*—*Notwithstanding any other provision of law, the*
20 *amount received by the United States in settlement of the*
21 *claims described in subsection (b) shall be available as spec-*
22 *ified in subsection (c).*

1 (b) *COVERED CLAIMS.*—*The claims referred to in this*
2 *subsection are the claims of the United States against Hunt*
3 *Building Corporation and Ellsworth Housing Limited*
4 *Partnership relating to the design and construction of an*
5 *828-unit family housing project at Ellsworth Air Force*
6 *Base, South Dakota.*

7 (c) *SPECIFIED USES.*—

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

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

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

21 (ii) *of the balance of such portion—*

22 (I) *an amount equal to $\frac{7}{8}$ of such*
23 *balance shall be available to the Sec-*
24 *retary of Transportation for purposes*
25 *of construction of an access road on*

1 *Interstate Route 90 at Box Elder,*
2 *South Dakota (item 1741 of the table*
3 *contained in section 1602 of the Trans-*
4 *portation Equity Act for the 21st Cen-*
5 *tury (Public Law 105–178; 112 Stat.*
6 *320)); and*

7 *(II) an amount equal to $\frac{1}{8}$ of*
8 *such balance shall be available to the*
9 *Secretary of the Air Force for purposes*
10 *of real property and facility mainte-*
11 *nance projects at Ellsworth Air Force*
12 *Base.*

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

15 *(i) an amount equal to 3 percent of*
16 *such portion shall be credited to the Depart-*
17 *ment of Justice Working Capital Fund in*
18 *accordance with subparagraph (A)(i); and*

19 *(ii) an amount equal to the balance of*
20 *such portion shall be available to the Sec-*
21 *retary of Transportation for purposes of*
22 *construction of the access road described in*
23 *subparagraph (A)(ii)(I).*

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

1 (i) an amount equal to 3 percent of
2 such portion shall be credited to the Depart-
3 ment of Justice Working Capital Fund in
4 accordance with subparagraph (A)(i); and

5 (ii) an amount equal to the balance of
6 such portion shall be available to the Sec-
7 retary of the Air Force for purposes of real
8 property and facility maintenance projects
9 at Ellsworth Air Force Base.

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

12 (A) *LIMITATION.—*The amounts referred to
13 in subparagraphs (A)(ii)(I) and (B)(ii) of para-
14 graph (1) shall be available as specified in such
15 subparagraphs only if, not later than September
16 30, 2000, the South Dakota Department of
17 Transportation enters into an agreement with
18 the Federal Highway Administration providing
19 for the construction of an interchange on Inter-
20 state Route 90 at Box Elder, South Dakota.

21 (B) *ALTERNATIVE AVAILABILITY OF*
22 *FUNDS.—*If the agreement described in subpara-
23 graph (A) is not entered into by the date referred
24 to in that subparagraph, the amounts described
25 in that subparagraph shall be available to the

1 *Secretary of the Air Force as of that date for*
2 *purposes of real property and facility mainte-*
3 *nance projects at Ellsworth Air Force Base.*

4 (3) *AVAILABILITY OF AMOUNTS.—*

5 (A) *ACCESS ROAD.—Amounts available*
6 *under this section for construction of the access*
7 *road described in paragraph (1)(A)(ii)(I) are in*
8 *addition to amounts available for the construc-*
9 *tion of that access road under any other provi-*
10 *sion of law.*

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

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

Attest:

Secretary.

106TH CONGRESS
1ST SESSION

H. R. 1141

AMENDMENT