

H.R. 1134: Mrs. FOWLER and Mr. CRAPO.
 H.R. 1140: Mr. GOODE.
 H.R. 1168: Mr. HILLEARY, Ms. DANNER, Mr. HERGER, and Mr. HASTINGS of Washington.
 H.R. 1175: Mr. CONDIT and Mr. DREIER.
 H.R. 1203: Mr. BONILLA.
 H.R. 1206: Ms. KAPTUR.
 H.R. 1246: Mrs. EMERSON, Mr. METCALF, and Ms. SLAUGHTER.
 H.R. 1248: Mr. MURTHA.
 H.R. 1260: Ms. WATERS, Mr. STRICKLAND, Mr. DOOLITTLE, Mr. STOKES, Mr. TURNER, Mr. LUCAS of Oklahoma, Mr. CLAY, and Ms. JACKSON-LEE.
 H.R. 1270: Mr. KINGSTON, Mr. JONES, Mr. HILLIARD, Mr. DAVIS of Virginia, and Mr. OXLEY.
 H.R. 1283: Mr. BLUNT, Mr. MORAN of Virginia, Mr. BILBRAY, Mrs. MYRICK, and Mr. HAYWORTH.
 H.R. 1296: Mr. NADLER and Mr. SMITH of New Jersey.
 H.R. 1311: Mr. RUSH and Mr. TOWNS.
 H.R. 1315: Mr. HILLEARY, Mr. WAMP, Mr. GORDON, and Mr. FORD.
 H.R. 1323: Mrs. MORELLA.
 H.R. 1327: Mr. RYUN and Mr. BACHUS.
 H.R. 1329: Mr. HALL of Texas and Mr. MARTINEZ.
 H.R. 1334: Ms. CARSON, Ms. JACKSON-LEE, and Ms. CHRISTIAN-GREEN.
 H.R. 1335: Mr. BECERRA and Mr. ROTHMAN.
 H.R. 1348: Mr. DIAZ-BALART, Mr. UNDERWOOD, Mr. BAKER, Mr. ROHRBACHER, and Mr. SISISKY.
 H.R. 1356: Mrs. EMERSON, Mr. WATKINS, Mr. FROST, and Mr. LUCAS of Oklahoma.
 H.R. 1357: Mrs. EMERSON, Mr. WATKINS, Mr. GOODE, Mr. FROST, and Mr. LUCAS of Oklahoma.
 H.R. 1373: Mr. WEYGAND, Mr. GEJDENSON, Ms. LOFGREN, Mr. FROST, Mr. FILNER, Mr. FORD, Mrs. CLAYTON, Mr. TIERNEY, Mr. DELUMS, Ms. PELOSI, and Ms. SLAUGHTER.
 H.R. 1379: Mr. TALENT.
 H.R. 1382: Mr. FILNER and Mr. GEJDENSON.
 H.R. 1398: Mr. LINDER.
 H.R. 1401: Mr. DAN SCHAEFER of Colorado.
 H.R. 1425: Mr. YATES.
 H.R. 1434: Mr. CUNNINGHAM and Ms. CHRISTIAN-GREEN.
 H.R. 1462: Ms. KAPTUR.
 H.R. 1532: Mr. WALSH, Mr. FAZIO of California, and Mr. GALLEGLY.
 H.R. 1559: Mr. BAKER, Mr. GILMAN, and Mr. TALENT.
 H.R. 1573: Mr. SHAYS, Mr. GORDON, Mr. RUSH, Mr. TOWNS, Mr. DELAHUNT, Mr. HILLIARD, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. CLYBURN.
 H.R. 1576: Mr. HORN.
 H.R. 1591: Mr. DAN SCHAEFER of Colorado and Mr. CAMPBELL.
 H.R. 1609: Mr. MASCARA, Mr. HOLDEN, Mr. KANJORSKI, Mr. KLINK, Mr. DOYLE, Mr. FATTAH, Mr. McHALE, Mr. MURTHA, Mr. COYNE, and Mr. FOGLIETTA.
 H.R. 1683: Mrs. JOHNSON of Connecticut.
 H.R. 1689: Mr. SHIMKUS.
 H.R. 1696: Mr. POMBO.
 H.R. 1712: Mr. HASTERT.
 H.R. 1715: Mr. PARKER, Mr. COMBEST, Mr. SMITH of Texas, and Mr. BROWN of Ohio.
 H.R. 1716: Mr. ROTHMAN and Mr. BENTSEN.
 H.R. 1743: Mr. RIGGS, Mr. BONO, Mrs. NORTHUP, and Mr. CALVERT.
 H.J. Res. 54: Mr. REDMOND.
 H.J. Res. 78: Mr. HASTERT, Mr. HULSHOF, Mr. EHLERS, Mr. HEFNER, Mr. SOUDER, Mr. BOEHNER, and Mr. MANZULLO.
 H.J. Res. 79: Mr. FORBES, Mr. KENNEDY of Rhode Island, and Mr. KASICH.
 H. Con. Res. 54: Mr. PORTER.
 H. Con. Res. 65: Mr. HOUGHTON and Ms. MOLINARI.
 H. Con. Res. 81: Mr. GEKAS, Ms. ROSLEHTINEN, Mr. PAPPAS, Mrs. MORELLA, Mr. OBEY, Mrs. LOWEY, Mr. PALLONE, Mr. WAMP, Mr. KENNEDY of Rhode Island, Mr. TORRES,

Mr. ACKERMAN, Mr. McNULTY, Mr. SHERMAN, Mr. BONIOR, Mr. BROWN of Ohio, Ms. PELOSI, and Ms. FURSE.

H. Con. Res. 88: Mr. GALLEGLY.
 H. Res. 37: Mr. McDERMOTT.
 H. Res. 131: Mr. WYNN, Mr. STARK, Mr. UNDERWOOD, and Ms. WATERS.
 H. Res. 138: Mr. ADAM SMITH of Washington.

THURSDAY, JUNE 5, 1997 (59)

¶59.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. NEY, who laid before the House the following communication:

WASHINGTON, DC,
 June 5, 1997.

I hereby designate the Honorable ROBERT W. NEY to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

¶59.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. NEY, announced he had examined and approved the Journal of the proceedings of Wednesday, June 4, 1997.

Pursuant to clause 1, rule I, the Journal was approved.

¶59.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3641. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Regulation Governing the Fresh Irish Potato Diversion Program, 1996 Crop [FV-97-80-01] received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3642. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Limes Grown in Florida and Imported Limes; Change in Regulatory Period [Docket No. FV-97-911-1A IFR] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3643. A letter from the Acting Under Secretary for Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Quality Control Provisions of the Mickey Leland Childhood Hunger Relief Act [Workplan Number 93-018] (RIN: 0584-AB75) received May 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3644. A letter from the Assistant Secretary of the Navy (Installations and Environment), Department of the Navy, transmitting notification of the Secretary's intent to study a commercial or industrial type function performed by 45 or more civilian employees for possible outsourcing, pursuant to 10 U.S.C. 2304 note; to the Committee on National Security.

3645. A letter from the Chairman, Board of Governors, Federal Reserve System, transmitting the Eighty-Third Annual Report of the Board of Governors of the Federal Reserve System covering operations during calendar year 1996, pursuant to 12 U.S.C. 247; to the Committee on Banking and Financial Services.

3646. A letter from the Acting General Counsel, Department of Energy, transmitting the Department's final rule—State Energy Program (Office of Energy Efficiency and Renewable Energy) [Docket No. EE-RM-

96-402] (RIN: 1904-AA81) received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3647. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Occupant Crash Protection; Child Restraint Systems (National Highway Traffic Safety Administration) [Docket No. 74-14; Notice 119] (RIN: 2127-AG82) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3648. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources; Standards of Performance for Nonmetallic Mineral Processing Plants; Amendments [L-64-2-5807; FRL-5836-2] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3649. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Arizona—Maricopa County Ozone Nonattainment Area [AZ 68-0011; FRL-5835-8] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3650. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of Source-Specific VOC and NOx RACT Determinations [PA83-4062a; FRL-5835-2] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3651. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of VOC and NOx RACT Determinations for Individual Sources [SIPTRAX No. PA-4057a; FRL-5835-4] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3652. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Regulations of Fuels and Fuel Additives: Extension of the Reformulated Gasoline Program to the Phoenix, Arizona Moderate Ozone Nonattainment Area [FRL-5834-4] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3653. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants Emissions: Group IV Polymers and Resins [AD-FRL-5836-6] (RIN: 2060-AE37) received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3654. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants; Final Standards for Hazardous Air Pollutant Emissions from Wood Furniture Manufacturing Operations [AD-FRL-5836-8] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3655. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Des Arc, Arkansas) [MM Docket No. 97-31, RM-8930] re-

ceived June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3656. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Idaho Falls, Idaho) [MM Docket No. 97-14, RM-8916] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3657. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Driggs, Idaho) [MM Docket No. 97-39, RM-8905] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3658. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Homedale, Idaho) [MM Docket No. 97-15, RM-8927] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3659. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 96F-0370] received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3660. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting copies of the original report of political contributions by David J. Scheffer, of Virginia, to be Ambassador at Large for War Crimes Issues, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on International Relations.

3661. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting copies of the original report of political contributions by John Christian Kornblum, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States to the Federal Republic of Germany, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on International Relations.

3662. A communication from the President of the United States, transmitting a letter notifying Congress that on May 29 and May 30, due to the uncertain security situation and the possible threat to American citizens and the American Embassy in Sierra Leone, approximately 200 U.S. military personnel, including an 11-member special forces detachment, were positioned in Freetown to prepare for the evacuation of certain U.S. Government employees and private U.S. citizens (H. Doc. No. 105-93); to the Committee on International Relations and ordered to be printed.

3663. A letter from the Secretary of Agriculture, transmitting the semiannual report of the Inspector General for the period October 1, 1996 through March 31, 1997, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

3664. A letter from the Secretary of Education, transmitting the semiannual report to Congress on Audit Follow-up for the period October 1, 1996, through March 31, 1997, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

3665. A letter from the Chief Executive Officer, Corporation for National Service, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 1996, through March 31, 1997; and the semiannual management re-

port for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

3666. A letter from the Secretary of Transportation, transmitting the annual report on the valuation of the U.S. Coast Guard Military Retirement System for plan year ending 1995, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

3667. A letter from the Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—General Provisions, Definitions: Change in Organizational Title from Field Director and Field Area to Regional Director and Region (National Park Service) (RIN: 1024-AC60) received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3668. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Hook-and-Line Gear in Bering Sea and Aleutian Islands [Docket No. 961107312-7021-02; I.D. 052897B] received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3669. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker and Rougheye Rockfish in the Aleutian Islands Subarea [Docket No. 961107312-7021-02; I.D. 052897A] received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3670. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Whiting Closure for the Mothership Sector [Docket No. 970403076-7114-02; I.D. 053097A] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3671. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Pollock in the Western Regulatory Area [Docket No. 961126334-7025-02; I.D. 053097B] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3672. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the transfer of public lands to certain California Indian Tribes; to the Committee on Resources.

3673. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; Big Sandy River, mile 2.1 to mile 3.1 (Coast Guard) (RIN: 2115-AA97) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3674. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Security Zone; Elizabeth River, Norfolk, VA (Coast Guard) [CGD 05-97-032] (RIN: 2115-AA97) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3675. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulation: Fireworks Displays within the First Coast Guard District (Coast Guard) [CGD01-97-009] (RIN: 2115-AE46) received

June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3676. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 97-33] received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3677. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Information Reporting on Transactions with Foreign Trusts and on Large Foreign Gifts [Notice 97-34] received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3678. A letter from the Assistant Commissioner (Examination), Internal Revenue Service, transmitting the Service's final rule—Investment Credit on Transition Property [Utilities Industry Coordinated Issue] received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3679. A letter from the Secretary of Health and Human Services and the Commissioner of the Social Security Administration, transmitting the report of the 1994-1995 Advisory Council on Social Security, Volumes I and II, pursuant to 42 U.S.C. 907(d); jointly to the Committees on Ways and Means and Commerce.

¶59.4 DEPARTMENT OF STATE
AUTHORIZATION

The SPEAKER pro tempore, Mr. STEARNS, pursuant to House Resolution 159 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes.

The Acting Chairman, Mr. NEY assumed the Chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. SNOWBARGER, assumed the Chair.

When Mr. NEY, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶59.5 WAIVING POINTS OF ORDER
AGAINST THE CONFERENCE REPORT TO
ACCOMPANY H.R. 1469

Mr. SOLOMON, by direction of the Committee on Rules, reported (Rept. No. 105-120) the resolution (H. Res. 162) waiving points of order against the conference report to accompany the bill (H.R. 1469) making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶59.6 WAIVING POINTS OF ORDER
AGAINST THE CONFERENCE REPORT TO
ACCOMPANY H. CON. RES. 84

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 160):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the concurrent resolution (H. Con. Res. 84) establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The conference report shall be debatable for one hour equally divided and controlled by chairman and ranking minority member of the Committee on the Budget.

When said resolution was considered. After debate,

On motion of Mr. SOLOMON, the previous question was ordered on the resolution to its adoption or rejection.

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶59.7 RECESS—12:50 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 50 minutes p.m., subject to the call of the Chair.

¶59.8 AFTER RECESS—1:30 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶59.9 H. RES. 160—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 160) waiving points of order against the conference report to accompany the concurrent resolution (H. Con. Res. 84) establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002.

The question being put, *viva voce*,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. SERRANO objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 373
Nays 47

¶59.10

[Roll No. 165]
YEAS—373

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| Abercrombie | Baessler | Barrett (WI) |
| Ackerman | Baker | Bartlett |
| Aderholt | Baldacci | Bass |
| Allen | Ballenger | Bateman |
| Archer | Barcia | Bentsen |
| Armey | Barr | Bereuter |
| Bachus | Barrett (NE) | Berman |

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| Berry |
| Bilbray |
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| Bishop |
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| Blunt |
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| Bonilla |
| Bono |
| Boswell |
| Boucher |
| Boyd |
| Brady |
| Brown (CA) |
| Brown (OH) |
| Bryant |
| Bunning |
| Burr |
| Burton |
| Buyer |
| Callahan |
| Calvert |
| Camp |
| Campbell |
| Canady |
| Cannon |
| Capps |
| Cardin |
| Carson |
| Castle |
| Chabot |
| Chambliss |
| Chenoweth |
| Christensen |
| Clayton |
| Clement |
| Clyburn |
| Coble |
| Coburn |
| Collins |
| Combest |
| Condit |
| Cook |
| Cooksey |
| Costello |
| Cox |
| Coyne |
| Cramer |
| Crane |
| Crapo |
| Cubin |
| Cummings |
| Cunningham |
| Danner |
| Davis (FL) |
| Davis (IL) |
| Davis (VA) |
| Deal |
| DeGette |
| DeLahunt |
| DeLauro |
| DeLay |
| Deutsch |
| Diaz-Balart |
| Dick |
| Dicks |
| Dingell |
| Dixon |
| Doggett |
| Dooley |
| Doolittle |
| Doyle |
| Dreier |
| Duncan |
| Dunn |
| Edwards |
| Ehlers |
| Ehrlich |
| Emerson |
| Engel |
| English |
| Ensign |
| Eshoo |
| Etheridge |
| Evans |
| Everett |
| Ewing |
| Fattah |
| Fawell |
| Fazio |
| Flake |
| Foglietta |
| Foley |
| Forbes |
| Ford |
| Fowler |
| Fox |
| Frank (MA) |
| Franks (NJ) |
| Frelinghuysen |
| Frost |
| Furse |
| Gallely |
| Ganske |
| Gejdenson |
| Gekas |
| Gephardt |
| Gibbons |
| Gilchrest |
| Gillmor |
| Gilman |
| Gonzalez |
| Goodlatte |
| Goodling |
| Gordon |
| Graham |
| Granger |
| Green |
| Gutierrez |
| Gutknecht |
| Hall (OH) |
| Hall (TX) |
| Hamilton |
| Hansen |
| Harman |
| Hastert |
| Hastings (WA) |
| Hayworth |
| Hefley |
| Hefner |
| Heger |
| Hill |
| Hilleary |
| Hinche |
| Hinojosa |
| Hobson |
| Hoekstra |
| Holden |
| Hooley |
| Horn |
| Hostettler |
| Houghton |
| Hoyer |
| Hulshof |
| Hunter |
| Hutchinson |
| Hyde |
| Inglis |
| Jackson (IL) |
| Jackson-Lee |
| (TX) |
| Jenkins |
| John |
| Johnson (WI) |
| Johnson, E. B. |
| Johnson, Sam |
| Jones |
| Kaptur |
| Kasich |
| Kelly |
| Kennelly |
| Kildee |
| Kim |
| Kind (WI) |
| King (NY) |
| Kingston |
| Kleczka |
| Klink |
| Klug |
| Knollenberg |
| Kolbe |
| LaFalce |
| LaHood |
| Largent |
| Latham |
| LaTourrette |
| Lazio |
| Leach |
| Levin |
| Lewis (CA) |
| Lewis (KY) |
| Linder |
| Livingston |
| LoBiondo |
| Lofgren |
| Lowe |

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| Lowey |
| Lucas |
| Luther |
| Maloney (CT) |
| Maloney (NY) |
| Manton |
| Manzullo |
| Mascara |
| Matsui |
| McCarthy (MO) |
| McCollum |
| McCrery |
| McDade |
| McGovern |
| McHale |
| McHugh |
| McInnis |
| McIntosh |
| McIntyre |
| McKeon |
| McKinney |
| Meehan |
| Menendez |
| Metcalfe |
| Mica |
| Millender-McDonald |
| Miller (FL) |
| Minge |
| Moakley |
| Molinari |
| Mollohan |
| Moran (KS) |
| Moran (VA) |
| Morella |
| Murtha |
| Myrick |
| Neal |
| Nethercutt |
| Neumann |
| Ney |
| Northup |
| Norwood |
| Nussle |
| Ortiz |
| Oxley |
| Packard |
| Pallone |
| Pappas |
| Parker |
| Pascrell |
| Pastor |
| Paul |
| Paxon |
| Pease |
| Peterson (MN) |
| Peterson (PA) |
| Petri |
| Pickett |
| Pitts |
| Pombo |
| Pomeroy |
| Porter |
| Portman |
| Poshard |
| Price (NC) |
| Pryce (OH) |
| Quinn |
| Radanovich |
| Ramstad |
| Redmond |
| Regula |
| Reyes |
| Riggs |
| Riley |
| Rivers |
| Rodriguez |
| Roemer |
| Rogan |
| Rogers |
| Rohrabacher |
| Ros-Lehtinen |
| Rothman |
| Roukema |
| Roybal-Allard |
| Royce |
| Ryun |
| Sabo |
| Salmon |
| Sanchez |
| Sandlin |
| Sanford |
| Sawyer |
| Saxton |
| Scarborough |
| Schaefer, Dan |
| Schaffer, Bob |
| Schumer |
| Scott |
| Sensenbrenner |
| Serrano |
| Sessions |
| Shadegg |
| Shaw |
| Shays |
| Sherman |
| Shimkus |
| Shuster |
| Sisisky |
| Skaggs |
| Skeen |

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| Skelton |
| Slaughter |
| Smith (MI) |
| Smith (NJ) |
| Smith (OR) |
| Smith (TX) |
| Smith, Adam |
| Smith, Linda |
| Snowbarger |
| Snyder |
| Solomon |
| Spence |
| Spratt |
| Stabenow |
| Stearns |
| Stenholm |
| Strickland |
| Stump |

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| Stupak |
| Sununu |
| Talent |
| Tanner |
| Tauscher |
| Tauzin |
| Taylor (MS) |
| Taylor (NC) |
| Thomas |
| Thornberry |
| Thune |
| Thurman |
| Tiahrt |
| Towns |
| Traficant |
| Upton |
| Vento |
| Walsh |

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| Wamp |
| Watkins |
| Watts (OK) |
| Waxman |
| Weldon (FL) |
| Weldon (PA) |
| Weller |
| Wexler |
| Weygand |
| White |
| Whitfield |
| Wicker |
| Wise |
| Wolf |
| Woolsey |
| Wynn |
| Young (AK) |
| Young (FL) |

NAYS—47

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| Becerra |
| Bonior |
| Borski |
| Brown (FL) |
| Clay |
| Conyers |
| DeFazio |
| Dellums |
| Filner |
| Hastings (FL) |
| Hilliard |
| Kanjorski |
| Kennedy (MA) |
| Kennedy (RI) |
| Kilpatrick |
| Kucinich |

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| Lampson |
| Lewis (GA) |
| Lipinski |
| Markey |
| Martinez |
| McCarthy (NY) |
| McDermott |
| McNulty |
| Miller (CA) |
| Mink |
| Nadler |
| Oberstar |
| Obey |
| Olver |
| Owens |
| Payne |

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| Pelosi |
| Rahall |
| Rangel |
| Rush |
| Sanders |
| Stark |
| Stokes |
| Thompson |
| Tierney |
| Torres |
| Velazquez |
| Visclosky |
| Waters |
| Watt (NC) |
| Yates |

NOT VOTING—14

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| Andrews |
| Barton |
| Farr |
| Goode |
| Greenwood |

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| Istook |
| Jefferson |
| Johnson (CT) |
| Lantos |
| Meek |

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| Pickering |
| Schiff |
| Souder |
| Turner |

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶59.11 CONGRESSIONAL BUDGET RESOLUTION

Mr. KASICH, pursuant to House Resolution 160, called up the following conference report (Rept. No. 105-116):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 84), establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1998.

(a) DECLARATION.—The Congress determines and declares that this resolution is the concurrent resolution on the budget for fiscal year 1998 including the appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002 as required by section 301 of the Congressional Budget Act of 1974.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 1998.

TITLE I—LEVELS AND AMOUNTS

- Sec. 101. Recommended levels and amounts.
- Sec. 102. Social security.
- Sec. 103. Major functional categories.
- Sec. 104. Reconciliation in the Senate.

- Sec. 105. Reconciliation in the House of Representatives.
- TITLE II—BUDGETARY RESTRAINTS AND RULEMAKING
- Sec. 201. Discretionary spending limits.
- Sec. 202. Allowance for the IMF.
- Sec. 203. Allowance for section 8 housing assistance.
- Sec. 204. Separate environmental allocation.
- Sec. 205. Priority Federal land acquisitions and exchanges.
- Sec. 206. Allowance for arrearages.
- Sec. 207. Intercity passenger rail reserve fund for fiscal years 1998–2002.
- Sec. 207A. Intercity passenger rail reserve fund in the Senate for fiscal years 1998–2002.
- Sec. 208. Mass transit reserve fund in the Senate for fiscal years 1998–2002.
- Sec. 209. Highway reserve fund in the Senate for fiscal years 1998–2002.
- Sec. 210. Deficit—neutral reserve fund in the House for surface transportation.
- Sec. 211. Sale of Government assets.
- Sec. 212. Determinations of budgetary levels; reversals.
- Sec. 213. Exercise of rulemaking powers.
- TITLE III—SENSE OF CONGRESS, HOUSE, AND SENATE PROVISIONS
- Subtitle A—Sense of the Congress
- Sec. 301. Sense of the Congress on repayment of the Federal debt.
- Sec. 302. Sense of the Congress on tax cuts.
- Sec. 303. Sense of Congress that the 10-year revenue loss from the tax relief package shall not exceed \$250,000,000,000.
- Subtitle B—Sense of the House
- Sec. 306. Sense of the House on Commission on Long-Term Budgetary Problems.
- Sec. 307. Sense of the House on corporate welfare.
- Sec. 308. Sense of the House on baselines.
- Sec. 309. Sense of the House on family violence option clarifying amendment.
- Subtitle C—Sense of the Senate
- Sec. 311. Sense of the Senate on long term entitlement reforms, including accuracy in determining changes in the cost of living.
- Sec. 312. Sense of the Senate on tactical fighter aircraft programs.
- Sec. 313. Sense of the Senate regarding children's health coverage.
- Sec. 314. Sense of the Senate on a medicaid per capita cap.
- Sec. 315. Sense of the Senate that added savings go to deficit reduction.
- Sec. 316. Sense of the Senate on fairness in medicare.
- Sec. 317. Sense of the Senate regarding assistance to Lithuania and Latvia.
- Sec. 318. Sense of the Senate regarding a National Commission on Higher Education.
- Sec. 319. Sense of the Senate on lockbox.
- Sec. 320. Sense of the Senate on the earned income credit.
- Sec. 321. Sense of the Senate supporting long-term entitlement reforms.
- Sec. 322. Sense of the Senate on disaster assistance funding.
- Sec. 323. Sense of the Senate on enforcement of bipartisan budget agreement.
- Sec. 324. Sense of the Senate regarding the National Institutes of Health.
- Sec. 325. Sense of the Senate regarding certain elderly legal aliens.
- Sec. 326. Sense of the Senate regarding retroactive taxes.
- Sec. 327. Sense of the Senate on social security and balancing the budget.

- Sec. 328. Sense of the Senate supporting sufficient funding for veterans programs and benefits.
- Sec. 329. Sense of the Senate on family violence option clarifying amendment.
- Sec. 330. Sense of the Senate regarding assistance to Amtrak.
- Sec. 331. Sense of the Senate regarding the protection of children's health.
- Sec. 332. Sense of the Senate on depositing all Federal gasoline taxes into the Highway Trust Fund.
- Sec. 333. Sense of the Senate on early childhood education.
- Sec. 334. Sense of the Senate concerning Highway Trust Fund.
- Sec. 335. Sense of the Senate concerning tax incentives for the cost of post-secondary education.
- Sec. 336. Sense of the Senate on additional tax cuts.
- Sec. 337. Sense of the Senate regarding truth in budgeting and spectrum auctions.
- Sec. 338. Sense of the Senate on highway demonstration projects.
- Sec. 339. Sense of the Senate regarding the use of budget savings.
- Sec. 340. Sense of the Senate regarding the value of the social security system for future retirees.
- Sec. 341. Sense of the Senate on economic growth dividend protection.
- Sec. 342. Sense of the Senate supporting Federal, State, and local law enforcement officers.
- Sec. 343. Sense of Senate regarding parental involvement in prevention of drug use by children.

TITLE I—LEVELS AND AMOUNTS

- SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.**
- The following budgetary levels are appropriate for the fiscal years 1998, 1999, 2000, 2001, and 2002:
- (1) **FEDERAL REVENUES.**—For purposes of the enforcement of this resolution—
 - (A) The recommended levels of Federal revenues are as follows:
 - Fiscal year 1998: \$1,199,000,000,000.
 - Fiscal year 1999: \$1,241,900,000,000.
 - Fiscal year 2000: \$1,285,600,000,000.
 - Fiscal year 2001: \$1,343,600,000,000.
 - Fiscal year 2002: \$1,407,600,000,000.
 - (B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:
 - Fiscal year 1998: \$–7,400,000,000.
 - Fiscal year 1999: \$–11,100,000,000.
 - Fiscal year 2000: \$–22,000,000,000.
 - Fiscal year 2001: \$–22,800,000,000.
 - Fiscal year 2002: \$–19,900,000,000.
 - (C) The amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:
 - Fiscal year 1998: \$113,500,000,000.
 - Fiscal year 1999: \$119,100,000,000.
 - Fiscal year 2000: \$125,100,000,000.
 - Fiscal year 2001: \$130,700,000,000.
 - Fiscal year 2002: \$136,800,000,000.
- (2) **NEW BUDGET AUTHORITY.**—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:
 - Fiscal year 1998: \$1,386,700,000,000.
 - Fiscal year 1999: \$1,440,100,000,000.
 - Fiscal year 2000: \$1,486,400,000,000.
 - Fiscal year 2001: \$1,520,200,000,000.
 - Fiscal year 2002: \$1,551,600,000,000.
- (3) **BUDGET OUTLAYS.**—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:
 - Fiscal year 1998: \$1,372,000,000,000.
 - Fiscal year 1999: \$1,424,100,000,000.
 - Fiscal year 2000: \$1,468,800,000,000.

- Fiscal year 2001: \$1,500,700,000,000.
 - Fiscal year 2002: \$1,515,900,000,000.
 - (4) **DEFICITS.**—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:
 - Fiscal year 1998: \$–173,000,000,000.
 - Fiscal year 1999: \$–182,200,000,000.
 - Fiscal year 2000: \$–183,200,000,000.
 - Fiscal year 2001: \$–157,100,000,000.
 - Fiscal year 2002: \$–108,300,000,000.
 - (5) **PUBLIC DEBT.**—The appropriate levels of the public debt are as follows:
 - Fiscal year 1998: \$5,593,500,000,000.
 - Fiscal year 1999: \$5,841,000,000,000.
 - Fiscal year 2000: \$6,088,600,000,000.
 - Fiscal year 2001: \$6,307,300,000,000.
 - Fiscal year 2002: \$6,481,200,000,000.
 - (6) **DIRECT LOAN OBLIGATIONS.**—The appropriate levels of total new direct loan obligations are as follows:
 - Fiscal year 1998: \$34,000,000,000.
 - Fiscal year 1999: \$33,400,000,000.
 - Fiscal year 2000: \$34,900,000,000.
 - Fiscal year 2001: \$36,100,000,000.
 - Fiscal year 2002: \$37,400,000,000.
 - (7) **PRIMARY LOAN GUARANTEE COMMITMENTS.**—The appropriate levels of new primary loan guarantee commitments are as follows:
 - Fiscal year 1998: \$315,700,000,000.
 - Fiscal year 1999: \$324,900,000,000.
 - Fiscal year 2000: \$328,200,000,000.
 - Fiscal year 2001: \$332,200,000,000.
 - Fiscal year 2002: \$335,300,000,000.
 - SEC. 102. SOCIAL SECURITY.**
 - (a) **SOCIAL SECURITY REVENUES.**—For purposes of Senate enforcement under sections 302, 602, and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:
 - Fiscal year 1998: \$402,800,000,000.
 - Fiscal year 1999: \$422,300,000,000.
 - Fiscal year 2000: \$442,600,000,000.
 - Fiscal year 2001: \$461,600,000,000.
 - Fiscal year 2002: \$482,800,000,000.
 - (b) **SOCIAL SECURITY OUTLAYS.**—For purposes of Senate enforcement under sections 302, 602, and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:
 - Fiscal year 1998: \$317,600,000,000.
 - Fiscal year 1999: \$330,600,000,000.
 - Fiscal year 2000: \$343,600,000,000.
 - Fiscal year 2001: \$358,100,000,000.
 - Fiscal year 2002: \$372,500,000,000.
 - SEC. 103. MAJOR FUNCTIONAL CATEGORIES.**
 - The Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal years 1998 through 2002 for each major functional category are:
 - (1) **National Defense (050):**
 - Fiscal year 1998:
 - (A) New budget authority, \$268,200,000,000.
 - (B) Outlays, \$266,000,000,000.
 - (C) New direct loan obligations, \$0.
 - (D) New primary loan guarantee commitments, \$600,000,000.
 - Fiscal year 1999:
 - (A) New budget authority, \$270,800,000,000.
 - (B) Outlays, \$265,800,000,000.
 - (C) New direct loan obligations, \$0.
 - (D) New primary loan guarantee commitments, \$800,000,000.
 - Fiscal year 2000:
 - (A) New budget authority, \$274,800,000,000.
 - (B) Outlays, \$268,400,000,000.
 - (C) New direct loan obligations, \$0.
 - (D) New primary loan guarantee commitments, \$1,100,000,000.
- Fiscal year 2001:
 - (A) New budget authority, \$281,300,000,000.
- (B) Outlays, \$270,100,000,000.

- (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$1,100,000,000.
 Fiscal year 2002:
 (A) New budget authority, \$289,100,000,000.
 (B) Outlays, \$272,600,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$1,100,000,000.
- (2) International Affairs (150):
 Fiscal year 1998:
 (A) New budget authority, \$15,900,000,000.
 (B) Outlays, \$14,600,000,000.
 (C) New direct loan obligations, \$2,000,000,000.
 (D) New primary loan guarantee commitments, \$12,800,000,000.
 Fiscal year 1999:
 (A) New budget authority, \$14,900,000,000.
 (B) Outlays, \$14,600,000,000.
 (C) New direct loan obligations, \$2,000,000,000.
 (D) New primary loan guarantee commitments, \$13,100,000,000.
 Fiscal year 2000:
 (A) New budget authority, \$15,800,000,000.
 (B) Outlays, \$15,000,000,000.
 (C) New direct loan obligations, \$2,100,000,000.
 (D) New primary loan guarantee commitments, \$13,400,000,000.
 Fiscal year 2001:
 (A) New budget authority, \$16,100,000,000.
 (B) Outlays, \$14,800,000,000.
 (C) New direct loan obligations, \$2,100,000,000.
 (D) New primary loan guarantee commitments, \$13,800,000,000.
 Fiscal year 2002:
 (A) New budget authority, \$16,400,000,000.
 (B) Outlays, \$14,800,000,000.
 (C) New direct loan obligations, \$2,200,000,000.
 (D) New primary loan guarantee commitments, \$14,200,000,000.
- (3) General Science, Space, and Technology (250):
 Fiscal year 1998:
 (A) New budget authority, \$16,200,000,000.
 (B) Outlays, \$16,900,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 1999:
 (A) New budget authority, \$16,200,000,000.
 (B) Outlays, \$16,500,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2000:
 (A) New budget authority, \$15,900,000,000.
 (B) Outlays, \$16,000,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2001:
 (A) New budget authority, \$15,800,000,000.
 (B) Outlays, \$15,900,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2002:
 (A) New budget authority, \$15,600,000,000.
 (B) Outlays, \$15,700,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
- (4) Energy (270):
 Fiscal year 1998:
 (A) New budget authority, \$3,100,000,000.
 (B) Outlays, \$2,200,000,000.
 (C) New direct loan obligations, \$1,100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 1999:
 (A) New budget authority, \$3,500,000,000.
 (B) Outlays, \$2,400,000,000.
- (C) New direct loan obligations, \$1,100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2000:
 (A) New budget authority, \$3,200,000,000.
 (B) Outlays, \$2,300,000,000.
 (C) New direct loan obligations, \$1,100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2001:
 (A) New budget authority, \$2,900,000,000.
 (B) Outlays, \$2,000,000,000.
 (C) New direct loan obligations, \$1,100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2002:
 (A) New budget authority, \$2,800,000,000.
 (B) Outlays, \$1,900,000,000.
 (C) New direct loan obligations, \$1,200,000,000.
 (D) New primary loan guarantee commitments, \$0.
- (5) Natural Resources and Environment (300):
 Fiscal year 1998:
 (A) New budget authority, \$23,900,000,000.
 (B) Outlays, \$22,400,000,000.
 (C) New direct loan obligations, \$100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 1999:
 (A) New budget authority, \$23,200,000,000.
 (B) Outlays, \$22,700,000,000.
 (C) New direct loan obligations, \$100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2000:
 (A) New budget authority, \$22,600,000,000.
 (B) Outlays, \$23,000,000,000.
 (C) New direct loan obligations, \$100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2001:
 (A) New budget authority, \$22,200,000,000.
 (B) Outlays, \$22,700,000,000.
 (C) New direct loan obligations, \$100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2002:
 (A) New budget authority, \$22,100,000,000.
 (B) Outlays, \$22,300,000,000.
 (C) New direct loan obligations, \$110,000,000.
 (D) New primary loan guarantee commitments, \$0.
- (6) Agriculture (350):
 Fiscal year 1998:
 (A) New budget authority, \$13,100,000,000.
 (B) Outlays, \$11,900,000,000.
 (C) New direct loan obligations, \$9,600,000,000.
 (D) New primary loan guarantee commitments, \$6,400,000,000.
 Fiscal year 1999:
 (A) New budget authority, \$12,800,000,000.
 (B) Outlays, \$11,300,000,000.
 (C) New direct loan obligations, \$11,000,000,000.
 (D) New primary loan guarantee commitments, \$6,400,000,000.
 Fiscal year 2000:
 (A) New budget authority, \$12,200,000,000.
 (B) Outlays, \$10,700,000,000.
 (C) New direct loan obligations, \$11,100,000,000.
 (D) New primary loan guarantee commitments, \$6,500,000,000.
 Fiscal year 2001:
 (A) New budget authority, \$11,000,000,000.
 (B) Outlays, \$9,500,000,000.
 (C) New direct loan obligations, \$11,000,000,000.
- (D) New primary loan guarantee commitments, \$6,600,000,000.
 Fiscal year 2002:
 (A) New budget authority, \$10,700,000,000.
 (B) Outlays, \$9,100,000,000.
 (C) New direct loan obligations, \$11,000,000,000.
 (D) New primary loan guarantee commitments, \$6,700,000,000.
- (7) Commerce and Housing Credit (370):
 Fiscal year 1998:
 (A) New budget authority, \$6,600,000,000.
 (B) Outlays, -\$900,000,000.
 (C) New direct loan obligations, \$4,700,000,000.
 (D) New primary loan guarantee commitments, \$245,500,000,000.
 Fiscal year 1999:
 (A) New budget authority, \$11,100,000,000.
 (B) Outlays, \$4,300,000,000.
 (C) New direct loan obligations, \$1,900,000,000.
 (D) New primary loan guarantee commitments, \$253,500,000,000.
 Fiscal year 2000:
 (A) New budget authority, \$15,200,000,000.
 (B) Outlays, \$9,800,000,000.
 (C) New direct loan obligations, \$2,200,000,000.
 (D) New primary loan guarantee commitments, \$255,200,000,000.
 Fiscal year 2001:
 (A) New budget authority, \$16,100,000,000.
 (B) Outlays, \$12,100,000,000.
 (C) New direct loan obligations, \$2,600,000,000.
 (D) New primary loan guarantee commitments, \$258,000,000,000.
 Fiscal year 2002:
 (A) New budget authority, \$16,700,000,000.
 (B) Outlays, \$12,500,000,000.
 (C) New direct loan obligations, \$2,700,000,000.
 (D) New primary loan guarantee commitments, \$259,900,000,000.
- (8) Transportation (400):
 Fiscal year 1998:
 (A) New budget authority, \$46,400,000,000.
 (B) Outlays, \$40,900,000,000.
 (C) New direct loan obligations, \$200,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 1999:
 (A) New budget authority, \$46,600,000,000.
 (B) Outlays, \$41,300,000,000.
 (C) New direct loan obligations, \$100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2000:
 (A) New budget authority, \$47,100,000,000.
 (B) Outlays, \$41,400,000,000.
 (C) New direct loan obligations, \$100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2001:
 (A) New budget authority, \$48,100,000,000.
 (B) Outlays, \$41,300,000,000.
 (C) New direct loan obligations, \$100,000,000.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2002:
 (A) New budget authority, \$49,200,000,000.
 (B) Outlays, \$41,200,000,000.
 (C) New direct loan obligations, \$100,000,000.
 (D) New primary loan guarantee commitments, \$0.
- (9) Community and Regional Development (450):
 Fiscal year 1998:
 (A) New budget authority, \$8,800,000,000.
 (B) Outlays, \$10,400,000,000.
 (C) New direct loan obligations, \$2,900,000,000.

(D) New primary loan guarantee commitments, \$2,400,000,000.

Fiscal year 1999:

(A) New budget authority, \$8,500,000,000.

(B) Outlays, \$10,900,000,000.

(C) New direct loan obligations, \$2,900,000,000.

(D) New primary loan guarantee commitments, \$2,400,000,000.

Fiscal year 2000:

(A) New budget authority, \$7,800,000,000.

(B) Outlays, \$11,000,000,000.

(C) New direct loan obligations, \$3,000,000,000.

(D) New primary loan guarantee commitments, \$2,400,000,000.

Fiscal year 2001:

(A) New budget authority, \$7,800,000,000.

(B) Outlays, \$11,400,000,000.

(C) New direct loan obligations, \$3,100,000,000.

(D) New primary loan guarantee commitments, \$2,500,000,000.

Fiscal year 2002:

(A) New budget authority, \$7,800,000,000.

(B) Outlays, \$8,400,000,000.

(C) New direct loan obligations, \$3,200,000,000.

(D) New primary loan guarantee commitments, \$2,500,000,000.

(10) Education, Training, Employment, and Social Services (500):

Fiscal year 1998:

(A) New budget authority, \$60,000,000,000.

(B) Outlays, \$56,100,000,000.

(C) New direct loan obligations, \$12,300,000,000.

(D) New primary loan guarantee commitments, \$20,700,000,000.

Fiscal year 1999:

(A) New budget authority, \$60,500,000,000.

(B) Outlays, \$59,300,000,000.

(C) New direct loan obligations, \$13,100,000,000.

(D) New primary loan guarantee commitments, \$21,900,000,000.

Fiscal year 2000:

(A) New budget authority, \$61,700,000,000.

(B) Outlays, \$60,700,000,000.

(C) New direct loan obligations, \$13,900,000,000.

(D) New primary loan guarantee commitments, \$23,300,000,000.

Fiscal year 2001:

(A) New budget authority, \$63,000,000,000.

(B) Outlays, \$61,900,000,000.

(C) New direct loan obligations, \$14,700,000,000.

(D) New primary loan guarantee commitments, \$24,500,000,000.

Fiscal year 2002:

(A) New budget authority, \$63,300,000,000.

(B) Outlays, \$62,300,000,000.

(C) New direct loan obligations, \$15,400,000,000.

(D) New primary loan guarantee commitments, \$25,700,000,000.

(11) Health (550):

Fiscal year 1998:

(A) New budget authority, \$137,800,000,000.

(B) Outlays, \$137,800,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$100,000,000.

Fiscal year 1999:

(A) New budget authority, \$145,000,000,000.

(B) Outlays, \$144,900,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2000:

(A) New budget authority, \$154,100,000,000.

(B) Outlays, \$153,900,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2001:

(A) New budget authority, \$163,400,000,000.

(B) Outlays, \$163,100,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2002:

(A) New budget authority, \$172,200,000,000.

(B) Outlays, \$171,700,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

(12) Medicare (570):

Fiscal year 1998:

(A) New budget authority, \$201,600,000,000.

(B) Outlays, \$201,800,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 1999:

(A) New budget authority, \$212,100,000,000.

(B) Outlays, \$211,500,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2000:

(A) New budget authority, \$225,500,000,000.

(B) Outlays, \$225,500,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2001:

(A) New budget authority, \$239,600,000,000.

(B) Outlays, \$238,800,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2002:

(A) New budget authority, \$251,500,000,000.

(B) Outlays, \$250,800,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

(13) Income Security (600):

Fiscal year 1998:

(A) New budget authority, \$239,000,000,000.

(B) Outlays, \$247,800,000,000.

(C) New direct loan obligations, \$100,000,000.

(D) New primary loan guarantee commitments, \$100,000,000.

Fiscal year 1999:

(A) New budget authority, \$254,100,000,000.

(B) Outlays, \$258,100,000,000.

(C) New direct loan obligations, \$100,000,000.

(D) New primary loan guarantee commitments, \$100,000,000.

Fiscal year 2000:

(A) New budget authority, \$269,600,000,000.

(B) Outlays, \$268,200,000,000.

(C) New direct loan obligations, \$100,000,000.

(D) New primary loan guarantee commitments, \$100,000,000.

Fiscal year 2001:

(A) New budget authority, \$275,100,000,000.

(B) Outlays, \$277,300,000,000.

(C) New direct loan obligations, \$100,000,000.

(D) New primary loan guarantee commitments, \$100,000,000.

Fiscal year 2002:

(A) New budget authority, \$286,900,000,000.

(B) Outlays, \$285,200,000,000.

(C) New direct loan obligations, \$200,000,000.

(D) New primary loan guarantee commitments, \$100,000,000.

(14) Social Security (650):

Fiscal year 1998:

(A) New budget authority, \$11,400,000,000.

(B) Outlays, \$11,500,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 1999:

(A) New budget authority, \$12,100,000,000.

(B) Outlays, \$12,200,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2000:

(A) New budget authority, \$12,800,000,000.

(B) Outlays, \$12,900,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2001:

(A) New budget authority, \$13,000,000,000.

(B) Outlays, \$13,000,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2002:

(A) New budget authority, \$14,400,000,000.

(B) Outlays, \$14,400,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

(15) Veterans Benefits and Services (700):

Fiscal year 1998:

(A) New budget authority, \$40,500,000,000.

(B) Outlays, \$41,300,000,000.

(C) New direct loan obligations, \$1,000,000,000.

(D) New primary loan guarantee commitments, \$27,100,000,000.

Fiscal year 1999:

(A) New budget authority, \$41,500,000,000.

(B) Outlays, \$41,700,000,000.

(C) New direct loan obligations, \$1,100,000,000.

(D) New primary loan guarantee commitments, \$26,700,000,000.

Fiscal year 2000:

(A) New budget authority, \$41,700,000,000.

(B) Outlays, \$41,900,000,000.

(C) New direct loan obligations, \$1,200,000,000.

(D) New primary loan guarantee commitments, \$26,200,000,000.

Fiscal year 2001:

(A) New budget authority, \$42,100,000,000.

(B) Outlays, \$42,200,000,000.

(C) New direct loan obligations, \$1,200,000,000.

(D) New primary loan guarantee commitments, \$25,600,000,000.

Fiscal year 2002:

(A) New budget authority, \$42,300,000,000.

(B) Outlays, \$42,400,000,000.

(C) New direct loan obligations, \$1,300,000,000.

(D) New primary loan guarantee commitments, \$25,100,000,000.

(16) Administration of Justice (750):

Fiscal year 1998:

(A) New budget authority, \$24,800,000,000.

(B) Outlays, \$22,600,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 1999:

(A) New budget authority, \$25,100,000,000.

(B) Outlays, \$24,500,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2000:

(A) New budget authority, \$24,200,000,000.

(B) Outlays, \$25,200,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2001:

(A) New budget authority, \$24,400,000,000.

(B) Outlays, \$25,900,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

Fiscal year 2002:

(A) New budget authority, \$24,900,000,000.

(B) Outlays, \$24,900,000,000.

(C) New direct loan obligations, \$0.

(D) New primary loan guarantee commitments, \$0.

(17) General Government (800):

Fiscal year 1998:

(A) New budget authority, \$14,700,000,000.

(B) Outlays, \$14,000,000,000.

(C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 1999:
 (A) New budget authority, \$14,400,000,000.
 (B) Outlays, \$14,400,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2000:
 (A) New budget authority, \$14,000,000,000.
 (B) Outlays, \$14,700,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2001:
 (A) New budget authority, \$13,700,000,000.
 (B) Outlays, \$14,100,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2002:
 (A) New budget authority, \$13,100,000,000.
 (B) Outlays, \$13,100,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 (18) Net Interest (900):
 Fiscal year 1998:
 (A) New budget authority, \$296,500,000,000.
 (B) Outlays, \$296,500,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 1999:
 (A) New budget authority, \$304,600,000,000.
 (B) Outlays, \$304,600,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2000:
 (A) New budget authority, \$305,100,000,000.
 (B) Outlays, \$305,100,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2001:
 (A) New budget authority, \$303,800,000,000.
 (B) Outlays, \$303,800,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2002:
 (A) New budget authority, \$303,700,000,000.
 (B) Outlays, \$303,700,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 (19) Allowances (920):
 Fiscal year 1998:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 1999:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2000:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2001:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2002:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.

(20) Undistributed Offsetting Receipts (950):
 Fiscal year 1998:
 (A) New budget authority, —\$41,800,000,000.
 (B) Outlays, —\$41,800,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 1999:
 (A) New budget authority, —\$36,900,000,000.
 (B) Outlays, —\$36,900,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2000:
 (A) New budget authority, —\$36,900,000,000.
 (B) Outlays, —\$36,900,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2001:
 (A) New budget authority, —\$39,200,000,000.
 (B) Outlays, —\$39,200,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.
 Fiscal year 2002:
 (A) New budget authority, —\$51,100,000,000.
 (B) Outlays, —\$51,100,000,000.
 (C) New direct loan obligations, \$0.
 (D) New primary loan guarantee commitments, \$0.

SEC. 104. RECONCILIATION IN THE SENATE.

(a) RECONCILIATION OF SPENDING REDUCTIONS.—Not later than June 13, 1997, the committees named in this subsection shall submit their recommendations to the Committee on the Budget of the Senate. After receiving those recommendations, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

(1) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within its jurisdiction that provide direct spending (as defined in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985) to increase outlays by not more than \$300,000,000 in fiscal year 2002 and by not more than \$1,500,000,000 for the period of fiscal years 1998 through 2002.

(2) COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.—The Senate Committee on Banking, Housing, and Urban Affairs shall report changes in laws within its jurisdiction that reduce the deficit \$434,000,000 in fiscal year 2002 and \$1,590,000,000 for the period of fiscal years 1998 through 2002.

(3) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Senate Committee on Commerce, Science, and Transportation shall report changes in laws within its jurisdiction that reduce the deficit \$14,849,000,000 in fiscal year 2002 and \$26,496,000,000 for the period of fiscal years 1998 through 2002.

(4) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Senate Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction that provide direct spending (as defined in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985) to reduce outlays \$6,000,000 in fiscal year 2002 and \$13,000,000 for the period of fiscal years 1998 through 2002.

(5) COMMITTEE ON FINANCE.—The Senate Committee on Finance shall report changes in laws within its jurisdiction—

(A) that provide direct spending (as defined in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985) to reduce outlays \$40,911,000,000 in fiscal year 2002 and \$100,646,000,000 for the period of fiscal years 1998 through 2002; and

(B) to increase the statutory limit on the public debt to not more than \$5,950,000,000,000.

(6) COMMITTEE ON GOVERNMENTAL AFFAIRS.—The Senate Committee on Governmental Affairs shall report changes in laws within its jurisdiction that reduce the deficit \$1,769,000,000 in fiscal year 2002 and \$5,467,000,000 for the period of fiscal years 1998 through 2002.

(7) COMMITTEE ON LABOR AND HUMAN RESOURCES.—The Senate Committee on Labor and Human Resources shall report changes in laws within its jurisdiction that provide direct spending (as defined in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985) to reduce outlays \$1,057,000,000 in fiscal year 2002 and \$1,792,000,000 for the period of fiscal years 1998 through 2002.

(8) COMMITTEE ON VETERANS' AFFAIRS.—The Senate Committee on Veterans' Affairs shall report changes in laws within its jurisdiction that provide direct spending (as defined in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985) to reduce outlays \$681,000,000 in fiscal year 2002 and \$2,733,000,000 for the period of fiscal years 1998 through 2002.

(b) RECONCILIATION OF REVENUE REDUCTIONS.—Not later than June 20, 1997, the Senate Committee on Finance shall report to the Senate a reconciliation bill proposing changes in laws within its jurisdiction necessary to reduce revenues by not more than \$20,500,000,000 in fiscal year 2002 and \$85,000,000,000 for the period of fiscal years 1998 through 2002.

(c) TREATMENT OF CONGRESSIONAL PAY-AS-YOU-GO.—For purposes of section 202 of House Concurrent Resolution 67 (104th Congress), legislation which reduces revenues pursuant to a reconciliation instruction contained in subsection (b) shall be taken together with all other legislation passed pursuant to the reconciliation instructions contained in this resolution when determining the deficit effect of such legislation.

(d) CHILDREN'S HEALTH INITIATIVE.—

(1) DEFICIT NEUTRAL ADJUSTMENTS.—After the reporting of reconciliation legislation pursuant to subsection (a), or after the submission of a conference report thereon, and if the Committee on Finance reduces outlays by an amount greater than the outlay reduction that is required by subsection (a)(5)(A), the Chairman of the Committee on the Budget of the Senate, with the concurrence and agreement of the ranking minority member, may submit in writing appropriately revised (A) reconciliation instructions to the Committee on Finance to reduce the deficit, (B) allocations, (C) limits, and (D) aggregates.

(2) FLEXIBILITY ON ADJUSTMENTS.—The adjustments made pursuant to this subsection shall not exceed \$2,300,000,000 in fiscal year 1998 and \$16,000,000,000 for the period of fiscal years 1998 through 2002 and shall not cause an increase in the deficit levels in this resolution.

SEC. 105. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) PURPOSE.—The purpose of this section is to provide for two separate reconciliation bills: the first for entitlement reform and the second for tax relief.

(b) SUBMISSIONS.—

(1) ENTITLEMENT REFORMS.—Not later than June 13, 1997, the House committees named in subsection (c) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2) TAX RELIEF AND MISCELLANEOUS REFORMS.—Not later than June 14, 1997, the House committees named in subsection (d) shall submit their recommendations to the House Committee on the Budget. After re-

ceiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(c) INSTRUCTIONS RELATING TO ENTITLEMENT REFORMS.—

(1) COMMITTEE ON AGRICULTURE.—The House Committee on Agriculture shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$34,571,000,000 in outlays for fiscal year 1998, \$37,008,000,000 in outlays for fiscal year 2002, and \$179,884,000,000 in outlays in fiscal years 1998 through 2002.

(2) COMMITTEE ON BANKING AND FINANCIAL SERVICES.—The House Committee on Banking and Financial Services shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: —\$8,435,000,000 in outlays for fiscal year 1998, —\$5,091,000,000 in outlays for fiscal year 2002, and —\$32,743,000,000 in outlays in fiscal years 1998 through 2002.

(3) COMMITTEE ON COMMERCE.—The House Committee on Commerce shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$393,533,000,000 in outlays for fiscal year 1998, \$507,150,000,000 in outlays for fiscal year 2002, and \$2,259,294,000,000 in outlays in fiscal years 1998 through 2002.

(4) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$17,222,000,000 in outlays for fiscal year 1998, \$17,673,000,000 in outlays for fiscal year 2002, and \$89,528,000,000 in outlays in fiscal years 1998 through 2002.

(5) COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT.—(A) The House Committee on Government Reform and Oversight shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$68,975,000,000 in outlays for fiscal year 1998, \$81,896,000,000 in outlays for fiscal year 2002, and \$375,722,000,000 in outlays in fiscal years 1998 through 2002.

(B) The House Committee on Government Reform and Oversight shall report changes in laws within its jurisdiction that would reduce the deficit by: \$0 in fiscal year 1998, \$621,000,000 in fiscal year 2002, and \$1,829,000,000 in fiscal years 1998 through 2002.

(6) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—The House Committee on Transportation and Infrastructure shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$18,087,000,000 in outlays for fiscal year 1998, \$17,283,000,000 in outlays for fiscal year 2002, and \$88,711,000,000 in outlays in fiscal years 1998 through 2002.

(7) COMMITTEE ON VETERANS' AFFAIRS.—The House Committee on Veterans' Affairs shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$22,444,000,000 in outlays for fiscal year 1998, \$24,563,000,000 in outlays for fiscal year 2002, and \$117,959,000,000 in outlays in fiscal years 1998 through 2002.

(8) COMMITTEE ON WAYS AND MEANS.—(A) The House Committee on Ways and Means shall report changes in laws within its jurisdiction such that the total level of direct spending for that committee does not exceed: \$397,581,000,000 in outlays for fiscal year 1998, \$506,522,000,000 in outlays for fiscal year 2002, and \$2,257,912,000,000 in outlays in fiscal years 1998 through 2002.

(B) The House Committee on Ways and Means shall report changes in laws within its jurisdiction such that the total level of revenues for that committee is not less than: \$1,172,136,000,000 in revenues for fiscal year 1998, \$1,382,679,000,000 in revenues for fiscal year 2002, and \$6,358,388,000,000 in revenues in fiscal years 1998 through 2002.

(C) The House Committee on Ways and Means shall report changes in laws within its jurisdiction to increase the statutory limit on the public debt to not more than \$5,950,000,000,000.

(d) INSTRUCTIONS RELATING TO TAX RELIEF AND MISCELLANEOUS REFORMS.—

(1) COMMITTEE ON AGRICULTURE.—The House Committee on Agriculture shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$34,571,000,000 in outlays for fiscal year 1998, \$37,008,000,000 in outlays for fiscal year 2002, and \$179,884,000,000 in outlays in fiscal years 1998 through 2002.

(2) COMMITTEE ON BANKING AND FINANCIAL SERVICES.—The House Committee on Banking and Financial Services shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: —\$8,435,000,000 in outlays for fiscal year 1998, —\$5,091,000,000 in outlays for fiscal year 2002, and —\$32,743,000,000 in outlays in fiscal years 1998 through 2002.

(3) COMMITTEE ON COMMERCE.—The House Committee on Commerce shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$393,533,000,000 in outlays for fiscal year 1998, \$507,150,000,000 in outlays for fiscal year 2002, and \$2,259,294,000,000 in outlays in fiscal years 1998 through 2002.

(4) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$17,222,000,000 in outlays for fiscal year 1998, \$17,673,000,000 in outlays for fiscal year 2002, and \$89,528,000,000 in outlays in fiscal years 1998 through 2002.

(5) COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT.—(A) The House Committee on Government Reform and Oversight shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$68,975,000,000 in outlays for fiscal year 1998, \$81,896,000,000 in outlays for fiscal year 2002, and \$375,722,000,000 in outlays in fiscal years 1998 through 2002.

(B) The House Committee on Government Reform and Oversight shall report changes in laws within its jurisdiction that would reduce the deficit by: \$0 in fiscal year 1998, \$621,000,000 in fiscal year 2002, and \$1,829,000,000 in fiscal years 1998 through 2002.

(6) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—The House Committee on Transportation and Infrastructure shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$18,087,000,000 in outlays for fiscal year 1998, \$17,283,000,000 in outlays for fiscal year 2002, and \$88,711,000,000 in outlays in fiscal years 1998 through 2002.

(7) COMMITTEE ON VETERANS' AFFAIRS.—The House Committee on Veterans' Affairs shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee does not exceed: \$22,444,000,000 in outlays for fiscal year 1998, \$24,563,000,000 in outlays for fiscal year 2002, and \$117,959,000,000 in outlays in fiscal years 1998 through 2002.

(8) COMMITTEE ON WAYS AND MEANS.—(A) The House Committee on Ways and Means shall report changes in laws within its jurisdiction such that the total level of direct spending for that committee does not exceed: \$397,581,000,000 in outlays for fiscal year 1998, \$506,522,000,000 in outlays for fiscal year 2002, and \$2,257,912,000,000 in outlays in fiscal years 1998 through 2002.

(B) The House Committee on Ways and Means shall report changes in laws within its jurisdiction such that the total level of revenues for that committee is not less than: \$1,164,736,000,000 in revenues for fiscal year 1998, \$1,362,179,000,000 in revenues for fiscal year 2002, and \$6,273,388,000,000 in revenues in fiscal years 1998 through 2002.

(C) The House Committee on Ways and Means shall report changes in laws within its jurisdiction to increase the statutory limit on the public debt to not more than \$5,950,000,000,000.

(e) DEFINITION.—For purposes of this section, the term "direct spending" has the meaning given to such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(f) CHILDREN'S HEALTH INITIATIVE.—If the Committees on Commerce and Ways and Means report recommendations pursuant to their reconciliation instructions that, combined, provide an initiative for children's health that would increase the deficit by more than \$2.3 billion for fiscal year 1998, by more than \$3.9 billion for fiscal year 2002, and by more than \$16 billion for the period of fiscal years 1998 through 2002, the committees shall be deemed to not have complied with their reconciliation instructions pursuant to section 310(d) of the Congressional Budget Act of 1974.

TITLE II—BUDGETARY RESTRAINTS AND RULEMAKING

SEC. 201. DISCRETIONARY SPENDING LIMITS.

(a) DISCRETIONARY LIMITS.—In the Senate, in this section and for the purposes of allocations made for the discretionary category pursuant to section 302(a) or 602(a) of the Congressional Budget Act of 1974, the term "discretionary spending limit" means—

(1) with respect to fiscal year 1998—

(A) for the defense category \$269,000,000,000 in new budget authority and \$266,823,000,000 in outlays; and

(B) for the nondefense category \$257,857,000,000 in new budget authority and \$286,445,000,000 in outlays;

(2) with respect to fiscal year 1999—

(A) for the defense category \$271,500,000,000 in new budget authority and \$266,518,000,000 in outlays; and

(B) for the nondefense category \$261,499,000,000 in new budget authority and \$292,803,000,000 in outlays;

(3) with respect to fiscal year 2000, for the discretionary category \$537,193,000,000 in new budget authority and \$564,265,000,000 in outlays;

(4) with respect to fiscal year 2001, for the discretionary category \$542,032,000,000 in new budget authority and \$564,396,000,000 in outlays; and

(5) with respect to fiscal year 2002, for the discretionary category \$551,074,000,000 in new budget authority and \$560,799,000,000 in outlays;

as adjusted for changes in concepts and definitions and emergency appropriations.

(b) POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider—

(A) a revision of this resolution or any concurrent resolution on the budget for fiscal years 1999, 2000, 2001, or 2002 (or amendment, motion, or conference report on such a resolution) that provides discretionary spending

in excess of the discretionary spending limit or limits for such fiscal year; or

(B) any bill or resolution (or amendment, motion, or conference report on such bill or resolution) for fiscal year 1998, 1999, 2000, 2001, or 2002 that would cause any of the limits in this section (or suballocations of the discretionary limits made pursuant to section 602(b) of the Congressional Budget Act of 1974) to be exceeded.

(2) EXCEPTION.—

(A) IN GENERAL.—This section shall not apply if a declaration of war by the Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.

(B) ENFORCEMENT OF DISCRETIONARY LIMITS IN FISCAL YEAR 1998.—Until the enactment of reconciliation legislation pursuant to subsections (a) and (b) of section 104 of this resolution—

(i) subparagraph (A) of paragraph (1) shall not apply; and

(ii) subparagraph (B) of paragraph (1) shall apply only with respect to fiscal year 1998.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, new entitlement authority, revenues, and deficits for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 202. ALLOWANCE FOR THE IMF.

(a) ADJUSTMENTS.—In the Senate, for fiscal year 1998, 1999, 2000, 2001, or 2002, and in the House of Representatives, for fiscal year 1998 or 1999, after the reporting of an appropriations measure (or after the submission of a conference report thereon) that includes an appropriation with respect to paragraph (1) or (2), the chairman of the Committee on the Budget shall increase the appropriate allocations, budgetary aggregates, and, in the Senate only, discretionary limits, by the amount of budget authority in that measure that is the dollar equivalent, in terms of Special Drawing Rights, of—

(1) an increase in the United States quota as part of the International Monetary Fund Eleventh General Review of Quotas (United States Quota); or

(2) any increase in the maximum amount available to the Secretary of the Treasury pursuant to section 17 of the Bretton Woods Agreement Act, as amended from time to time (New Arrangements to Borrow).

(b) COMMITTEE SUBALLOCATIONS.—The Committee on Appropriations may report to its House appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974 following the adjustments made pursuant to subsection (a).

SEC. 203. ALLOWANCE FOR SECTION 8 HOUSING ASSISTANCE.

(a) ADJUSTMENT FOR DISCRETIONARY SPENDING.—For fiscal year 1998, after the reporting of an appropriation measure (or after the submission of a conference report thereon) that includes an appropriation for the renewal of expiring contracts for tenant- and

project-based housing assistance under section 8 of the United States Housing Act of 1937, the chairman of the Committee on the Budget may increase the appropriate allocations in this resolution by the amount provided in that appropriation measure for that purpose, but not to exceed \$9,200,000,000 in budget authority and the appropriate amount of outlays.

(b) COMMITTEE SUBALLOCATIONS.—The Committee on Appropriations may report to its House appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974 following the adjustments made pursuant to subsection (a).

SEC. 204. SEPARATE ENVIRONMENTAL ALLOCATION.

(a) COMMITTEE ALLOCATIONS.—After the Committee on Commerce and the Committee on Transportation and Infrastructure report a bill (or after the submission of a conference report thereon) or in the Senate, after the Committee on Environment and Public Works reports a bill (or after the submission of a conference report thereon) to reform the Superfund program to facilitate the cleanup of hazardous waste sites that does not exceed—

(1) \$200,000,000 in budget authority for fiscal year 1998,

(2) \$200,000,000 in outlays for fiscal year 2002, and

(3) \$1,000,000,000 in budget authority for the period of fiscal years 1998 through 2002,

the chairman of the Committee on the Budget of that House may increase the appropriate allocations of budget authority in this resolution by the amounts provided in that bill for that purpose and the outlays flowing in all years from such budget authority.

(b) PRIOR SURPLUS.—In the Senate, for the purposes of section 202 of House Concurrent Resolution 67 (104th Congress), legislation reported (or the submission of a conference report thereon) pursuant to subsection (a) shall be taken together with all other legislation passed pursuant to section 104 of this resolution.

SEC. 205. PRIORITY FEDERAL LAND ACQUISITIONS AND EXCHANGES.

(a) ADJUSTMENT FOR DISCRETIONARY SPENDING.—For fiscal year 1998, after the reporting of an appropriation measure (or after the submission of a conference report thereon) that provides \$700 million in budget authority for fiscal year 1998 for Federal land acquisitions and to finalize priority Federal land exchanges, the Chairman of the Committee on the Budget of each House shall increase the appropriate allocations by that amount of budget authority and the outlays flowing from such budget authority to the Committee on Appropriations of that House.

(b) COMMITTEE SUBALLOCATIONS.—The Committee on Appropriations may report to its House appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974 following the adjustments made pursuant to subsection (a).

SEC. 206. ALLOWANCE FOR ARREARAGES.

(a) ADJUSTMENT FOR DISCRETIONARY SPENDING.—(1) In the Senate, for the period of fiscal years 1998 through 2002, or in the House of Representatives, for the period of fiscal years 1998 and 1999, after the reporting of an appropriations measure (or after the submission of a conference report thereon) that includes an appropriation for arrearages for international organizations, international peacekeeping, and multilateral development banks during that fiscal year, the Chairman of the Committee on the Budget shall increase the appropriate allocations, aggregates, and, in the Senate only, discretionary spending limits, in this resolution by an amount provided for that purpose in that appropriation measure.

(2) In the Senate, the adjustments described in paragraph (1) for the period of fiscal years 1998 through 2002 may not exceed \$1,884,000,000 in budget authority and the outlays flowing in all years from such budget authority.

(b) COMMITTEE SUBALLOCATIONS.—The Committee on Appropriations shall report to its House appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974 following the adjustments made pursuant to subsection (a).

SEC. 207. INTERCITY PASSENGER RAIL RESERVE FUND FOR FISCAL YEARS 1998–2002.

(a) IN GENERAL.—If legislation is enacted which generates revenue increases or direct spending reductions to finance an intercity passenger rail fund and to the extent that such increases or reductions are not included in this concurrent resolution on the budget, the appropriate budgetary levels and limits may be adjusted if such adjustments do not cause an increase in the deficit in this resolution. Necessary authorizing reforms and additional funding contained in this reserve fund for intercity passenger rail should both occur in this Session, and if such funds are appropriated before the enactment of such reforms, such appropriated funds shall not be made available until the enactment of such reforms.

(b) ESTABLISHING A RESERVE.—

(1) ADJUSTMENTS TO CAPTURE SAVINGS.—After the enactment of legislation described in subsection (a), the Chairman of the Committee on the Budget may submit revisions to the appropriate allocations and aggregates by the amount that provisions in such legislation generates revenue increases or direct spending reductions.

(2) DETERMINATION OF MAXIMUM DISCRETIONARY ALLOWANCE.—Upon the submission of such revisions, the Chairman of the Committee on the Budget shall also submit the amount of revenue increases or direct spending reductions such legislation generates and the maximum amount available each year for adjustments pursuant to subsection (c).

(c) ADJUSTMENTS FOR DISCRETIONARY SPENDING.—

(1) REVISIONS TO ALLOCATIONS AND AGGREGATES.—After either—

(A) the reporting of an appropriations measure, or after a conference committee submits a conference report thereon, that appropriates funds for the National Railroad Passenger Corporation and funds from the intercity passenger rail fund; or

(B) the reporting of an appropriations measure, or after a conference committee submits a conference report thereon, that appropriates funds from the intercity passenger rail fund (funds having previously been appropriated for the National Railroad Passenger Corporation for that same fiscal year), the Chairman of the Committee on the Budget may submit increased budget authority allocations, aggregates, and, in the Senate only, discretionary limits, for the amount appropriated for authorized expenditures from the intercity passenger rail fund and the outlays in all years flowing from such budget authority.

(2) REVISIONS TO SUBALLOCATIONS.—The Committee on Appropriations may submit appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974.

(d) LIMITATIONS.—

(1) IN GENERAL.—The revisions made pursuant to subsection (b) shall not be made—

(A) with respect to direct spending reductions, unless the committee that generates the direct spending reductions is within its allocations under sections 302(a) and 602(a) of the Budget Act in this resolution (not including the direct spending reductions envisioned in subsection (b)); and

(B) with respect to revenue increases, unless revenues are at or above the revenue aggregates in this resolution (not including the revenue increases envisioned in subsection (b)).

(2) BUDGET AUTHORITY.—The budget authority adjustments made pursuant to subsection (c) shall not exceed the amounts specified in subsection (b)(2) for a fiscal year.

SEC. 207A. INTERCITY PASSENGER RAIL RESERVE FUND IN THE SENATE FOR FISCAL YEARS 1998-2002.

(a) IN GENERAL.—In the Senate, if legislation is enacted which generates revenue increases or direct spending reductions to finance an intercity passenger rail fund and to the extent that such increases or reductions are not included in this concurrent resolution on the budget, the appropriate budgetary levels and limits may be adjusted if such adjustments do not cause an increase in the deficit in this resolution.

(b) ESTABLISHING A RESERVE.—

(1) ADJUSTMENTS TO CAPTURE SAVINGS.—After the enactment of legislation described in subsection (a), the Chairman of the Committee on the Budget of the Senate may submit revisions to the appropriate allocations and aggregates by the amount that provisions in such legislation generates revenue increases or direct spending reductions.

(2) DETERMINATION OF MAXIMUM DISCRETIONARY ALLOWANCE.—Upon the submission of such revisions, the Chairman of the Committee on the Budget of the Senate shall also submit the amount of revenue increases or direct spending reductions such legislation generates and the maximum amount available each year for adjustments pursuant to subsection (c).

(c) ADJUSTMENTS FOR DISCRETIONARY SPENDING.—

(1) REVISIONS TO ALLOCATIONS AND AGGREGATES.—After either—

(A) the reporting of an appropriations measure, or after a conference committee submits a conference report thereon, that appropriates funds for the National Railroad Passenger Corporation and funds from the intercity passenger rail fund; or

(B) the reporting of an appropriations measure, or after a conference committee submits a conference report thereon, that appropriates funds from the intercity passenger rail fund (funds having previously been appropriated for the National Railroad Passenger Corporation for that same fiscal year),

the Chairman of the Committee on the Budget of the Senate may submit increased budget authority allocations, aggregates, and discretionary limits, for the amount appropriated for authorized expenditures from the intercity passenger rail fund and the outlays in all years flowing from such budget authority.

(2) REVISIONS TO SUBALLOCATIONS.—The Committee on Appropriations of the Senate may submit appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974.

(d) LIMITATIONS.—

(1) IN GENERAL.—The revisions made pursuant to subsection (b) shall not be made—

(A) with respect to direct spending reductions, unless the committee that generates the direct spending reductions is within its allocations under sections 302(a) and 602(a) of the Budget Act in this resolution (not including the direct spending reductions envisioned in subsection (b)); and

(B) with respect to revenue increases, unless revenues are at or above the revenue aggregates in this resolution (not including the revenue increases envisioned in subsection (b)).

(2) BUDGET AUTHORITY.—The budget authority adjustments made pursuant to sub-

section (c) shall not exceed the amounts specified in subsection (b)(2) for a fiscal year.

SEC. 208. MASS TRANSIT RESERVE FUND IN THE SENATE FOR FISCAL YEARS 1998-2002.

(a) IN GENERAL.—In the Senate, if legislation generates revenue increases or direct spending reductions to finance mass transit and to the extent that such increases or reductions are not included in this concurrent resolution on the budget, the appropriate budgetary levels and limits may be adjusted if such adjustments do not cause an increase in the deficit in this resolution.

(b) ADJUSTMENT FOR BUDGET AUTHORITY.—After the reporting of legislation (the offering of an amendment thereto or conference report thereon) that reduces non-mass transit direct spending or increases revenues for a fiscal year or years, the Chairman of the Committee on the Budget of the Senate may submit appropriately revised allocations and aggregates by an amount that equals the amount such legislation reduces direct spending or increases revenues for a fiscal year or years.

(c) ESTABLISHING A RESERVE.—

(1) REVISIONS.—After the enactment of legislation described in subsection (a), the Chairman of the Committee on the Budget of the Senate may submit revisions to the appropriate allocations and aggregates by the amount that provisions in such legislation generates revenue increases or direct non-highway spending reductions.

(2) REVENUE INCREASES OR DIRECT SPENDING REDUCTIONS.—After the submission of such revisions, the Chairman of the Committee on the Budget of the Senate shall also submit the amount of revenue increases or non-mass transit direct spending reductions such legislation generates and the maximum amount available each year for adjustments pursuant to subsection (d).

(d) ADJUSTMENTS FOR DISCRETIONARY SPENDING.—

(1) REVISIONS TO ALLOCATIONS AND AGGREGATES.—After the reporting of an appropriations measure, or after a conference committee submits a conference report thereon, that makes available funds for mass transit, the Chairman of the Committee on the Budget of the Senate shall submit increased outlay allocations, aggregates, and discretionary limits for the amount of outlays flowing from the additional obligational authority provided in such bill.

(2) REVISIONS TO SUBALLOCATIONS.—The Committee on Appropriations of the Senate may submit appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974.

(e) LIMITATIONS.—

(1) IN GENERAL.—The revisions made pursuant to subsection (c) shall not be made—

(A) with respect to non-mass transit direct spending reductions, unless the committee that generates the direct spending reductions is within its allocations under sections 302(a) and 602(a) of the Budget Act in this resolution (not including the non-mass transit direct spending reductions envisioned in subsection (c)); and

(B) with respect to revenue increases, unless revenues are at or above the revenue aggregates in this resolution (not including the revenue increases envisioned in subsection (c)).

(2) OUTLAYS.—The outlay adjustments made pursuant to subsection (d) shall not exceed the amounts specified in subsection (c)(2) for a fiscal year.

SEC. 209. HIGHWAY RESERVE FUND IN THE SENATE FOR FISCAL YEARS 1998-2002.

(a) IN GENERAL.—In the Senate, if legislation generates revenue increases or direct spending reductions to finance highways and

to the extent that such increases or reductions are not included in this concurrent resolution on the budget, the appropriate budgetary levels and limits may be adjusted if such adjustments do not cause an increase in the deficit in this resolution.

(b) ADJUSTMENTS FOR BUDGET AUTHORITY.—After the reporting of legislation (the offering of an amendment thereto or conference report thereon) that reduces nonhighway direct spending or increases revenues for a fiscal year or years, the Chairman of the Committee on the Budget of the Senate may submit appropriately revised allocations and aggregates by an amount that equals the amount such legislation reduces direct spending or increases revenues for a fiscal year or years.

(c) ESTABLISHING A RESERVE.—

(1) REVISIONS.—After the enactment of legislation described in subsection (a), the Chairman of the Committee on the Budget of the Senate may submit revisions to the appropriate allocations and aggregates by the amount that provisions in such legislation generates revenue increases or non-highway direct spending reductions.

(2) REVENUE INCREASES OR DIRECT SPENDING REDUCTIONS.—Upon the submission of such revisions, the Chairman of the Committee on the Budget of the Senate shall also submit the amount of revenue increases or direct nonhighway spending reductions such legislation generates and the maximum amount available each year for adjustments pursuant to subsection (d).

(d) ADJUSTMENTS FOR DISCRETIONARY SPENDING.—

(1) REVISIONS TO ALLOCATIONS AND AGGREGATES.—After the reporting of an appropriations measure, or after a conference committee submits a conference report thereon, that makes available funds for highways, the Chairman of the Committee on the Budget of the Senate shall submit increased outlay allocations, aggregates, and discretionary limits for the amount of outlays flowing from the additional obligational authority provided in such measure.

(2) REVISIONS TO SUBALLOCATIONS.—The Committee on Appropriations of the Senate may submit appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974.

(e) LIMITATIONS.—

(1) IN GENERAL.—The revisions made pursuant to subsection (c) shall not be made—

(A) with respect to nonhighway direct spending reductions, unless the committee that generates the direct spending reductions is within its allocations under section 302(a) and 602(a) of the Budget Act in this resolution (not including the nonhighway direct spending reductions envisioned in subsection (c)); and

(B) with respect to revenue increases, unless revenues are at or above the revenue aggregates in this resolution (not including the revenue increases envisioned in subsection (c)).

(2) OUTLAYS.—The outlay adjustments made pursuant to subsection (d) shall not exceed the amounts specified in subsection (c)(2) for a fiscal year.

SEC. 210. DEFICIT-NEUTRAL RESERVE FUND IN THE HOUSE FOR SURFACE TRANSPORTATION.

(a) PURPOSE.—In the House, the purpose of this section is to adjust the appropriate budgetary levels to accommodate legislation increasing spending from the highway trust fund on surface transportation and highway safety above the levels assumed in this resolution if such legislation is deficit neutral.

(b) DEFICIT NEUTRALITY REQUIREMENT.—(1) In order to receive the adjustments specified in subsection (c), a bill reported by the Committee on Transportation and Infrastructure

of the House that provides new budget authority above the levels assumed in this resolution for programs authorized out of the highway trust fund must be deficit neutral.

(2) A deficit-neutral bill must meet the following conditions:

(A) The amount of new budget authority provided for programs authorized out of the highway trust fund must be in excess of \$25.949 billion in new budget authority for fiscal year 1998, \$25.464 billion in new budget authority for fiscal year 2002, and \$127.973 billion in new budget authority for the period of fiscal years 1998 through 2002.

(B) The outlays estimated to flow from the excess new budget authority set forth in subparagraph (A) must be offset for fiscal year 1998, fiscal year 2002, and for the period of fiscal years 1998 through 2002. For the sole purpose of estimating the amount of outlays flowing from excess new budget authority under this section, it shall be assumed that such excess new budget authority would have an obligation limitation sufficient to accommodate that new budget authority.

(C) The outlays estimated to flow from the excess new budget authority must be offset by (i) other direct spending or revenue provisions within that transportation bill, (ii) the net reduction in other direct spending and revenue legislation (for purposes of such offset) that is enacted during this Congress after the date of adoption of this resolution and before such transportation bill is reported (in excess of the levels assumed in this resolution), or (iii) a combination of the offsets specified in clauses (i) and (ii).

(D) As used in this section, the term "direct spending" has the meaning given to such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) REVISED LEVELS.—(1) After the Committee on Transportation and Infrastructure of the House reports a bill (or after the submission of a conference report thereon) meeting the conditions set forth in subsection (b)(2), the chairman of the Committee on the Budget of the House shall increase the allocation of new budget authority to that committee by the amount of new budget authority provided in that bill (and that is above the levels set forth in subsection (b)(2)(A)) for programs authorized out of the highway trust fund.

(2) After the enactment of the transportation bill described in paragraph (1) and after the reporting of a general, supplemental, or continuing resolution making appropriations by the Committee on Appropriations of the House (or after the submission of a conference report thereon) establishing an obligation limitation above the levels specified in subsection (b)(2)(A) (at a level sufficient to obligate some or all of the budget authority specified in paragraph (1)), the chairman of the Committee on the Budget of the House shall increase the allocation and aggregate levels of outlays to that committee for the appropriate fiscal years.

(d) OFFSETTING ADJUSTMENTS.—Upon the enactment of legislation providing offsets pursuant to subsection (c), the chairman of the Committee on the Budget shall make offsetting adjustments in the appropriate allocations and aggregates.

(e) DEFINITION.—As used in this section, the term "highway trust fund" refers to the following budget accounts (or any successor accounts):

- (1) 69-8083-0-7-401 (Federal-Aid Highways).
- (2) 69-8191-0-7-401 (Mass Transit Capital Fund).
- (3) 69-8350-0-7-401 (Mass Transit Formula Grants).
- (4) 69-8016-0-7-401 (National Highway Traffic Safety Administration-Operations and Research).

(5) 69-8020-0-7-401 (Highway Traffic Safety Grants).

(6) 69-8048-0-7-401 (National Motor Carrier Safety Program).

SEC. 211. SALE OF GOVERNMENT ASSETS.

(a) LIMITATION.—Subsections (b) through (d) of this section shall not apply to the sale of any asset resulting from the enactment of any reconciliation bill referred to in section 104 or 105 of this resolution.

(b) BUDGETARY TREATMENT.—

(1) IN GENERAL.—For the purpose of this concurrent resolution on the budget and the Congressional Budget Act of 1974, no amounts realized from the sale of an asset shall be scored with respect to the level of budget authority, outlays, or revenues if such sale would cause an increase in the deficit as calculated pursuant to paragraph (2).

(2) CALCULATION OF NET PRESENT VALUE.—The deficit estimate of an asset sale shall be the net present value of the cash flow from—

(A) proceeds from the asset sale;

(B) future receipts that would be expected from continued ownership of the asset by the Government; and

(C) expected future spending by the Government at a level necessary to continue to operate and maintain the asset to generate the receipts estimated pursuant to subparagraph (B).

(c) DEFINITION.—For purposes of this section, the term "sale of an asset" shall have the same meaning as under section 250(c)(21) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) TREATMENT OF LOAN ASSETS.—For the purposes of this section, the sale of loan assets or the prepayment of a loan shall be governed by the terms of the Federal Credit Reform Act of 1990.

(e) INTENT.—The asset sale rule may be revisited when the Budget Enforcement Act of 1990 is extended.

SEC. 212. DETERMINATIONS OF BUDGETARY LEVELS; REVERSALS.

(a) DETERMINATIONS.—For purposes of this title, budgetary levels shall be determined on the basis of estimates made by the Committee on the Budget.

(b) REVERSALS AND ADJUSTMENTS.—(1) In the House of Representatives, if any legislation referred to in this title is not enacted into law, then the chairman of the Committee on the Budget shall, as soon as practicable, reverse adjustments made under this title for such legislation and have such adjustments published in the Congressional Record.

(2) In the Senate, the adjustments and revisions to allocations, aggregates, and limits made by the Chairman of the Committee on the Budget pursuant to this title for legislation shall only apply while such legislation is under consideration in the Senate and shall only permanently take effect upon the enactment of such legislation.

(c) EFFECT OF REVISIONS.—Any revisions made by the chairman of the Committee on the Budget under this title, and in the Senate, under section 104(d), shall be considered for purposes of the Congressional Budget Act of 1974 as the allocations and aggregates, and in the Senate, the discretionary spending limits, contained in this resolution, and the chairman shall have such revisions published in the Congressional Record.

SEC. 213. EXERCISE OF RULEMAKING POWERS.

The Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change those rules (so far as they relate to that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

TITLE III—SENSE OF CONGRESS, HOUSE, AND SENATE PROVISIONS

Subtitle A—Sense of the Congress

SEC. 301. SENSE OF THE CONGRESS ON REPAYMENT OF THE FEDERAL DEBT.

(a) FINDINGS.—The Congress finds the following:

(1) The Congress and the President have a basic moral and ethical responsibility to future generations to repay the Federal debt, including the money borrowed from the Social Security Trust Fund.

(2) The Congress and the President should enact a law which creates a regimen for paying off the Federal debt within 30 years.

(3) If spending growth were held to a level one percentage point lower than projected growth in revenues, then the Federal debt could be repaid within 30 years.

(b) SENSE OF THE CONGRESS REGARDING PRESIDENT'S SUBMISSION TO CONGRESS.—It is the sense of the Congress that—

(1) the President's annual budget submission to Congress should include a plan for repayment of Federal debt beyond the year 2002, including the money borrowed from the Social Security Trust Fund; and

(2) the plan should specifically explain how the President working with Congress would cap spending growth at a level one percentage point lower than projected growth in revenues.

SEC. 302. SENSE OF THE CONGRESS ON TAX CUTS.

It is the sense of the Congress that this resolution assumes that—

(1) a substantial majority of the tax cut benefits provided in the tax reconciliation bill will go to middle class working families earning less than approximately \$100,000 per year; and

(2) the tax cuts in the tax reconciliation bill will not cause revenue losses to increase significantly in years after 2007.

SEC. 303. SENSE OF CONGRESS THAT THE 10-YEAR REVENUE LOSS FROM THE TAX RELIEF PACKAGE SHALL NOT EXCEED \$250,000,000,000.

(a) FINDINGS.—Congress finds that—

(1) a May 15, 1997 letter from the Speaker of the House of Representatives and the Majority Leader of the Senate to the President of the United States, representing the agreement on the tax package in the Bipartisan Budget Agreements, states that, "It was agreed that the net tax cut shall be \$85 billion through 2002 and not more than \$250 billion through 2007.";

(2) a May 15, 1997 letter from the Speaker of the House of Representatives and the Majority Leader of the Senate to the Chief of Staff to the President, contained in the same Bipartisan Budget Agreement and referring to the tax package, states that "The proposal shall not cause costs to explode in the outyears."; and

(3) the text of the Bipartisan Budget Agreement issued on May 15, 1997 states that "If bills, resolutions or conference reports are deemed to be inconsistent, remedial efforts shall be made by all parties to assure consistency. Such efforts shall include bipartisan Leadership consultation and concurrence on amendments and scheduling as necessary.";

(b) SENSE OF CONGRESS.—

(1) 10-YEAR COST.—The 10-year cost of the tax reconciliation bill resulting from this resolution shall not exceed \$250,000,000,000 and any revenue loss shall be certified by the Joint Committee on Taxation in consultation and cooperation with the Office of Tax Analysis of the Department of Treasury.

(2) 5-YEAR COST.—The 5-year cost of the tax reconciliation bill resulting from this resolution shall be \$85,000,000,000 and any revenue loss shall be certified by the Joint Committee on Taxation in consultation and cooperation with the Office of Tax Analysis of the Department of Treasury.

Subtitle B—Sense of the House

SEC. 306. SENSE OF THE HOUSE ON COMMISSION ON LONG-TERM BUDGETARY PROBLEMS.

(a) FINDINGS.—The House finds that—
 (1) achieving a balanced budget by fiscal year 2002 is only the first step necessary to restore our Nation's economic prosperity;
 (2) the imminent retirement of the baby-boom generation will greatly increase the demand for government services;
 (3) this burden will be borne by a relatively smaller work force resulting in an unprecedented intergenerational transfer of financial resources;
 (4) the rising demand for retirement and medical benefits will quickly jeopardize the solvency of the medicare, social security, and Federal retirement trust funds; and
 (5) the Congressional Budget Office has estimated that marginal tax rates would have to increase by 50 percent over the next 5 years to cover the long-term projected costs of retirement and health benefits.

(b) SENSE OF THE HOUSE.—It is the sense of the House that legislation should be enacted to create a commission to assess long-term budgetary problems, their implications for both the baby-boom generation and tomorrow's workforce, and make such recommendations as it deems appropriate to ensure our Nation's future prosperity.

SEC. 307. SENSE OF THE HOUSE ON CORPORATE WELFARE.

(a) FINDINGS.—The House finds that the functional levels and aggregates in this budget resolution assume that—

- (1) the Federal Government supports profit-making enterprises and industries through billions of dollars in payments, benefits, and programs;
- (2) many of these subsidies do not serve a clear and compelling public interest;
- (3) corporate subsidies frequently provide unfair competitive advantages to certain industries and industry segments; and
- (4) at a time when millions of Americans are being asked to sacrifice in order to balance the budget, the corporate sector should bear its share of the burden.

(b) SENSE OF THE HOUSE.—It is the sense of the House that legislation should be enacted to—

- (1) eliminate the most egregious corporate subsidies; and
- (2) create a commission to recommend the elimination of Federal payments, benefits, and programs which predominantly benefit a particular industry or segment of an industry, rather than provide a clear and compelling public benefit, and include a fast-track process for the consideration of those recommendations.

SEC. 308. SENSE OF THE HOUSE ON BASELINES.

(a) FINDINGS.—The House finds that—
 (1) baselines are projections of future spending if existing policies remain unchanged;
 (2) under baseline assumptions, spending automatically rises with inflation even if such increases are not mandated under existing law;
 (3) baseline budgeting is inherently biased against policies that would reduce the projected growth in spending because such policies are portrayed as spending reductions from an increasing baseline; and
 (4) the baseline concept has encouraged Congress to abdicate its constitutional obligation to control the public purse for those programs which are automatically funded.

(b) SENSE OF HOUSE.—It is the sense of the House that baseline budgeting should be replaced with a budgetary model that requires justification of aggregate funding levels and maximizes congressional and executive accountability for Federal spending.

SEC. 309. SENSE OF THE HOUSE ON FAMILY VIOLENCE OPTION CLARIFYING AMENDMENT.

(a) FINDINGS.—The House finds the following:

(1) Domestic violence is the leading cause of physical injury to women. The Department of Justice estimates that over 1,000,000 violent crimes against women are committed by intimate partners annually.

(2) Domestic violence dramatically affects the victim's ability to participate in the workforce. A University of Minnesota survey reported that one quarter of battered women surveyed had lost a job partly because of being abused and that over half of these women had been harassed by their abuser at work.

(3) Domestic violence is often intensified as women seek to gain economic independence through attending school or training programs. Batterers have been reported to prevent women from attending these programs or sabotage their efforts at self-improvement.

(4) Nationwide surveys of service providers prepared by the Taylor Institute of Chicago, Illinois, document, for the first time, the interrelationship between domestic violence and welfare by showing that from 34 percent to 65 percent of AFDC recipients are current or past victims of domestic violence.

(5) Over half of the women surveyed stayed with their batterers because they lacked the resources to support themselves and their children. The surveys also found that the availability of economic support is a critical factor in poor women's ability to leave abusive situations that threaten them and their children.

(6) The restructuring of the welfare programs may impact the availability of the economic support and the safety net necessary to enable poor women to flee abuse without risking homelessness and starvation for their families.

(7) In recognition of this finding, the House Committee on the Budget unanimously passed a sense of Congress amendment on domestic violence and Federal assistance to the fiscal year 1997 budget resolution. Subsequently, Congress passed the family violence option amendment to last year's welfare reform reconciliation bill.

(8) The family violence option gives States the flexibility to grant temporary waivers from time limits and work requirements for domestic violence victims who would suffer extreme hardship from the application of these provisions. These waivers were not intended to be included as part of the permanent 20 percent hardship exemption.

(9) The Department of Health and Human Services has been slow to issue regulations regarding this provision. As a result, States are hesitant to fully implement the family violence option fearing it will interfere with the 20 percent hardship exemption.

(10) Currently 15 States have opted to include the family violence option in their welfare plans, and 13 other States have included some type of domestic violence provisions in their plans.

(b) SENSE OF THE HOUSE.—It is the sense of the House that—

(1) States should not be subject to any numerical limits in granting domestic violence good cause waivers to individuals receiving assistance for all requirements where compliance with such requirements would make it more difficult for individuals receiving assistance to escape domestic violence; and

(2) any individuals granted a domestic violence good cause waiver by States should not be included in the States' 20 percent hardship exemption.

Subtitle B—Sense of the Senate

SEC. 311. SENSE OF THE SENATE ON LONG TERM ENTITLEMENT REFORMS, INCLUDING ACCURACY IN DETERMINING CHANGES IN THE COST OF LIVING.

(a) FINDINGS.—
 (1) ENTITLEMENT REFORMS.—The Senate finds that with respect to long term entitlement reforms—

(A) entitlement spending continues to grow dramatically as a percent of total Federal spending, rising from fifty-six percent of the budget in 1987 to an estimated seventy-three percent of the budget in 2007;

(B) this growth in mandatory spending poses a long-term threat to the United States economy because it crowds out spending for investments in education, infrastructure, defense, law enforcement and other programs that enhance economic growth;

(C) in 1994, the Bipartisan Commission on Entitlement and Tax Reform concluded that if no changes are made to current entitlement laws, all Federal revenues will be spent on entitlement programs and interest on the debt by the year 2012;

(D) the Congressional Budget Office has also recently issued a report that found that pressure on the budget from demographics and rising health care costs will increase dramatically after 2002; and

(E) making significant entitlement changes will significantly benefit the economy, and will forestall the need for more drastic tax and spending decisions in future years.

(2) CPI.—The Senate finds that with respect to accuracy in determining changes in the cost of living—

(A) the Final Report of the Senate Finance Committee's Advisory Commission to study the CPI has concluded that the Consumer Price Index overstates the cost of living in the United States by 1.1 percentage points;

(B) the overstatement of the cost of living by the Consumer Price Index has been recognized by economists since at least 1961, when a report noting the existence of the overstatement was issued by a National Bureau of Economic Research Committee, chaired by Professor George J. Stigler;

(C) Congress and the President, through the indexing of Federal tax brackets, social security benefits, and other Federal program benefits, have undertaken to protect taxpayers and beneficiaries of such programs from the erosion of purchasing power due to inflation; and

(D) the overstatement of the cost of living increases the deficit and undermines the equitable administration of Federal benefits and tax policies.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions in this resolution assume that—

(1) Congress and the President should continue working to enact structural entitlement reforms in the 1997 budget agreement and in subsequent legislation;

(2) Congress and the President must find the most accurate measure of the change in the cost of living in the United States, and should work in a bipartisan manner to implement any changes that are necessary to achieve an accurate measure; and

(3) Congress and the President must work to ensure that the 1997 budget agreement not only keeps the unified budget in balance after 2002, but that additional measures should be taken to begin to achieve substantial surpluses which will improve the economy and allow our nation to be ready for the retirement of the baby boom generation in the year 2012.

SEC. 312. SENSE OF THE SENATE ON TACTICAL FIGHTER AIRCRAFT PROGRAMS.

(a) FINDINGS.—The Senate finds that—

(1) the Department of Defense has proposed to modernize the United States tactical fighter aircraft force through three tactical fighter procurement programs, including the F/A-18 E/F aircraft program of the Navy, the F-22 aircraft program of the Air Force, and the Joint Strike Fighter aircraft program for the Navy, Air Force, and Marine Corps;

(2) the General Accounting Office, the Congressional Budget Office, the Chairman of the Joint Chiefs of Staff, the Under Secretary of Defense for Acquisition and Technology, and several Members of Congress have publicly stated that, given the current Department of Defense budget for procurement, the Department of Defense's original plan to buy over 4,400 F/A-18 E/F aircraft, F-22 aircraft, and Joint Strike Fighter aircraft at a total program cost in excess of \$350,000,000,000 was not affordable;

(3) the F/A-18 E/F, F-22, and the Joint Strike Fighter tactical fighter programs will be competing for a limited amount of procurement funding with numerous other aircraft acquisition programs, including the Comanche helicopter program, the V-22 Osprey aircraft program, and the C-17 aircraft program, as well as for the necessary replacement of other aging aircraft such as the KC-135, the C-5A, the F-117, and the EA-6B aircraft; and

(4) the 1997 Department of Defense Quadrennial Defense Review has recommended reducing the F/A-18 E/F program buy from 1,000 aircraft to 548, and reducing the F-22 program buy from 438 to 339.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that, within 30 days, the Department of Defense should transmit to Congress detailed information pertaining to the implementation of this revised acquisition strategy so that the Congress can adequately evaluate the extent to which the revised acquisition strategy is tenable and affordable given the projected spending levels contained in this budget resolution.

SEC. 313. SENSE OF THE SENATE REGARDING CHILDREN'S HEALTH COVERAGE.

(a) FINDINGS.—The Senate finds that—

(1) of the estimated 10 million uninsured children in the United States, over 1.3 million have at least one parent who is self-employed and all other uninsured children are dependents of persons who are employed by another, or unemployed;

(2) these 1.3 million uninsured kids comprise approximately 22 percent of all children with self-employed parents, and they are a significant 13 percent of all uninsured children;

(3) the remaining uninsured children are in families where neither parent is self-employed and comprise 13 percent of all children in families where neither parent is self-employed;

(4) children in families with a self-employed parent are therefore more likely to be uninsured than children in families where neither parent is self-employed; and

(5) the current disparity in the tax law reduces the affordability of health insurance for the self-employed and their families, hindering the ability of children to receive essential primary and preventive care services.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that from resources available in this budget resolution, a portion should be set aside for an immediate 100 percent deductibility of health insurance costs for the self-employed. Full deductibility of health expenses for the self-employed would make health insurance more attractive and affordable, resulting in more dependents being covered. The government should not encourage

parents to forgo private insurance for a government-run program.

SEC. 314. SENSE OF THE SENATE ON A MEDICAID PER CAPITA CAP.

It is the sense of the Senate that in order to meet deficit reduction targets in this resolution with respect to medicaid—

(1) the per capita cap will not be used as a method for meeting spending targets; and

(2) the per capita cap could represent a significant structural change that might jeopardize the quality of care for children, the disabled, and senior citizens.

SEC. 315. SENSE OF THE SENATE THAT ADDED SAVINGS GO TO DEFICIT REDUCTION.

(a) FINDINGS.—The Congress finds that—

(1) balancing the budget will bring numerous economic benefits for the United States economy and American workers and families, including improved economic growth and lower interest rates;

(2) the fiscal year 1998 budget resolution crafted pursuant to an agreement reached between the Congress and the Administration purports to achieve balance in the year 2002;

(3) the deficit estimates contained in this resolution may not conform to the actual deficits in subsequent years, which make it imperative that any additional savings are realized be devoted to deficit reduction;

(4) the Senate's "pay-as-you-go" point of order prohibits crediting savings from updated economic or technical data as an offset for legislation that increases the deficit, and ensures these savings are devoted to deficit reduction; and

(5) Congress and the Administration must ensure that the deficit levels contained in this budget are met and, if actual deficits prove to be lower than projected, the additional savings are used to balance the budget on or before the year 2002.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) legislation enacted pursuant to this resolution must ensure that the goal of a balanced budget is achieved on or before fiscal year 2002; and

(2) if the actual deficit is lower than the projected deficit in any upcoming fiscal year, the added savings should be devoted to further deficit reduction.

SEC. 316. SENSE OF THE SENATE ON FAIRNESS IN MEDICARE.

(a) FINDINGS.—The Congress finds that—

(1) the Trustees of the Medicare Trust Funds recently announced that medicare's Hospital Insurance (HI) Trust Fund is headed for bankruptcy in 2001, and in 1997, HI will run a deficit of \$26,000,000,000 and add \$56,000,000,000 annually to the Federal deficit by 2001;

(2) the Trustees also project that Supplementary Medical Insurance (SMI), will grow twice as fast as the economy and the taxpayers' subsidy to keep the SMI from bankruptcy will grow from \$58,000,000,000 to \$89,000,000,000 annually from 1997 through 2001;

(3) the Congressional Budget Office reports that when the baby-boom generation begins to receive social security benefits and is eligible for medicare in 2008, the Federal budget will face intense pressure, resulting in mounting deficits and erosion of future economic growth;

(4) long-term solutions to address the financial and demographic problems of medicare are urgently needed to preserve and protect the medicare trust funds;

(5) these solutions to address the financial and demographic problems of medicare are urgently needed to preserve and protect the medicare trust funds;

(6) reform of the medicare program should ensure equity and fairness for all medicare

beneficiaries, and offer beneficiaries more choice of private health plans, to promote efficiency and enhance the quality of health care;

(7) all Americans pay the same payroll tax of 2.9 percent to the medicare trust funds, and they deserve the same choices and services regardless of where they retire;

(8) however, under the currently adjusted-average-per-capita cost (AAPCC), some counties receive 2.5 times more in medicare reimbursements than others;

(9) this inequity in medicare reimbursement jeopardizes the quality of medicare services of rural beneficiaries and penalizes the most efficient and effective medicare service providers;

(10) in some states, the result has been the absence of health care choices beyond traditional, fee-for-service medicine for medicare beneficiaries, which in other counties and states plan providers may be significantly over-compensated, adding to medicare's fiscal instability; and

(11) ending the practice of basing payments to risk contract plans on local fee-for-service medical costs will help correct these inequities, mitigate unnecessary cost in the program, and begin the serious, long-term restructuring of medicare.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that the Finance Committee should strongly consider the following elements for medicare reform—

(1) any medicare reform package should include measures to address the inequity in medicare reimbursement to risk contract plans;

(2) medicare should use a national update framework rather than local fee-for-service spending increases to determine the annual changes in risk plan payment rates;

(3) an adequate minimum payment rate should be provided for health plans participating in medicare risk contract programs;

(4) the geographic variation in medicare payment rates must be reduced over time to raise the lower payment areas closer to the average while taking into account actual differences in input costs that exist from region to regional;

(5) medicare managers in consultation with plan providers and patient advocates should pursue competitive bidding programs in communities where data indicate risk contract payments are substantially excessive and when plan choices would not diminish by such a bidding process; and

(6) medicare should phase in the use of risk adjusters which take account of health status so as to address overpayment to some plans.

SEC. 317. SENSE OF THE SENATE REGARDING ASSISTANCE TO LITHUANIA AND LATVIA.

(a) FINDINGS.—The Senate finds that—

(1) Lithuania and Latvia reestablished democracy and free market economies when they regained their freedom from the Soviet Union;

(2) Lithuania and Latvia, which have made significant progress since regaining their freedom, are still struggling to recover from the devastation of 50 years of communist domination;

(3) the United States, which never recognized the illegal incorporation of Lithuania and Latvia into the Soviet Union, has provided assistance to strengthen democratic institutions and free market reforms in Lithuania and Latvia since 1991;

(4) the people of the United States enjoy close and friendly relations with the people of Lithuania and Latvia;

(5) the success of democracy and free market reform in Lithuania and Latvia is important to the security and economic progress of the United States; and

(6) the United States as well as Lithuania and Latvia would benefit from the continuation of assistance which helps Lithuania and Latvia to implement commercial and trade law reform, sustain private sector development, and establish well-trained judiciaries.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) adequate assistance should be provided to Lithuania and Latvia in fiscal year 1998 to continue the progress they have made; and

(2) assistance to Lithuania and Latvia should be continued beyond fiscal year 1998 as they continue to build democratic and free market institutions.

SEC. 318. SENSE OF THE SENATE REGARDING A NATIONAL COMMISSION ON HIGHER EDUCATION.

It is the sense of the Senate that the provisions of this resolution assure that a national commission should be established to study and make specific recommendations regarding the extent to which increases in student financial aid, and the extent to which Federal, State, and local laws and regulations, contribute to increases in college and university tuition.

SEC. 319. SENSE OF THE SENATE ON LOCKBOX.

It is the Sense of the Senate that the provisions of this resolution assume that to ensure all savings from medicare reform are used to keep the medicare program solvent, the Treasury Secretary should credit the Medicare Hospital Insurance Trust Fund (Part A) with government securities equal to any savings from Medicare Supplemental Medical Insurance (Part B) reforms enacted pursuant to the reconciliation instructions contained in this budget resolution.

SEC. 320. SENSE OF THE SENATE ON THE EARNED INCOME CREDIT.

(a) FINDINGS.—The Senate finds that—

(1) an April 1997 study by the Internal Revenue Service of Earned Income Credit (EIC) filers for tax year 1994 revealed that over \$4,000,000,000 of the \$17,000,000,000 spent on the EIC for that year was erroneously claimed and paid by the IRS, resulting in a fraud and error rate of 25.8 percent;

(2) the IRS study further concluded that EIC reforms enacted by the One Hundred Fourth Congress will only lower the fraud error rate to 20.7 percent, meaning over \$23,000,000,000 will be wasted over the next five years; and

(3) the President's recent proposals to combat EIC fraud and error contained within this budget resolution are estimated to save \$124,000,000 in scoreable savings over the next five years and additional savings from deterrent effects.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that the President should propose and Congress should enact additional programmatic changes sufficient to ensure that the primary purpose of the EIC to encourage work over welfare is achieved without wasting billions of taxpayer dollars on fraud and error.

SEC. 321. SENSE OF THE SENATE SUPPORTING LONG-TERM ENTITLEMENT REFORMS.

(a) FINDINGS.—The Senate finds that this resolution assumes that—

(1) entitlement spending has risen dramatically over the last thirty-five years;

(2) in 1963, mandatory spending (i.e., entitlement spending and interest on the debt) made up 29.6 percent of the budget, this figure rose to 61.4 percent by 1993 and is expected to reach 70 percent shortly after the year 2000;

(3) this mandatory spending is crowding out spending for the traditional "discretionary" functions of Government like clean

air and water, a strong national defense, parks and recreation, education, our transportation system, law enforcement, research and development and other infrastructure spending; and

(4) taking significant steps sooner rather than later to reform entitlement spending will not only boost economic growth in this country, it will also prevent the need for drastic tax and spending decisions in the next century.

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the levels in this budget resolution assume that Congress and the President should work to enact structural reforms in entitlement spending in 1997 and beyond which sufficiently restrain the growth of mandatory spending in order to keep the budget in balance over the long term, extend the solvency of the Social Security and Medicare Trust Funds, avoid crowding out funding for basic Government functions and that every effort should be made to hold mandatory spending to no more than 70 percent of the budget.

SEC. 322. SENSE OF THE SENATE ON DISASTER ASSISTANCE FUNDING.

(a) FINDINGS.—The Senate finds that—

(1) emergency spending adds to the deficit and total spending;

(2) the Budget Enforcement Act of 1990 exempts emergency spending from the discretionary spending caps and pay-go requirements;

(3) the Budget Enforcement Act of 1990 expires in 1998 and needs to be extended;

(4) since the enactment of the Budget Enforcement Act, Congress and the President have approved an average of \$5,800,000,000 per year in emergency spending; and

(5) a natural disaster in any particular State is unpredictable, by the United States is likely to experience a natural disaster almost every year.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the functional totals underlying this concurrent resolution on the budget assume that the Congress should consider in the extension of the Budget Enforcement Act and in appropriations Acts—

(1) provisions that budget for emergencies or that require emergency spending to be offset;

(2) provisions that provide flexibility to meet emergency funding requirements associated with natural disasters;

(3) Congress and the President should consider appropriating at least \$5,000,000,000 every year to provide for natural disaster relief; and

(4) Congress and the President should not designate any emergency spending for natural disaster relief until such amounts provided in regular appropriations are exhausted.

SEC. 323. SENSE OF THE SENATE ON ENFORCEMENT OF BIPARTISAN BUDGET AGREEMENT.

(a) FINDINGS.—The Senate finds that—

(1) the bipartisan budget agreement is contingent upon—

(A) favorable economic conditions for the next 5 years;

(B) accurate estimates of the fiscal impacts of assumptions in this resolution; and

(C) enactment of legislation to reduce the deficit; and

(2) if any of the conditions in paragraph (1) are not met, our ability to achieve a balanced budget by 2002 will be jeopardized.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the functional totals and limits in this resolution assume that—

(1) reconciliation legislation should include legislation to enforce the targets set forth in the bipartisan budget agreement and to ensure the balanced budget goal is met; and

(2) such legislation shall—

(A) establish procedures to ensure the agreement is enforced in every year;

(B) require that the President's annual budget and annual Congressional concurrent resolutions on the budget comply the agreement in every year;

(C) consider provisions which provide that if the deficit is below or the surplus is above the deficits projected in the agreement in any year, such savings are locked in for deficit and debt reduction; and

(D) consider provisions which budget for and control emergency spending in order to prevent the use of emergencies to evade the budget agreement.

SEC. 324. SENSE OF THE SENATE REGARDING THE NATIONAL INSTITUTES OF HEALTH.

(a) FINDINGS.—Congress finds that—

(1) heart disease was the leading cause of death for both men and women in every year from 1970 to 1993;

(2) mortality rates for individuals suffering from prostate cancer, skin cancer, and kidney cancer continue to rise;

(3) the mortality rate for African American women suffering from diabetes is 134 percent higher than the mortality rate of Caucasian women suffering from diabetes;

(4) asthma rates for children increased 58 percent from 1982 to 1992;

(5) nearly half of all American women between the ages of 65 and 75 reported having arthritis;

(6) AIDS is the leading cause of death for Americans between the ages of 24 and 44;

(7) the Institute of Medicine has described United States clinical research to be "in a state of crisis" and the National Academy of Sciences concluded in 1994 that "the present cohort of clinical investigators is not adequate";

(8) biomedical research has been shown to be effective in saving lives and reducing health care expenditures;

(9) research sponsored by the National Institutes of Health has contributed significantly to the first overall reduction in cancer death rates since record keeping was instituted;

(10) research sponsored by the National Institutes of Health has resulted in the identification of genetic mutations for osteoporosis; Lou Gehrig's Disease, cystic fibrosis, and Huntington's Disease; breast, skin and prostate cancer; and a variety of other illnesses;

(11) research sponsored by the National Institutes of Health has been key to the development of Magnetic Resonance Imaging (MRI) and Positron Emission Tomography (PET) scanning technologies;

(12) research sponsored by the National Institutes of Health has developed effective treatments for Acute Lymphoblastic Leukemia (ALL). Today, 80 percent of children diagnosed with Acute Lymphoblastic Leukemia are alive and free of the disease after 5 years; and

(13) research sponsored by the National Institutes of Health contributed to the development of a new, cost-saving cure for peptic ulcers.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that this Resolution assumes that—

(1) appropriations for the National Institutes of Health should be increased by 100 percent over the next 5 fiscal years; and

(2) appropriations for the National Institutes of Health should be increased by \$2,000,000,000 in fiscal year 1998 over the amount appropriated in fiscal year 1997.

SEC. 325. SENSE OF THE SENATE REGARDING CERTAIN ELDERLY LEGAL ALIENS.

It is the sense of the Senate that the provisions of this resolution assume that—

(1) the Committee on Finance will include in its recommendations to the Committee on the Budget of the Senate changes in laws within the jurisdiction of the Committee on Finance that allow certain elderly, legal immigrants who will cease to receive benefits under the supplemental security income program as a result of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2105) to continue to receive benefits during a re-determination or reapplication period to determine if such aliens would qualify for such benefits on the basis of being disabled; and

(2) the Committee on Finance in developing these recommendations should offset the additional cost of this proposal out of other programs within the jurisdiction of the Committee on Finance.

SEC. 326. SENSE OF THE SENATE REGARDING RETROACTIVE TAXES.

(a) FINDINGS.—The Senate finds that—

(1) in general, the practice of increasing a tax retroactively is fundamentally unfair to taxpayers; and

(2) retroactive taxation is disruptive to families and small business in their ability to plan and budget.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this budget resolution assume that—

(1) except for closing tax loopholes, no revenues should be generated from any retroactively increased tax; and

(2) the Congress and the President should work together to ensure that any revenue generating proposal contained within reconciliation legislation pursuant to this concurrent resolution proposal, except those proposals closing tax loopholes, should take effect prospectively.

SEC. 327. SENSE OF THE SENATE ON SOCIAL SECURITY AND BALANCING THE BUDGET.

(a) FINDINGS.—The Senate finds that—

(1) this budget resolution is projected to balance the unified budget of the United States in fiscal year 2002;

(2) section 13301 of the Budget Enforcement Act of 1990 requires that the deficit be computed without counting the annual surpluses of the Social Security Trust Funds; and

(3) if the deficit were calculated according to the requirements of section 13301, this budget resolution would be projected to result in a deficit of \$108,700,000,000 in fiscal year 2002.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying this budget resolution assume that after balancing the unified Federal budget, the Congress should continue efforts to reduce the on-budget deficit, so that the Federal budget will be balanced without counting social security surpluses.

SEC. 328. SENSE OF THE SENATE SUPPORTING SUFFICIENT FUNDING FOR VETERANS PROGRAMS AND BENEFITS.

(a) FINDINGS.—The Senate finds that—

(1) veterans and their families represent approximately 27 percent of the United States population;

(2) more than 20 million of our 26 million living veterans served during wartime, sacrificing their freedom so that we may have ours; and

(3) veterans have earned the benefits promised to them.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the assumptions underlying this Budget Resolution assume that the 602(b) allocation to the Department of Veterans Affairs will be sufficient in fiscal year 1998 to fully fund all discretionary veterans programs, including medical care; and

(2) funds collected from legislation to improve the Department of Veterans Affairs'

ability to collect and retain reimbursement from third-party payers ought to be used to supplement, not supplant, an adequate appropriation for medical care.

SEC. 329. SENSE OF THE SENATE ON FAMILY VIOLENCE OPTION CLARIFYING AMENDMENT.

(a) FINDINGS.—The Senate finds the following:

(1) Domestic violence is the leading cause of physical injury to women. The Department of Justice estimates that over 1,000,000 violent crimes against women are committed by intimate partners annually.

(2) Domestic violence dramatically affects the victim's ability to participate in the workforce. A University of Minnesota survey reported that ¼ of battered women surveyed had lost a job partly because of being abused and that over ½ of these women had been harassed by their abuser at work.

(3) Domestic violence is often intensified as women seek to gain economic independence through attending school or training programs. Batterers have been reported to prevent women from attending these programs or sabotage their efforts at self-improvement.

(4) Nationwide surveys of service providers prepared by the Taylor Institute of Chicago, Illinois, document, for the first time, the interrelationship between domestic violence and welfare by showing that from 34 percent to 65 percent of AFDC recipients are current or past victims of domestic violence.

(5) Over ½ of the women surveyed stayed with their batterers because they lacked the resources to support themselves and their children. The surveys also found that the availability of economic support is a critical factor in poor women's ability to leave abusive situations that threaten them and their children.

(6) The restructuring of the welfare programs may impact the availability of the economic support and the safety net necessary to enable poor women to flee abuse without risking homelessness and starvation for their families.

(7) In recognition of this finding, the Committee on the Budget of the Senate in considering the 1997 Resolution on the budget of the United States unanimously adopted a sense of the Congress amendment concerning domestic violence and Federal assistance. Subsequently, Congress adopted the family violence option amendment as part of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(8) The family violence option gives States the flexibility to grant temporary waivers from time limits and work requirements for domestic violence victims who would suffer extreme hardship from the application of these provisions. These waivers were not intended to be included as part of the permanent 20 percent hardship exemption.

(9) The Department of Health and Human Services has been slow to issue regulations regarding this provision. As a result, States are hesitant to fully implement the family violence option fearing that it will interfere with the 20 percent hardship exemption.

(10) Currently 15 States have opted to include the family violence option in their welfare plans, and 13 other States have included some type of domestic violence provisions in their plans.

(b) SENSE OF SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) States should not be subject to any numerical limits in granting domestic violence good cause waivers under section 402(a)(7)(A)(iii) of the Social Security Act (42 U.S.C. 602(a)(7)(A)(iii)) to individuals receiving assistance, for all requirements where compliance with such requirements would make it more difficult for individuals receiv-

ing assistance to escape domestic violence; and

(2) any individual who is granted a domestic violence good cause waiver by a State shall not be included in the States' 20 percent hardship exemption under section 408(a)(7) of the Social Security Act (42 U.S.C. 608(a)(7)).

SEC. 330. SENSE OF THE SENATE REGARDING ASSISTANCE TO AMTRAK.

(a) FINDINGS.—The Senate finds that—

(1) Amtrak is in a financial crisis, with growing and substantial debt obligations approaching \$2,000,000,000;

(2) Amtrak has not been authorized since 1994;

(3) the Senate Committee on Commerce, Science, and Transportation favorably reported legislation to reform Amtrak during the last two Congresses, but no legislation was enacted;

(4) the Finance Committee favorably reported legislation in the last Congress that created a dedicated trust fund for Amtrak, but no legislation was enacted;

(5) in 1997 Amtrak testified before the Congress that it cannot survive beyond 1998 without comprehensive legislative reforms and a dedicated source of capital funding; and

(6) Congress is obligated to invest Federal tax dollars responsibly and to reduce waste and inefficiency in Federal programs, including Amtrak.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) legislative reform is urgently needed to address Amtrak's financial and operational problems;

(2) Congress should allocate additional Federal dollars to Amtrak in conjunction with reforms requested by Amtrak to address its precarious financial situation; and

(3) the distribution of money from any new fund to finance an intercity rail passenger fund should be implemented in conjunction with legislation to reauthorize and reform the National Rail Passenger Corporation.

SEC. 331. SENSE OF THE SENATE REGARDING THE PROTECTION OF CHILDREN'S HEALTH.

(a) FINDINGS.—The Senate makes the following findings:

(1) Today's children and the next generation of children are the prime beneficiaries of a balanced Federal budget. Without a balanced budget, today's children will bear the increasing burden of the Federal debt. Continued deficit spending would doom future generations to slower economic growth, higher taxes, and lower living standards.

(2) The health of children is essential to the future economic and social well-being of the Nation.

(3) The medicaid program provides health coverage for over 17,000,000 children, or 1 out of every 4 children.

(4) While children represent ½ of all individuals eligible for medicaid, children account for less than 25 percent of expenditures under the medicaid program.

(5) Disproportionate share hospital (DSH) funding under the medicaid program has allowed States to provide health care services to thousands of uninsured pregnant women and children. DSH funding under the medicaid program is critical for these populations.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that the health care needs of low-income pregnant women and children should be a top priority. Careful study must be made of the impact of medicaid disproportionate share hospital (DSH) reform proposals on children's health and on vital sources of care, including children's hos-

pitals. Any restrictions on DSH funding under the medicaid program should not harm State medicaid coverage of children and pregnant women.

SEC. 332. SENSE OF THE SENATE ON DEPOSITING ALL FEDERAL GASOLINE TAXES INTO THE HIGHWAY TRUST FUND.

(a) FINDINGS.—The Senate makes the following findings:

(1) Since 1956, Federal gasoline excise tax revenues have generally been deposited in the Highway Trust Fund and reserved for transportation uses.

(2) In 1993, Congress and the President enacted the first permanent increase in the Federal gasoline excise tax which was dedicated to general revenues, not the Highway Trust Fund.

(3) Over the next five years, approximately \$7,000,000,000 per year in Federal gasoline excise tax revenues will be deposited in the general fund of the Treasury, rather than the Highway Trust Fund.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions in this resolution assume that Congress should in the extension of the Budget Enforcement Act, ISTEA reauthorization, appropriations Acts, and in any revenue bills, consider dedicating all revenues from Federal gasoline excise taxes, including amounts dedicated to general revenues in 1993, to the Highway Trust Fund so that such taxes may be used for the purpose to which they have historically been dedicated, promoting transportation infrastructure and building roads.

SEC. 333. SENSE OF THE SENATE ON EARLY CHILDHOOD EDUCATION.

(a) FINDINGS.—The Senate finds the following:

(1) Scientific research on the development of the brain has confirmed that the early childhood years, particularly from birth to the age of 3, are critical to children's development.

(2) Studies repeatedly have shown that good quality child care helps children develop well, enter school ready to succeed, improve their skills, cognitive abilities and socioemotional development, improve classroom learning behavior, and stay safe while their parents work. Further, quality early childhood programs can positively affect children's long-term success in school achievement, higher earnings as adults, decrease reliance on public assistance and decrease involvement with the criminal justice system.

(3) The first of the National Education Goals, endorsed by the Nation's governors, passed by Congress and signed into law by President Bush, stated that by the year 2000, every child should enter school ready to learn and that access to a high quality early childhood education program was integral to meeting this goal.

(4) According to data compiled by the RAND Corporation, while 90 percent of human brain growth occurs by the age of 3, public spending on children in that age range equals only 8 percent of spending on all children. A vast majority of public spending on children occurs after the brain has gone through its most dramatic changes, often to correct problems that should have been addressed during early childhood development.

(5) According to the Department of Education, of \$29,400,000,000 in current estimated education expenditures, only \$1,500,000,000, or 5 percent, is spent on children from birth to age 5. The vast majority is spent on children over age 5.

(6) A new commitment to quality child care and early childhood education is a necessary response to the fact that children from birth to the age of 3 are spending more time in care away from their homes. Almost

60 percent of women in the workforce have children under the age of 3 requiring care.

(7) Many States and communities are currently experimenting with innovative programs directed at early childhood care and education in a variety of care settings, including the home. States and local communities are best able to deliver efficient, cost-effective services, but while such programs are long on demand, they are short on resources. Additional Federal resources should not create new bureaucracy, but build on successful locally driven efforts.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budget totals and levels in this resolution assume that funds ought to be directed toward increasing the supply of quality child care, early childhood education, and teacher and parent training for children from birth through age 3.

SEC. 334. SENSE OF THE SENATE CONCERNING HIGHWAY TRUST FUND.

(a) FINDINGS.—The Senate finds that—

(1) there is no direct linkage between the fuel taxes deposited in the Highway Trust Fund and the transportation spending from the Highway Trust Fund;

(2) the Federal budget process has severed this linkage by dividing revenues and spending into separate budget categories with—

(A) fuel taxes deposited in the Highway Trust Fund as revenues; and

(B) most spending from the Highway Trust Fund in the discretionary category;

(3) each budget category referred to in paragraph (2) has its own rules and procedures; and

(4) under budget rules in effect prior to the date of adoption of this resolution, an increase in fuel taxes permits increased spending to be included in the budget, but not for increased Highway Trust Fund spending.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) in this session of Congress, Congress should, within a unified budget, consider changing the Federal budget process to establish a linkage between the fuel taxes deposited in the Highway Trust Fund, including any fuel tax increases that may be enacted into law after the date of adoption of this resolution, and the spending from the Highway Trust Fund; and

(2) changes to the budgetary treatment of the Highway Trust Fund should not result in total program levels for highways or mass transit that is inconsistent with those assumed under the resolution.

SEC. 335. SENSE OF THE SENATE CONCERNING TAX INCENTIVES FOR THE COST OF POST-SECONDARY EDUCATION.

It is the sense of the Senate that the provisions of this resolution assume that any revenue reconciliation bill should include tax incentives for the cost of post-secondary education, including expenses of workforce education and training at vocational schools and community colleges.

SEC. 336. SENSE OF THE SENATE ON ADDITIONAL TAX CUTS.

It is the sense of the Senate that nothing in this resolution shall be construed as prohibiting Congress in future years from providing additional tax relief if the cost of such tax relief is offset by reductions in spending or increases in revenue from alternative sources.

SEC. 337. SENSE OF THE SENATE REGARDING TRUTH IN BUDGETING AND SPECTRUM AUCTIONS.

(a) FINDINGS.—The Senate finds that—

(1) the electromagnetic spectrum is the property of the American people and is managed on their behalf by the Federal Government;

(2) the spectrum is a highly valuable and limited natural resource;

(3) the auctioning of spectrum has raised billions of dollars for the Treasury;

(4) the estimates made regarding the value of spectrum in the past have proven unreliable, having previously understated and now overstating its worth; and

(5) because estimates of spectrum value depend on a number of technological, economic, market forces, and other variables that cannot be predicted or completely controlled, it is not possible to reliably estimate the value of a given segment of spectrum; therefore,

(b) SENSE OF THE SENATE.—It is the sense of the Senate that as auctions occur as assumed by this resolution, the Congress shall take such steps as necessary to reconcile the difference between actual revenues raised and estimates made and shall reduce spending and make other appropriate adjustments accordingly if such auctions raise less revenue than projected.

SEC. 338. SENSE OF THE SENATE ON HIGHWAY DEMONSTRATION PROJECTS.

(a) FINDINGS.—The Senate finds that—

(1) 10 demonstration projects totaling \$362,000,000 were listed for special line-item funding in the Surface Transportation Assistance Act of 1982;

(2) 152 demonstration projects totaling \$1,400,000,000 were named in the Surface Transportation and Uniform Relocation Assistance Act of 1987;

(3) 64 percent of the funding for the 152 projects had not been obligated after 5 years and State transportation officials determined the projects added little, if any, to meeting their transportation infrastructure priorities;

(4) 538 location specific projects totaling \$6,230,000,000 were included in the Intermodal Surface Transportation Efficiency Act of 1991;

(5) more than \$3,300,000,000 of the funds authorized for the 538 location-specific projects remained unobligated as of January 31, 1997;

(6) the General Accounting Office determined that 31 States plus the District of Columbia and Puerto Rico would have received more funding if the Intermodal Surface Transportation Efficiency Act location-specific project funds were redistributed as Federal-aid highway program apportionments;

(7) this type of project funding diverts Highway Trust Fund money away from State transportation priorities established under the formula allocation process and under the Intermodal Surface Transportation and Efficiency Act of 1991;

(8) on June 20, 1995, by a vote of 75 yeas to 21 nays, the Senate voted to prohibit the use of Federal Highway Trust Fund money for future demonstration projects;

(9) the Intermodal Surface Transportation and Efficiency Act of 1991 expires at the end of fiscal year 1997; and

(10) hundreds of funding requests for specific transportation projects in Congressional Districts have been submitted in the House of Representatives.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) notwithstanding different views on existing Highway Trust Fund distribution formulas, funding for demonstration projects or other similarly titled projects diverts Highway Trust Fund money away from State priorities and deprives States of the ability to adequately address their transportation needs;

(2) States are best able to determine the priorities for allocating Federal-Aid-To-Highway monies within their jurisdiction;

(3) Congress should not divert limited Highway Trust Fund resources away from State transportation priorities by authorizing new highway projects; and

(4) Congress should not authorize any new demonstration projects or other similarly-titled projects.

SEC. 339. SENSE OF THE SENATE REGARDING THE USE OF BUDGET SAVINGS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Poverty rates among the elderly are at the lowest level since our Nation began to keep poverty statistics, due in large part to the social security system and the medicare program.

(2) Twenty-two percent of every dollar spent by the Federal Government goes to the social security system.

(3) Eleven percent of every dollar spent by the Federal Government goes to the medicare program.

(4) Currently, spending on the elderly accounts for 1/3 of the Federal budget and more than 1/2 of all domestic spending other than interest on the national debt.

(5) Future generations of Americans must be guaranteed the same value from the social security system as past covered recipients.

(6) According to the 1997 report of the Managing Trustee for the social security trust funds, the accumulated balance in the Federal Old-Age and Survivors Insurance Trust Fund is estimated to fall to zero by 2029, and the estimated payroll tax at that time will be sufficient to cover only 75 percent of the benefits owed to retirees at that time.

(7) The accumulated balance in the Federal Hospital Insurance Trust Fund is estimated to fall to zero by 2001.

(8) While the Federal budget deficit has shrunk for the fourth straight year to \$67,000,000,000 in 1997, measures need to be taken to ensure that trend continues.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that budget savings in the mandatory spending area should be used—

(1) to protect and enhance the retirement security of the American people by ensuring the long-term future of the social security system;

(2) to protect and enhance the health care security of senior citizens by ensuring the long-term future of the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and

(3) to restore and maintain Federal budget discipline to ensure that the level of private investment necessary for long-term economic growth and prosperity is available.

SEC. 340. SENSE OF THE SENATE REGARDING THE VALUE OF THE SOCIAL SECURITY SYSTEM FOR FUTURE RETIREES.

(a) FINDINGS.—The Senate makes the following findings:

(1) The social security system has allowed a generation of Americans to retire with dignity. Today, 13 percent of the population is 65 or older and by 2030, 20 percent of the population will be 65 or older. More than 1/2 of the elderly do not receive private pensions and more than 1/3 have no income from assets.

(2) For 60 percent of all senior citizens, social security benefits provide almost 80 percent of their retirement income. For 80 percent of all senior citizens, social security benefits provide over 50 percent of their retirement income.

(3) Poverty rates among the elderly are at the lowest level since the United States began to keep poverty statistics, due in large part to the social security system.

(4) Seventy-eight percent of Americans pay more in payroll taxes than they do in income taxes.

(5) According to the 1997 report of the Managing Trustee for the social security trust funds, the accumulated balance in the Federal Old-Age and Survivors Insurance Trust Fund is estimated to fall to zero by 2029, and the estimated payroll tax at that time will be sufficient to cover only 75 percent of the benefits owed to retirees at that time.

(6) The average American retiring in the year 2015 will pay \$250,000 in payroll taxes over the course of his or her working career.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that no change in the social security system should be made that would reduce the value of the social security system for future generations of retirees.

SEC. 341. SENSE OF THE SENATE ON ECONOMIC GROWTH DIVIDEND PROTECTION.

(a) FINDINGS.—The Senate finds that with respect to the revenue levels established under this resolution—

(1) according to the President's own economists, the tax burden on Americans is the highest ever at 31.7 percent;

(2) according to the National Taxpayers Union, the average American family now pays almost 40 percent of their income in State, local, and Federal taxes;

(3) between 1978 and 1985, while the top marginal rate on capital gains was cut almost in half—from 35 to 20 percent—total annual Federal receipts from the tax almost tripled from \$9,100,000,000 annually to \$26,500,000,000 annually;

(4) conversely, when Congress raised the rate in 1986, revenues actually fell well below what was anticipated;

(5) economists across-the-board predict that cutting the capital gains rate will result in a revenue windfall for the Treasury; and

(6) while a USA Today poll from this March found 70 percent of the American people believe that they need a tax cut, under this resolution Federal spending will grow 17 percent over five years while the net tax cuts are less than 1 percent of the total tax burden.

(b) SENSE OF SENATE.—It is the sense of the Senate that with respect to the revenue levels established under this resolution, to the extent that actual revenues exceed the revenues projected under this resolution due to higher than anticipated economic growth, that revenue windfall should be reserved exclusively for additional tax cuts and/or deficit reduction.

SEC. 342. SENSE OF THE SENATE SUPPORTING FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT OFFICERS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Our Federal, State, and local law enforcement officers provide essential services that preserve and protect our freedoms and security, and with the support of Federal assistance, State and local law enforcement officers have succeeded in reducing the national scourge of violent crime, as illustrated by a murder rate in 1996 that is projected to be the lowest since 1971 and a violent crime total in 1996 that is the lowest since 1990.

(2) Through a comprehensive effort to attack violence against women mounted by State and local law enforcement, and dedicated volunteers and professionals who provide victim services, shelter, counseling, and advocacy to battered women and their children, important strides have been made against the national scourge of violence against women, illustrated by the decline in the murder rate for wives, ex-wives, and girlfriends at the hands of their "intimates" fell to a 19-year low in 1995.

(3) Federal, State, and local law enforcement efforts need continued financial commitment from the Federal Government for funding and financial assistance to continue their efforts to combat violent crime and violence against women.

(4) Federal, State and local law enforcement also face other challenges which require continued financial commitment from the Federal Government, including regaining

control over the Southwest Border, where drug trafficking and illegal immigration continue to threaten public safety and menace residents on the border and throughout the Nation.

(5) The Violent Crime Reduction Trust Fund established in section 310001 the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) fully funds the Violent Crime Control and Law Enforcement Act of 1994, including the Violence Against Women Act, without adding to the Federal budget deficit.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions and the functional totals underlying this resolution assume that—

(1) the Federal Government's commitment to fund Federal law enforcement programs and programs to assist State and local efforts to combat violent crime, including violence against women, will be maintained; and

(2) funding for the Violent Crime Reduction program will continue as authorized by the Violent Crime Control and Law Enforcement Act of 1994.

SEC. 343. SENSE OF SENATE REGARDING PARENTAL INVOLVEMENT IN PREVENTION OF DRUG USE BY CHILDREN.

It is the sense of the Senate that the provisions of this resolution assume that, from resources available in this budget resolution, a portion should be set aside for a national grassroots volunteer effort to encourage parental education and involvement in youth drug prevention and to create a drug-intolerant culture for our children.

And the Senate agree to the same.

JOHN R. KASICH,
DAVID L. HOBSON,
JOHN M. SPRATT, Jr.,

Managers on the Part of the House.

PETE V. DOMENICI,
CHUCK GRASSLEY,
FRANK R. LAUTENBERG,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

On motion of Mr. KASICH, the previous question was ordered on the conference report to its adoption or rejection.

The question being,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. BONILLA, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 327
affirmative } Nays 97

¶59.12

[Roll No. 166]

YEAS—327

| | | |
|--------------|-------------|-------------|
| Abercrombie | Bereuter | Burr |
| Ackerman | Berman | Burton |
| Aderholt | Berry | Buyer |
| Allen | Bilbray | Callahan |
| Archer | Bilirakis | Calvert |
| Armey | Bishop | Camp |
| Bachus | Blagojevich | Campbell |
| Baesler | Bliley | Canady |
| Baker | Blunt | Cannon |
| Baldacci | Boehlert | Capps |
| Ballenger | Boehner | Cardin |
| Barcia | Bonilla | Carson |
| Barr | Bonior | Castle |
| Barrett (NE) | Bono | Chabot |
| Barrett (WI) | Boswell | Chambliss |
| Bartlett | Boyd | Christensen |
| Bass | Brady | Clayton |
| Bateman | Bryant | Clement |
| Bentsen | Bunning | Clyburn |

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|---------------|----------------|---------------|
| Coble | Jackson-Lee | Porter |
| Collins | (TX) | Portman |
| Combest | Jenkins | Poshard |
| Condit | John | Price (NC) |
| Cook | Johnson (CT) | Pryce (OH) |
| Cooksey | Johnson (WI) | Quinn |
| Costello | Johnson, E. B. | Radanovich |
| Cramer | Johnson, Sam | Ramstad |
| Cummings | Jones | Redmond |
| Cunningham | Kasich | Regula |
| Danner | Kelly | Reyes |
| Davis (FL) | Kennelly | Riggs |
| Davis (VA) | Kildee | Riley |
| Deal | Kim | Rivers |
| DeLauro | Kind (WI) | Rodriguez |
| DeLay | Kingston | Roemer |
| Dickey | Klecza | Rogan |
| Dicks | Klink | Rogers |
| Dingell | Knollenberg | Ros-Lehtinen |
| Doggett | Kolbe | Rothman |
| Dooley | LaFalce | Roukema |
| Doolittle | LaHood | Royce |
| Doyle | Lampson | Ryun |
| Dreier | Latham | Sabo |
| Duncan | LaTourrette | Sanchez |
| Dunn | Lazio | Sandlin |
| Edwards | Leach | Sawyer |
| Ehlers | Levin | Saxton |
| Ehrlich | Lewis (CA) | Schaefer, Dan |
| Emerson | Lewis (KY) | Schaffer, Bob |
| English | Linder | Schumer |
| Ensign | Livingston | Sensenbrenner |
| Eshoo | LoBiondo | Sessions |
| Etheridge | Lofgren | Shaw |
| Everett | Lowe | Shays |
| Ewing | Lucas | Sherman |
| Fattah | Luther | Shimkus |
| Fawell | Maloney (CT) | Sisisky |
| Fazio | Maloney (NY) | Skaggs |
| Flake | Manton | Skeen |
| Foglietta | Manzullo | Skelton |
| Foley | Martinez | Smith (MI) |
| Forbes | Mascara | Smith (NJ) |
| Ford | Matsui | Smith (OR) |
| Fowler | McCarthy (MO) | Smith (TX) |
| Fox | McCarthy (NY) | Smith, Adam |
| Franks (NJ) | McCrery | Smith, Linda |
| Frelinghuysen | McDade | Snowbarger |
| Frost | McHale | Snyder |
| Furse | McHugh | Solomon |
| Galgely | McInnis | Souder |
| Gejdenson | McIntosh | Spence |
| Gekas | McIntyre | Spratt |
| Gibbons | McKeon | Stabenow |
| Gilchrest | McKinney | Stenholm |
| Gillmor | Meehan | Strickland |
| Gilman | Meek | Stump |
| Gonzalez | Menendez | Stupak |
| Goodlatte | Metcalfe | Sununu |
| Goodling | Mica | Talent |
| Gordon | Miller (FL) | Tanner |
| Goss | Minge | Tauscher |
| Graham | Molinari | Tauzin |
| Granger | Moran (KS) | Taylor (MS) |
| Green | Moran (VA) | Taylor (NC) |
| Greenwood | Morella | Thomas |
| Gutknecht | Murtha | Thornberry |
| Hall (OH) | Myrick | Thune |
| Hall (TX) | Neal | Thurman |
| Hamilton | Nethercutt | Tiahrt |
| Hansen | Neumann | Upton |
| Harman | Ney | Vento |
| Hastert | Northup | Visclosky |
| Hastings (WA) | Norwood | Walsh |
| Hayworth | Nussle | Wamp |
| Hefley | Ortiz | Watkins |
| Hefner | Oxley | Watts (OK) |
| Herger | Packard | Weldon (PA) |
| Hilleary | Pallone | Weller |
| Hinojosa | Pappas | Wexler |
| Hobson | Parker | White |
| Hoekstra | Pascrell | Whitfield |
| Holden | Pastor | Wicker |
| Hooley | Paxon | Wise |
| Horn | Pease | Wolf |
| Hostettler | Peterson (MN) | Woolsey |
| Houghton | Peterson (PA) | Wynn |
| Hoyer | Petri | Young (AK) |
| Hulshof | Pickett | Young (FL) |
| Hutchinson | Pitts | |
| Inglis | Pomeroy | |

NAYS—97

| | | |
|------------|------------|------------|
| Barton | Brown (OH) | Crane |
| Becerra | Chenoweth | Crapo |
| Blumenauer | Clay | Cubin |
| Borski | Coburn | Davis (IL) |
| Boucher | Conyers | DeFazio |
| Brown (CA) | Cox | DeGette |
| Brown (FL) | Coyne | Delahunt |

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|---------------|---------------|-------------|
| Dellums | Lewis (GA) | Rush |
| Dixon | Lipinski | Salmon |
| Engel | Markey | Sanders |
| Evans | McCollum | Sanford |
| Filner | McDermott | Scarborough |
| Frank (MA) | McGovern | Scott |
| Granske | McNulty | Serrano |
| Gephardt | Millender | Shadegg |
| Gutierrez | McDonald | Shuster |
| Hastings (FL) | Miller (CA) | Slaughter |
| Hill | Mink | Stark |
| Hilliard | Moakley | Stearns |
| Hinchee | Mollohan | Stokes |
| Hunter | Nadler | Thompson |
| Hyde | Oberstar | Tierney |
| Istook | Obey | Torres |
| Jackson (IL) | Olver | Towns |
| Kanjorski | Owens | Trafficant |
| Kaptur | Paul | Velazquez |
| Kennedy (MA) | Payne | Waters |
| Kennedy (RI) | Pelosi | Watt (NC) |
| Kilpatrick | Pombo | Waxman |
| King (NY) | Rahall | Weldon (FL) |
| Klug | Rangel | Weygand |
| Kucinich | Rohrabacher | Yates |
| Largent | Roybal-Allard | |

NOT VOTING—10

| | | |
|-------------|-----------|--------|
| Andrews | Goode | Schiff |
| Deutsch | Jefferson | Turner |
| Diaz-Balart | Lantos | |
| Farr | Pickering | |

So the conference report was agreed to.

Ordered, That the Clerk notify the Senate thereof.

59.13 DEPARTMENT OF STATE AUTHORIZATION

The SPEAKER pro tempore, Mr. BONILLA, pursuant to House Resolution 159 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes.

Mr. LAHOOD, Acting Chairman, assumed the chair.

59.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CAMPBELL to the amendment submitted by Mr. SMITH of New Jersey:

Amendment submitted by Mr. CAMPBELL:

Page 1, strike all following the title designation and insert the following:

SEC. . POPULATION PLANNING ACTIVITIES OR OTHER POPULATION ASSISTANCE.

(a) IN GENERAL.—(1) Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated by this Act for population planning activities or other population assistance may be made available to pay for the performance of abortions in any foreign country, except where the life of the mother would be endangered if the fetus were carried to term or in cases of rape or incest.

(2) The limitation contained in paragraph (1) shall not apply to the treatment of injuries or illness caused by unsafe abortions.

(b) LIMITATIONS ON LOBBYING ACTIVITIES.—(1) Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated by this Act for population planning activities or other population assistance may be made available to lobby for or against abortion.

(2) The limitation contained in paragraph (1) shall not apply to activities in opposition

to coercive abortion or involuntary sterilization.

SEC. . UNITED NATIONS POPULATION FUND.

(a) LIMITATION.—Subject to subsections (b), (c), and (d)(2), of the amounts made available for each of the fiscal years 1998 and 1999 to carry out part I of the Foreign Assistance Act of 1961, not more than \$25,000,000 shall be available for each such fiscal year for the United Nations Population Fund.

(b) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under this section shall be made available for a country program in the People's Republic of China.

(c) CONDITIONS ON AVAILABILITY OF FUNDS.—(1) Not more than one-half of the amount made available to the United Nations Population Fund under this section may be provided to the Fund before March 1 of the fiscal year for which funds are made available.

(2) Amounts made available for each of the fiscal years 1998 and 1999 under part I of the Foreign Assistance Act of 1961 for the United Nations Populations Fund may not be made available to the Fund unless—

(A) the Fund maintains amounts made available to the Fund under this section in an account separate from accounts of the Fund for other funds; and

(B) the Fund does not commingle amounts made available to the Fund under this section with other funds.

(d) REPORTS.—(1) Not later than February 15, 1998, and February 15, 1999, the Secretary of State shall submit a report to the appropriate congressional committees indicating the amount of funds that the United Nations Population Fund is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that the United Nations Population Fund plans to spend China country program funds in the People's Republic of China in the year covered by the report, then the amount of such funds that the Fund plans to spend in the People's Republic of China shall be deducted from the funds made available to the Fund after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

Amendment submitted by Mr. SMITH of New Jersey:

Insert at the end of the bill the following new title:

TITLE . UNITED STATES POLICY WITH RESPECT TO FORCED ABORTION AND FOREIGN ORGANIZATIONS THAT PERFORM OR PROMOTE ABORTION

SEC. . FOREIGN ORGANIZATIONS THAT PERFORM OR PROMOTE ABORTION.

Section 104 of the Foreign Assistance Act of 1961, Public Law 87-195, is amended by the addition of the following subsection:

“(h) RESTRICTION ON ASSISTANCE TO FOREIGN ORGANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE ABORTIONS.—

“(1) PERFORMANCE OF ABORTIONS.—

“(a) Notwithstanding section 614 of this Act or any other provision of law, no funds appropriated for population planning activities or other population assistance may be made available for any foreign private, non-governmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, perform abortions in any foreign country, except where the life of the mother would be endangered if the pregnancy were carried to term or in cases of forcible rape or incest.

“(b) Paragraph (a) may not be construed to apply to the treatment of injuries or illnesses caused by legal or illegal abortions or to assistance provided directly to the government of a country.

“(2) LOBBYING ACTIVITIES.—

“(a) Notwithstanding section 614 of this Act or any other provision of law, no funds appropriated for population planning activities or other population assistance may be made available for any foreign private, non-governmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, violate the laws of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited, or engage in any activity or effort to alter the laws or governmental policies of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited.

“(b) Paragraph (a) shall not apply to activities in opposition to coercive abortion or involuntary sterilization.

“(3) The prohibitions of this subsection apply to funds made available to a foreign organization either directly or as a subcontractor or sub-grantee, and the required certifications apply to activities in which the organization engages either directly or through a subcontractor or sub-grantee.”

SEC. . FORCED ABORTION IN THE PEOPLE'S REPUBLIC OF CHINA.

Section 301 of the Foreign Assistance Act of 1961, Public Law 87-195, is amended by the addition of the following new subsection:

“(i) LIMITATION RELATING TO FORCED ABORTIONS IN THE PEOPLE'S REPUBLIC OF CHINA.— Notwithstanding section 614 of this Act or any other provision of law, no funds may be made available for the United Nations Population Fund (UNFPA) in any fiscal year unless the President certifies that (1) UNFPA has terminated all activities in the People's Republic of China, and the United States has received assurances that UNFPA will conduct no such activities during the fiscal year for which the funds are to be made available; or (2) during the 12 months preceding such certification there have been no abortions as the result of coercion associated with the family planning policies of the national government or other governmental entities within the People's Republic of China. As used in this section the term “coercion” includes physical duress or abuse, destruction or confiscation of property, loss of means of livelihood, or severe psychological pressure.”

It was decided in the { Yeas 200 negative } Nays 218

59.15 [Roll No. 167] AYES—200

Table with 3 columns: Name, State, Name, State. Lists representatives such as Abercrombie (MA), Ackerman (NJ), Allen (TX), Cramer (TX), Cummings (TX), Danner (VA), Barrett (VA), Bass (VA), DeFazio (VA), Becerra (CA), DeGette (CA), Bentsen (TX), Delahunt (TX), Gilchrist (TX), Berman (CA), DeLauro (CA), Gilman (CA), Berry (CA), Dellums (CA), Gonzalez (CA), Bilbray (CA), Dicks (CA), Gordon (CA), Bishop (CA), Dingell (MI), Green (MI), Blagojevich (IL), Dixon (IL), Greenwood (IL), Blumenauer (OR), Doggett (TX), Gutierrez (TX), Boehlert (IN), Dooley (IN), Hamilton (IN), Boswell (CA), Edwards (CA), Harman (CA), Boucher (VA), Ehrlich (VA), Hastings (FL), Boyd (CA), Engel (CA), Hefner (CA), Brown (CA), Eshoo (CA), Hilliard (CA), Brown (FL), Etheridge (FL), Hinchey (FL), Brown (OH), Evans (OH), Hinojosa (OH), Campbell (CA), Fattah (CA), Hobson (CA), Capps (CA), Fawell (CA), Hooley (CA), Cardin (MD), Fazio (MD), Horn (MD), Carson (CA), Filner (CA), Houghton (CA), Castle (CA), Flake (CA), Hoyer (CA), Clay (CA), Foglietta (CA), Jackson (IL), Clayton (CA), Foley (CA), Jackson-Lee (TX), Clement (TX), Ford (TX), Emerson (CA), Clyburn (SC), Fowler (SC), Johnson (CT)

Table with 2 columns: Name, State. Lists representatives such as Johnson (WI), Johnson (E. B.), Kelly (MA), Kennedy (MA), Kennedy (RI), Kenedy (TX), Kilpatrick (PA), Kind (WI), Kleczka (PA), Klug (PA), Kolbe (WV), Lampson (TX), Lazio (NY), Leach (OH), Levin (MI), Lewis (GA), Lofgren (CA), Lofgren (CA), Lowey (NY), Luther (CA), Maloney (CT), Maloney (NY), Markey (MA), Matsui (CA), McCarthy (MO), McCarthy (NY), McDermott (WA), McGovern (MA), McHale (CA), McKinney (TX), McKinney (TX), McNulty (CA), Meehan (MA), Meek (CA), Menendez (NJ), Millender-McDonald (CA), Miller (CA), Minge (TX)

NOES—218

Table with 2 columns: Name, State. Lists representatives such as Aderholt (AL), Archer (TX), Armey (TX), Bachus (CA), Bachus (CA), Baker (TX), Ballenger (VA), Barcia (TX), Barr (TX), Barrett (NE), Bartlett (TX), Barton (TX), Bateman (TX), Bereuter (NE), Bilirakis (TX), Bilely (TX), Blunt (MO), Boehner (OH), Bonilla (TX), Bonior (TX), Bono (CA), Borski (TX), Brady (TX), Bryant (TX), Bunning (TX), Burr (TX), Buyer (TX), Callahan (TX), Calvert (TX), Camp (TX), Canady (TX), Cannon (TX), Chabot (TX), Chambliss (GA), Chenoweth (TX), Christensen (TX), Coble (TX), Coburn (TX), Collins (TX), Combust (TX), Conyers (TX), Cook (TX), Cooksey (TX), Costello (TX), Cox (TX), Crane (TX), Crapo (TX), Cuban (TX), Cunningham (TX), Davis (IL), Deal (TX), DeLay (TX), Dickey (TX), Doolittle (TX), Doyle (TX), Dreier (TX), Duncan (TX), Dunn (TX), Ehlers (TX), Emerson (TX), English (TX), Ensigh (TX), Everett (TX), Ewing (TX), Forbes (TX), Fox (TX), Gallegly (TX), Ganske (TX), Gekas (TX), Gillmor (TX), Goodlatte (TX), Goodling (TX), Goss (TX), Graham (TX), Granger (TX), Gutknecht (TX), Hall (OH), Hall (TX), Hansen (TX), Hastert (TX), Hastings (WA), Hays (TX), Hayworth (TX), Hefley (TX), Herger (TX), Hill (TX), Hilleary (TX), Hoekstra (TX), Holden (TX), Hostettler (TX), Hulshof (TX), Hunter (TX), Hutchinson (TX), Hyde (TX), Inglis (TX), Istook (TX), Jenkins (TX), John (TX), Johnson, Sam (TX), Jones (TX), Kanjorski (TX), Kaptur (TX), Kasich (TX), Kildee (TX), Kim (TX), King (NY), Kingston (TX), Klink (TX), Klink (TX), Knollenberg (TX), Kucinich (TX), LaFalce (TX), LaHood (TX), Largent (TX), Latham (TX), LaTourrette (TX), Lewis (CA), Lewis (KY), Linder (TX), Lipinski (TX), Livingston (TX), LoBiondo (TX), Lucas (TX), Manton (TX), Manzullo (TX), Martinez (TX), Mascara (TX), McCollum (TX), McCrery (TX), McDade (TX), McHugh (TX), McIntyre (TX), McKeon (TX), Metcalf (TX), Mica (TX), Miller (FL), Mollohan (TX), Moran (KS), Murtha (TX), Myrick (TX), Nethercutt (TX), Ney (TX), Northup (TX), Norwood (TX), Oberstar (TX), Ortiz (TX), Oxley (TX), Packard (TX), Pappas (TX), Parker (TX), Paul (TX), Paxon (TX), Pease (TX), Peterson (MN), Peterson (PA), Petri (TX), Pitts (TX), Pombo (TX), Portman (TX), Poshard (TX), Quinn (TX), Radanovich (TX), Rahall (TX), Redmond (TX), Riggs (TX), Riley (TX), Roemer (TX), Rogan (TX), Rogers (TX), Rohrabacher (TX), Ros-Lehtinen (TX), Royce (TX), Ryan (TX), Salmon (TX), Sanford (TX), Saxton (TX), Scarborough (TX), Schaefer, Dan (TX), Schaffer, Bob (TX), Sensenbrenner (TX), Sessions (TX), Shadegg (TX), Shimkus (TX), Shuster (TX), Skeen (TX), Serrano (TX), Shaw (TX), Shays (TX), Sherman (TX), Sisisky (TX), Skaggs (TX), Slaughter (TX), Smith, Adam (TX), Snyder (TX), Spratt (TX), Stabenow (TX), Stark (TX), Stokes (TX), Strickland (TX), Tanner (TX), Tauscher (TX), Thomas (TX), Thompson (TX), Thurman (TX), Tierney (TX), Torres (TX), Towns (TX), Upton (TX), Velazquez (TX), Vento (TX), Visclosky (TX), Waters (TX), Watt (NC), Waxman (TX), Waxler (TX), White (TX), Wise (TX), Woolsey (TX), Wynn (TX), Yates (TX)

Table with 2 columns: Name, State. Lists representatives such as Skelton (TX), Smith (NJ), Smith (OR), Smith (TX), Smith, Linda (TX), Snowbarger (TX), Solomon (TX), Souder (TX), Spence (TX), Stearns (TX), Stenholm (TX), Stump (TX), Stupak (TX), Sununu (TX), Talent (TX), Tauzin (TX), Taylor (MS), Taylor (NC), Thornberry (TX), Thune (TX), Tiahrt (TX), Traficant (TX), Walsh (TX), Wamp (TX), Watkins (TX), Watts (OK), Weldon (PA), Weldon (FL), Weller (TX), Weygand (TX), Whitfield (TX), Wicker (TX), Wolf (TX), Young (AK), Young (FL)

NOT VOTING—16

Table with 3 columns: Name, State, Name, State. Lists representatives such as Andrews (TX), Burton (TX), Davis (FL), Deutsch (TX), Diaz-Balart (TX), Farr (TX), Goode (TX), Jefferson (TX), Lantos (TX), McIntosh (TX), Neumann (TX), Nussle (TX), Pickering (TX), Schiff (TX), Smith (MI), Turner (TX)

So the amendment to the amendment was not agreed to.

59.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the foregoing amendment submitted by Mr. SMITH of New Jersey.

It was decided in the { Yeas 232 affirmative } Nays 189

59.17 [Roll No. 168] AYES—232

Table with 3 columns: Name, State, Name, State. Lists representatives such as Aderholt (AL), Archer (TX), Armey (TX), Bachus (CA), Baker (TX), Ballenger (TX), Barcia (TX), Barr (TX), Barrett (NE), Bartlett (TX), Barton (TX), Bateman (TX), Bereuter (TX), Berry (TX), Bilirakis (TX), Bilely (TX), Blunt (MO), Boehner (OH), Bonilla (TX), Bonior (TX), Bono (CA), Borski (TX), Brady (TX), Bryant (TX), Bunning (TX), Burr (TX), Buyer (TX), Callahan (TX), Calvert (TX), Camp (TX), Canady (TX), Cannon (TX), Chabot (TX), Chambliss (GA), Chenoweth (TX), Christensen (TX), Coble (TX), Coburn (TX), Collins (TX), Combust (TX), Conyers (TX), Cook (TX), Cooksey (TX), Costello (TX), Cox (TX), Crane (TX), Crapo (TX), Cuban (TX), Cunningham (TX), Davis (IL), Deal (TX), DeLay (TX), Dickey (TX), Doolittle (TX), Doyle (TX), Dreier (TX), Duncan (TX), Dunn (TX), Ehlers (TX), Emerson (TX), English (TX), Ensign (TX), Everrett (TX), Ewing (TX), Forbes (TX), Fox (TX), Gallegly (TX), Ganske (TX), Gekas (TX), Gillmor (TX), Goodlatte (TX), Goodling (TX), Goss (TX), Graham (TX), Granger (TX), Gutknecht (TX), Hall (OH), Hall (TX), Hansen (TX), Hastert (TX), Hastings (WA), Hays (TX), Hayworth (TX), Hefley (TX), Herger (TX), Hill (TX), Hilleary (TX), Hoekstra (TX), Holden (TX), Hostettler (TX), Hulshof (TX), Hunter (TX), Hutchinson (TX), Hyde (TX), Inglis (TX), Istook (TX), Jenkins (TX), John (TX), Johnson, Sam (TX), Jones (TX), Kanjorski (TX), Kaptur (TX), Kasich (TX), Kildee (TX), Kim (TX), King (NY), Kingston (TX), Klink (TX), Klink (TX), Knollenberg (TX), Kucinich (TX), LaFalce (TX), LaHood (TX), Largent (TX), Latham (TX), LaTourrette (TX), Lewis (CA), Lewis (KY), Linder (TX), Lipinski (TX), Livingston (TX), LoBiondo (TX), Lucas (TX), Manton (TX), Manzullo (TX), Martinez (TX), Mascara (TX), McCollum (TX), McCrery (TX), McDade (TX), McHugh (TX), McIntyre (TX), McKeon (TX), Metcalf (TX), Mica (TX), Miller (FL), Mollohan (TX), Moran (KS), Murtha (TX), Myrick (TX), Nethercutt (TX), Ney (TX), Northup (TX), Norwood (TX), Oberstar (TX), Ortiz (TX), Oxley (TX), Packard (TX), Pappas (TX), Parker (TX), Paul (TX), Paxon (TX), Pease (TX), Peterson (MN), Peterson (PA), Petri (TX), Pitts (TX), Pombo (TX), Portman (TX), Poshard (TX), Quinn (TX), Radanovich (TX), Rahall (TX), Redmond (TX), Riggs (TX), Riley (TX), Roemer (TX), Rogan (TX), Rogers (TX), Rohrabacher (TX), Ros-Lehtinen (TX), Royce (TX), Ryan (TX), Salmon (TX), Sanford (TX), Saxton (TX), Scarborough (TX), Schaefer, Dan (TX), Schaffer, Bob (TX), Sensenbrenner (TX), Sessions (TX), Shadegg (TX), Shimkus (TX), Shuster (TX), Skeen (TX), Serrano (TX), Shaw (TX), Shays (TX), Sherman (TX), Sisisky (TX), Skaggs (TX), Slaughter (TX), Smith, Adam (TX), Snyder (TX), Spratt (TX), Stabenow (TX), Stark (TX), Stokes (TX), Strickland (TX), Tanner (TX), Tauscher (TX), Thomas (TX), Thompson (TX), Thurman (TX), Tierney (TX), Torres (TX), Towns (TX), Upton (TX), Velazquez (TX), Vento (TX), Visclosky (TX), Waters (TX), Watt (NC), Waxman (TX), Waxler (TX), White (TX), Wise (TX), Woolsey (TX), Wynn (TX), Yates (TX)

Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda

Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Thune
Tiahrt

Traficant
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—189

Abercrombie
Ackerman
Allen
Baesler
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost

Furse
Gejdenson
Gephardt
Gilchrist
Gilman
Gonzalez
Gordon
Green
Greenwood
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinchee
Hinojosa
Hobson
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Klug
Kolbe
Lampson
Kennedy (RI)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-
McDonald
Miller (CA)
Minge
Mink
Moran (VA)
Morella

Nadler
Neal
Olver
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Tanner
Tauscher
Thomas
Thompson
Thurman
Tierney
Torres
Towns
Upton
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Wise
Woolsey
Wynn
Yates

NOT VOTING—13

Andrews
Deutsch
Diaz-Balart
Farr
Goode

Jefferson
Lantos
Matsui
Peterson (PA)
Pickering

Schiff
Turner
White

So the amendment was agreed to.

The SPEAKER pro tempore, Mr. BARRETT, assumed the Chair.

When Mr. LAHOOD, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

59.18 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 1757

On motion of Mr. GILMAN, by unanimous consent,

Ordered, That during further consideration of the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes, in the Committee of the Whole House on the state of the Union, pursuant to House Resolution 159, each further amendment to the bill, and all amendments thereto, shall be debatable for ten minutes, equally divided and controlled by the proponent and an opponent, except the following amendments: amendments en bloc offered by the chairman of the Committee on International Relations pursuant to this unanimous consent agreement; the amendment by Mr. Kennedy of Rhode Island regarding Indonesia; the amendment by Mr. Miller of California regarding Cuba; the amendment by Mr. Schumer regarding Egypt; the amendment by Mr. Paxon or Mr. Engel regarding Palestinian land transactions; the amendment by Mr. Ney regarding Libya; the amendment by Mr. Sanford regarding authorization levels; the amendment by Ms. McKinney regarding arms transfer code of conduct; the amendment by Mr. Capps regarding Tibet; the amendment by Mr. Gilman regarding counter-narcotics authorities; and the amendment by Mr. Gilman; and

Ordered further, That at any time the Chairman of the Committee on International Relations or a designee may, with the concurrence of the ranking minority member of that committee or a designee, offer amendments en bloc; that amendments en bloc offered pursuant to this unanimous consent agreement shall be considered as read, shall not be subject to amendment, shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole, and may amend portions of the bill previously read for amendment; and the original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

59.19 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

59.20 RECESS—4:07 P.M.

The SPEAKER pro tempore, Mr. BARRETT, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 7 minutes p.m., until approximately 5 p.m.

59.21 AFTER RECESS—5:14 P.M.

The SPEAKER pro tempore, Mr. BARRETT, called the House to order.

59.22 ORDER OF BUSINESS—CONSIDERATION OF THE CONFERENCE REPORT ON H.R. 1469

On motion of Mr. LIVINGSTON, by unanimous consent,

Ordered, That it be in order at any time today to consider a conference report to accompany the bill (H.R. 1469) making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes; that all points of order against the conference report and against its consideration be waived; and that the conference report be considered as read when called up.

59.23 EMERGENCY SUPPLEMENTAL APPROPRIATION

Mr. LIVINGSTON, pursuant to the foregoing order of the House, called up the following conference report (Rept. No. 105-119):

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

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

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes, namely:

TITLE I—EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE

CHAPTER 1

DEPARTMENT OF DEFENSE—MILITARY MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$306,800,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$7,900,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$300,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$29,100,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

OVERSEAS CONTINGENCY OPERATIONS

TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Overseas Contingency Operations Transfer Fund",

\$1,430,100,000: *Provided*, That the Secretary of Defense may transfer these funds only to Department of Defense operation and maintenance accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPLAN 34A/35 P.O.W. PAYMENTS

For payments to individuals under section 657 of Public Law 104-201, \$20,000,000, to remain available until expended.

REVOLVING AND MANAGEMENT FUNDS RESERVE MOBILIZATION INCOME INSURANCE FUND

For an additional amount for the "Reserve Mobilization Income Insurance Fund", \$72,000,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, CHAPTER 1 (TRANSFER OF FUNDS)

SEC. 101. The Secretary of the Navy shall transfer up to \$23,000,000 to "Operation and Maintenance, Marine Corps" from the following accounts in the specified amounts, to be available only for reimbursing costs incurred for repairing damage caused by hurricanes, flooding, and other natural disasters during 1996 and 1997 to real property and facilities at Marine Corps facilities (including Camp Lejeune, North Carolina; Cherry Point, North Carolina; and the Mountain Warfare Training Center, Bridgeport, California);

"Military Personnel, Marine Corps", \$4,000,000;

"Operation and Maintenance, Marine Corps", \$11,000,000;

"Procurement of Ammunition, Navy and Marine Corps, 1996/1998", \$4,000,000; and

"Procurement, Marine Corps, 1996/1998", \$4,000,000.

SEC. 102. In addition to the amounts appropriated in title VI of the Department of Defense Appropriations Act, 1997 (as contained in section 101(b) of Public Law 104-208), under the heading "Defense Health Program", \$21,000,000 is hereby appropriated and made available only for the provision of direct patient care at military treatment facilities.

SEC. 103. In addition to the amounts appropriated in title II of the Department of Defense Appropriations Act, 1997 (as contained in section 101(b) of Public Law 104-208), under the heading "Operation and Maintenance, Defense-Wide", \$10,000,000 is hereby appropriated and made available only for force protection and counter-terrorism initiatives.

SEC. 104. In addition to the amounts provided in Public Law 104-208, \$25,800,000 is appropriated under the heading "Overseas Humanitarian, Disaster and Civic Aid": *Provided*, That from the funds available under that heading, the Secretary of Defense shall make a grant in the amount of \$25,800,000 to the American Red Cross for Armed Forces emergency services.

SEC. 105. REPORT ON COST AND SOURCE OF FUNDS FOR MILITARY ACTIVITIES RELATING TO BOSNIA.—(a) Not later than 60 days after enactment of this Act, the President shall submit to Congress the report described in subsection (b).

(b) REPORT ELEMENTS.—The report referred to in subsection (a) shall include the following:

(1) A detailed description of the estimated cumulative cost of all United States activities relating to Bosnia after December 1, 1995, including—

(A) the cost of all deployments, training activities, and mobilization and other preparatory activities of the Armed Forces; and

(B) the cost of all other activities relating to United States policy toward Bosnia, including humanitarian assistance, reconstruction assistance, aid and other financial assistance, the rescheduling or forgiveness of bilateral or multilateral aid, in-kind contributions, and any other activities of the United States Government.

(2) A detailed accounting of the source of funds obligated or expended to meet the costs described in paragraph (1), including—

(A) in the case of expenditures of funds of Department of Defense, a breakdown of such expenditures by military service or defense agency, line item, and program; and

(B) in the case of expenditures of funds of other departments and agencies of the United States, a breakdown of such expenditures by department or agency and by program.

SEC. 106. For an additional amount for "Family Housing, Navy and Marine Corps" to cover the incremental Operation and Maintenance costs arising from hurricane damage to family housing units at Marine Corps Base Camp Lejeune, North Carolina and Marine Corps Air Station Cherry Point, North Carolina, \$6,480,000, as authorized by 10 U.S.C. 2854.

CHAPTER 2 RESCISSIONS

DEPARTMENT OF DEFENSE—MILITARY MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$57,000,000 are rescinded.

MILITARY PERSONNEL, NAVY (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$18,000,000 are rescinded.

MILITARY PERSONNEL, MARINE CORPS (RESCISSION)

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

MILITARY PERSONNEL, AIR FORCE (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$23,000,000 are rescinded.

OPERATION AND MAINTENANCE OPERATION AND MAINTENANCE, ARMY (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$196,000,000 are rescinded.

OPERATION AND MAINTENANCE, NAVY (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$51,000,000 are rescinded.

OPERATION AND MAINTENANCE, MARINE CORPS (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$3,000,000 are rescinded.

OPERATION AND MAINTENANCE, AIR FORCE (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$117,000,000 are rescinded.

OPERATION AND MAINTENANCE, DEFENSE-WIDE (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$25,000,000 are rescinded.

ENVIRONMENTAL RESTORATION, ARMY (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$250,000 are rescinded.

ENVIRONMENTAL RESTORATION, NAVY (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$250,000 are rescinded.

ENVIRONMENTAL RESTORATION, AIR FORCE (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$250,000 are rescinded.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$250,000 are rescinded.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$250,000 are rescinded.

FORMER SOVIET UNION THREAT REDUCTION (RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$2,000,000 are rescinded.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY (RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$1,085,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$5,000,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$13,000,000 are rescinded.

MISSILE PROCUREMENT, ARMY (RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$2,707,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$24,000,000 are rescinded.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY (RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$2,296,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$15,400,000 are rescinded.

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

PROCUREMENT OF AMMUNITION, ARMY (RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$3,236,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$18,000,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$11,000,000 are rescinded.

OTHER PROCUREMENT, ARMY
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$2,502,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$21,000,000 are rescinded.

AIRCRAFT PROCUREMENT, NAVY
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$34,000,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$52,000,000 are rescinded.

WEAPONS PROCUREMENT, NAVY
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$16,000,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$6,000,000 are rescinded.

PROCUREMENT OF AMMUNITION, NAVY AND
MARINE CORPS
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$812,000 are rescinded.

SHIPBUILDING AND CONVERSION, NAVY
(RESCISSIONS)

Of the funds made available under this heading in Public Law 102-396, \$10,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103-139, \$18,700,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$33,000,000 are rescinded.

OTHER PROCUREMENT, NAVY
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$4,237,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$3,000,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$8,000,000 are rescinded.

PROCUREMENT, MARINE CORPS
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$1,207,000 are rescinded.

AIRCRAFT PROCUREMENT, AIR FORCE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$49,376,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$40,000,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$41,000,000 are rescinded.

MISSILE PROCUREMENT, AIR FORCE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$16,020,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$163,000,000 are rescinded.

PROCUREMENT OF AMMUNITION, AIR FORCE
(RESCISSION)

Of the funds made available under this heading in Public Law 104-61, \$7,700,000 are rescinded.

OTHER PROCUREMENT, AIR FORCE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$3,659,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$10,000,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$20,000,000 are rescinded.

PROCUREMENT, DEFENSE-WIDE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$8,860,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$16,113,000 are rescinded.

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

NATIONAL GUARD AND RESERVE EQUIPMENT
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$5,029,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$8,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, ARMY
(RESCISSIONS)

Of the funds made available under this heading in Public Law 104-61, \$4,366,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$18,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, NAVY
(RESCISSIONS)

Of the funds made available under this heading in Public Law 104-61, \$16,878,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$9,600,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, AIR FORCE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 104-61, \$24,245,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$172,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, DEFENSE-WIDE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 104-61, \$95,714,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$87,000,000 are rescinded.

DEVELOPMENTAL TEST AND EVALUATION,
DEFENSE
(RESCISSION)

Of the funds made available under this heading in Public Law 104-61, \$6,692,000 are rescinded.

OPERATIONAL TEST AND EVALUATION,
DEFENSE
(RESCISSION)

Of the funds made available under this heading in Public Law 104-61, \$160,000 are rescinded.

REVOLVING AND MANAGEMENT FUNDS
NATIONAL DEFENSE SEALIFT FUND
(RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$25,200,000 are rescinded.

OTHER DEPARTMENT OF DEFENSE
PROGRAMS

DEFENSE HEALTH PROGRAM
(RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$21,000,000 are rescinded.

CHEMICAL AGENTS AND MUNITIONS
DESTRUCTION, DEFENSE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$456,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$20,652,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$27,000,000 are rescinded.

DRUG INTERDICTION AND COUNTER-DRUG
ACTIVITIES, DEFENSE
(RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$2,000,000 are rescinded.

GENERAL PROVISIONS, CHAPTER 2
(RESCISSIONS)

SEC. 201. Of the funds appropriated in the Military Construction Appropriations Act, 1996 (Public Law 104-32), amounts are hereby rescinded from the following accounts in the specified amounts:

"Military Construction, Air National Guard", \$5,000,000;

"Military Construction, Defense-wide", \$41,000,000;

"Base Realignment and Closure Account, Part II", \$35,391,000;

"Base Realignment and Closure Account, Part III", \$75,638,000; and

"Base Realignment and Closure Account, Part IV", \$22,971,000;

Provided, That of the funds appropriated in the Military Construction Appropriations Act, 1997 (Public Law 104-196), amounts are hereby rescinded from the following accounts in the specified amounts:

"Military Construction, Army", \$1,000,000;

"Military Construction, Navy", \$2,000,000;

"Military Construction, Air Force", \$3,000,000; and

"Military Construction, Defense-wide", \$3,000,000.

(RESCISSION)

SEC. 202. Of the funds appropriated for "Military Construction, Navy" under Public Law 103-307, \$6,480,000 is hereby rescinded.

CHAPTER 3

GENERAL PROVISIONS—THIS TITLE

SEC. 301. The Department of Defense is directed to report to the congressional defense committees 30 days prior to transferring management, development, and acquisition authority over the elements of the National Missile Defense Program from the Military Services: *Provided*, That the Joint Requirements Oversight Council is directed to conduct an analysis and submit recommendations as to the recommended future roles of the Military Services with respect to development and deployment of the elements of the National Missile Defense Program: *Provided further*, That the analysis and recommendations shall be submitted to the congressional defense committees within 60 days of enactment of this Act: *Provided further*, That for 60 days following enactment of this

Act, the Department of Defense shall take no actions to delay or defer planned activities under the National Missile Defense Program based solely on the conduct of the Joint Requirements Oversight Council analysis.

SEC. 302. Notwithstanding section 3612(a) of title 22, United States Code, the incumbent may continue to serve as the Secretary of Defense designee on the Board of the Panama Canal Commission if he retires as an officer of the Department of Defense, until and unless the Secretary of Defense designates another person to serve in this position.

SEC. 303. AUTHORITY OF SECRETARY OF DEFENSE TO ENTER INTO LEASE OF BUILDING NO. 1, LEXINGTON BLUE GRASS STATION, LEXINGTON, KENTUCKY.—

(a) AUTHORITY TO ENTER INTO LEASE.—The Secretary of Defense may enter into an agreement for the lease of Building No. 1, Lexington Blue Grass Station, Lexington, Kentucky, and any real property associated with the building, for purposes of the use of the building by the Defense Finance and Accounting Service. The agreement shall meet the requirements of this section.

(b) TERM.—(1) The agreement under this section shall provide for a lease term of not to exceed 50 years, but may provide for one or more options to renew or extend the term of the lease.

(2) The agreement shall include a provision specifying that, if the Secretary ceases to require the leased building for purpose of the use of the building by the Defense Finance and Accounting Service before the expiration of the term of the lease (including any extension or renewal of the term under an option provided for in paragraph (1)), the remainder of the lease term may, upon the approval of the lessor of the building, be satisfied by the Secretary or another department or agency of the Federal Government (including a military department) for another purpose similar to such purpose.

(c) CONSIDERATION.—(1) The agreement under this section may not require rental payments by the United States under the lease under the agreement.

(2) The Secretary or other lessee, if any, under subsection (b)(2) shall be responsible under the agreement for payment of any utilities associated with the lease of the building covered by the agreement and for maintenance and repair of the building.

(d) IMPROVEMENT.—The agreement under this section may provide for the improvement of the building covered by the agreement by the Secretary or other lessee, if any, under subsection (b)(2).

(e) LIMITATION ON CERTAIN ACTIVITIES.—The Secretary may not obligate or expend funds for the costs of any utilities, maintenance and repair, or improvements under this lease under this section in any fiscal year unless funds are appropriated or otherwise made available for the Department of Defense for such payment in such fiscal year.

SEC. 304. Notwithstanding 31 U.S.C. 1502(a), 31 U.S.C. 1552(a), and 31 U.S.C. 1553(a), funds appropriated in Public Law 101-511, Public Law 102-396, and Public Law 103-139, under the heading "Weapons Procurement, Navy", that were obligated and expended to settle claims on the MK-50 torpedo program may continue to be obligated and expended to settle those claims.

SEC. 305. None of the funds available to the Department of Defense in this or any other Act shall be available to pay the cost of operating a National Missile Defense Joint Program Office which includes more than 55 military and civilian personnel located in the National Capital Region.

SEC. 306. Funds obligated by the National Aeronautics and Space Administration (NASA) in the amount of \$61,300,000 during fiscal year 1996, pursuant to the "Memo-

randum of Agreement between the National Aeronautics and Space Administration and the United States Air Force on Titan IV/Centaur Launch Support for the Cassini Mission," signed September 8, 1994, and September 23, 1994, and Attachments A, B, and C to that Memorandum, shall be merged with Air Force appropriations available for research, development, test and evaluation and procurement for fiscal year 1996, and shall be available for the same time period as the appropriation with which merged, and shall be available for obligation only for those Titan IV vehicles and Titan IV-related activities under contract.

SEC. 307. For the purposes of implementing the 1997 Defense Experimental Program to Stimulate Competitive Research (DEPSCoR), the term "State" means a State of the United States, the District of Columbia, Puerto Rico, Guam and the Virgin Islands of the United States, American Samoa and the Commonwealth of the Northern Mariana Islands.

TITLE II—EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR RECOVERY FROM NATURAL DISASTERS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

For an additional amount for the "Agricultural Credit Insurance Fund Program Account" for the additional cost of direct and guaranteed loans authorized by 7 U.S.C. 1928-1929, including the cost of modifying such loans as defined in section 502 of the Congressional Budget Act of 1974, resulting from flooding and other natural disasters, \$23,000,000, to remain available until expended, of which \$18,000,000 shall be available for emergency insured loans and \$5,000,000 shall be available for subsidized guaranteed operating loans: *Provided*, That the entire amount shall be available only to the extent that an official budget request for \$23,000,000 that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

For an additional amount for the "Agricultural Credit Insurance Fund Program Account" for the additional cost of direct operating loans authorized by 7 U.S.C. 1928-1929, including the cost of modifying such loans as defined in section 502 of the Congressional Budget Act of 1974, \$6,300,000, to remain available until expended.

EMERGENCY CONSERVATION PROGRAM

For an additional amount for "Emergency Conservation Program" for expenses, including carcass removal, resulting from flooding and other natural disasters, \$70,000,000, to remain available until expended: *Provided*, That the entire amount shall be available only to the extent that an official budget request for \$70,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

TREE ASSISTANCE PROGRAM

An amount of \$9,000,000 is provided for assistance to small orchardists to replace or rehabilitate trees and vineyards damaged by

natural disasters: *Provided*, That the entire amount shall be available only to the extent that an official budget request of \$9,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

COMMODITY CREDIT CORPORATION FUND

DISASTER RESERVE ASSISTANCE PROGRAM

Effective only for losses in the fiscal year beginning October 1, 1996, through the date of enactment of this Act, the Secretary may use up to \$50,000,000 from proceeds earned from the sale of grain in the disaster reserve established in the Agricultural Act of 1970 to implement a livestock indemnity program for losses from natural disasters pursuant to a Presidential or Secretarial declaration requested prior to the date of enactment of this Act in a manner similar to catastrophic loss coverage available for other commodities under 7 U.S.C. 1508(b): *Provided*, That in administering a program described in the preceding sentence, the Secretary shall, to the extent practicable, utilize gross income and payment limitations conditions established for the Disaster Reserve Assistance Program for the 1996 crop year: *Provided further*, That notwithstanding any other provision of law, beginning on October 1, 1997, grain in the disaster reserve established in the Agricultural Act of 1970 shall not exceed 20 million bushels: *Provided further*, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for "Watershed and Flood Prevention Operations" to repair damages to the waterways and watersheds, including debris removal that would not be authorized under the Emergency Watershed Program, resulting from flooding and other natural disasters, including those in prior years, \$166,000,000, to remain available until expended: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$166,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act: *Provided further*, That if the Secretary determines that the cost of land and farm structures restoration exceeds the fair market value of an affected agricultural land, the Secretary may use sufficient amounts, not to exceed \$15,000,000, from funds provided under this heading to accept bids from willing sellers to provide floodplain easements for such agricultural land inundated by floods: *Provided further*, That none of the funds provided under this heading shall be used for the salmon memorandum of understanding.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM
ACCOUNT

RURAL HOUSING ASSISTANCE PROGRAM

Any unobligated balances remaining in the "Rural Housing Insurance Fund Program Account" from prior years' disaster supplementals shall be available until expended for Section 502 housing loans, Section 504 loans and grants, Section 515 loans, and domestic farm labor grants to meet emergency needs resulting from natural disasters: *Provided*, That such unobligated balances shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985 is transmitted by the President to the Congress: *Provided further*, That such unobligated balances are designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act: *Provided further*, That notwithstanding section 520 of the Housing Act of 1949, as amended, (42 U.S.C. 1490) the College Station area of Pulaski County, Arkansas shall be eligible for loans and grants available through the Rural Housing Service: *Provided further*, That funds made available in Public Law 104-180 for Community Facility Grants for the Rural Housing Assistance Program may be provided to any community otherwise eligible for a Community Facility Loan for expenses directly or indirectly resulting from flooding and other natural disasters.

RURAL UTILITIES SERVICE

RURAL UTILITIES ASSISTANCE PROGRAM

For an additional amount for "Rural Utilities Assistance Program", for the cost of direct loans, loan guarantees, and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, for emergency expenses resulting from flooding and other natural disasters, \$4,000,000, to remain available until September 30, 1998: *Provided*, That the entire amount shall be available only to the extent that an official budget request for \$4,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FOOD AND CONSUMER SERVICE

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM
FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For an additional amount for the "Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)" as authorized by section 17 of the Child Nutrition Act of 1966, as amended (42 U.S.C. et seq.), \$76,000,000, to remain available through September 30, 1998: *Provided*, That the Secretary shall allocate such funds through the existing formula or, notwithstanding sections 17 (g), (h), or (i) of such Act and the regulations promulgated thereunder, such other means as the Secretary deems necessary.

GENERAL PROVISION, CHAPTER 1

SEC. 1001. COLLECTION AND DISSEMINATION OF
INFORMATION ON PRICES RECEIVED
FOR BULK CHEESE.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture shall collect and disseminate, on a weekly basis, statistically reliable information, obtained from cheese

manufacturing areas in the United States on prices received and terms of trade involving bulk cheese, including information on the national average price for bulk cheese sold through spot and forward contract transactions. To the maximum extent practicable, the Secretary shall report the prices and terms of trade for spot and forward contract transactions separately.

(b) CONFIDENTIALITY.—All information provided to, or acquired by, the Secretary under subsection (a) shall be kept confidential by each officer and employee of the Department of Agriculture except that general weekly statements may be issued that are based on the information and that do not identify the information provided by any person.

(c) REPORT.—Not later than 150 days after the date of enactment of this Act, the Secretary shall report to the Committee on Agriculture, and the Committee on Appropriations, of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Appropriations, of the Senate, on the rate of reporting compliance by cheese manufacturers with respect to the information collected under subsection (a). At the time of the report, the Secretary may submit legislative recommendations to improve the rate of reporting compliance.

(d) TERMINATION OF EFFECTIVENESS.—The authority provided by subsection (a) terminates effective April 5, 1999.

CHAPTER 2

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE
PROGRAMS

For an additional amount for "Economic Development Assistance Programs" for emergency infrastructure expenses and the capitalization of revolving loan funds related to recent flooding and other natural disasters, \$52,200,000, to remain available until expended, of which not to exceed \$2,000,000 may be available for administrative expenses and may be transferred to and merged with the appropriations for "Salaries and Expenses": *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

Of the amount provided under this heading in Public Law 104-208 for the Advanced Technology Program, not to exceed \$35,000,000 shall be available for the award of new grants.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

Within amounts available for "Operations, Research, and Facilities" for Satellite Observing Systems, not to exceed \$7,000,000 is available until expended to provide disaster assistance related to recent flooding and red tide pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, and not to exceed \$2,000,000 is available until expended to implement the Magnuson-Stevens Fishery Conservation and Management Act: *Provided*, That the entire amount shall be available only to the extent that an official budget request for \$9,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

CONSTRUCTION

For an additional amount for "Construction" for emergency expenses resulting from flooding and other natural disasters, \$10,800,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCY

COMMISSION ON THE ADVANCEMENT OF
FEDERAL LAW ENFORCEMENT

For an additional amount for the operations of the Commission on the Advancement of Federal Law Enforcement, \$2,000,000, to remain available until expended.

GENERAL PROVISIONS, CHAPTER 2

SEC. 2001. Of the funds currently contained within the "Counterterrorism Fund" of the Department of Justice, \$3,000,000 is provided for allocation by the Attorney General to the appropriate unit or units of government in Ogden, Utah, for necessary expenses, including enhancements and upgrade of security and communications infrastructure, to counter any potential terrorism threat related to the 2002 Winter Olympic games to be held in Utah.

SEC. 2002. EXPANDING SMALL BUSINESS PARTICIPATION IN DREDGING.—Section 722(a) of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended by striking "September 30, 1996" and inserting "September 30, 1997".

SEC. 2003. Section 101 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371) is amended by adding at the end thereof the following:

"(d) GOOD SAMARITAN EXEMPTION.—It shall not be a violation of this Act to take a marine mammal if—

"(1) such taking is imminently necessary to avoid serious injury, additional injury, or death to a marine mammal entangled in fishing gear or debris;

"(2) reasonable care is taken to ensure the safe release of the marine mammal, taking into consideration the equipment, expertise, and conditions at hand;

"(3) reasonable care is exercised to prevent any further injury to the marine mammal; and

"(4) such taking is reported to the Secretary within 48 hours."

SEC. 2004. Notwithstanding any other provision of law, the Secretary of Commerce shall have the authority to reprogram or transfer up to \$41,000,000 of the amounts provided under "National Oceanic and Atmospheric Administration, Operations, Research, and Facilities" for Satellite Observing Systems in Public Law 104-208 for other programmatic and operational requirements of the National Oceanic and Atmospheric Administration and the Department of Commerce subject to notification of the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1997 and which shall not be available for obligation or expenditure except in compliance with the procedure set forth in that section.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For an additional amount for "Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mis-

Mississippi, Missouri, and Tennessee" for emergency expenses due to flooding and other natural disasters, \$20,000,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for "Operation and Maintenance, General" for emergency expenses due to flooding and other natural disasters, \$150,000,000, to remain available until expended: *Provided*, That of the total amount appropriated, the amount for eligible navigation projects which may be derived from the Harbor Maintenance Trust Fund pursuant to Public Law 99-662, shall be derived from that fund: *Provided further*, That of the total amount appropriated, \$5,000,000 shall be available solely for the Secretary of the Army, acting through the Chief of Engineers, to pay the costs of the Corps of Engineers and other Federal agencies associated with the development of necessary studies, an interagency management plan, environmental documentation, continued monitoring, and other activities related to allocations of water in the Alabama-Coosa-Tallapoosa and Apalachicola-Chattahoochee-Flint River Basins: *Provided further*, That no portion of such \$5,000,000 may be used by the Corps of Engineers to revise its master operational manuals or water control plans for operation of the reservoirs for the two river basins until (1) the interstate compacts for the two river basins are ratified by the Congress by law; and (2) the water allocation formulas for the two river basins have been agreed to by the States of Alabama, Georgia, and Florida and the Federal representative to the compacts: *Provided further*, That the preceding proviso shall not apply to the use of such funds for any environmental reviews necessary for the Federal representative to approve the water allocation formulas for the two river basins: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies" due to flooding and other natural disasters, \$415,000,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That with \$5,000,000 of the funds appropriated herein, the Secretary of the Army is directed to initiate and complete preconstruction engineering and design and the associated Environmental Impact Statement for an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River: *Provided further*, That of the funds appropriated under this paragraph, \$5,000,000 shall be used for the project consisting of channel restoration and improvements on the James River authorized by section 401(b) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4128) if the Secretary of the Army determines that the need for such restoration and improvements constitutes an emergency.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION OPERATION AND MAINTENANCE

For an additional amount for "Operation and Maintenance", \$7,355,000, to remain available until expended, to repair damage caused by floods and other natural disasters:

Provided, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund shall be derived from that fund: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, CHAPTER 3

SEC. 3001. (a) Beginning in fiscal year 1997 and thereafter, the United States members and the alternate members appointed under the Susquehanna River Basin Compact (Public Law 91-575), and the Delaware River Basin Compact (Public Law 87-328), shall be officers of the U.S. Army Corps of Engineers, who hold Presidential appointments as Regular Army officers with Senate confirmation, and who shall serve without additional compensation.

(b) Section 2, Reservations, Paragraph (u) of Public Law 91-575 (84 Stat. 1509) and Section 15.1, Reservations, Paragraph (d) of Public Law 87-328 (75 Stat. 688, 691) are hereby repealed.

(c) Section 2.2 of Public Law 87-328 (75 Stat. 688, 691) is amended by striking the words "during the term of office of the President" and inserting the words "at the pleasure of the President".

SEC. 3002. Notwithstanding section 5 of the Reclamation Safety of Dams Act of 1978, Public Law 95-578, as amended, the Secretary of the Interior is authorized to obligate up to \$1,200,000 for carrying out actual construction for safety of dam purposes to modify the Willow Creek Dam, Sun River Project, Montana.

SEC. 3003. (a) CONSULTATION AND CONFERENCE.—As provided by regulations issued under the Endangered Species Act (16 U.S.C. 1531 et seq.) for emergency situations, formal consultation or conferencing under section 7(a)(2) or section 7(a)(4) of the Act for any action authorized, funded or carried out by any Federal agency to repair a Federal or non-Federal flood control project, facility or structure may be deferred by the Federal agency authorizing, funding or carrying out the action, if the agency determines that the repair is needed to respond to an emergency causing an imminent threat to human lives and property in 1996 or 1997. Formal consultation or conferencing shall be deferred until the imminent threat to human lives and property has been abated. For purposes of this section, the term repair shall include preventive and remedial measures to restore the project, facility or structure to remove an imminent threat to human lives and property.

(b) REASONABLE AND PRUDENT MEASURES.—Any reasonable and prudent measures specified under section 7 of the Endangered Species Act (16 U.S.C. 1536) to minimize the impact of an action taken under this section shall be related both in nature and extent to the effect of the action taken to repair the flood control project, facility or structure.

CHAPTER 4

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS ASSISTANCE TO UKRAINE

SEC. 4001. The President may waive the minimum funding requirements contained in subsection (k) under the heading "Assistance for the New Independent States of the Former Soviet Union" contained in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as included in Public Law 104-208, for activities for the government of Ukraine funded in that subsection, if he determines and so reports to the Committees on Appropriations that the government of Ukraine:

(1) has not made progress toward implementation of comprehensive economic reform;

(2) is not taking steps to ensure that United States businesses and individuals are able to operate according to generally accepted business principles; or

(3) is not taking steps to cease the illegal dumping of steel plate.

CHAPTER 5

DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT CONSTRUCTION (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Construction" to repair damage caused by floods and other natural disasters, \$4,796,000, to remain available until expended, of which \$4,403,000 is to be derived by transfer from unobligated balances of funds under the heading, "Oregon and California Grant Lands", made available as supplemental appropriations in Public Law 104-134: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OREGON AND CALIFORNIA GRANT LANDS

For an additional amount for "Oregon and California Grant Lands" to repair damage caused by floods and other natural disasters, \$2,694,000, to remain available until expended and to be derived from unobligated balances of funds under the heading, "Oregon and California Grant Lands", made available as supplemental appropriations in Public Law 104-134: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT

For an additional amount for "Resource Management", \$5,300,000, to remain available until expended, for technical assistance and fish replacement made necessary by floods and other natural disasters, for restoration of public lands damaged by fire, and for payments to private landowners for the voluntary use of private land to store water in restored wetlands: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for "Construction", \$88,000,000, to remain available until expended, to repair damage caused by floods and other natural disasters: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

LAND ACQUISITION

For an additional amount for "Land Acquisition", \$10,000,000, to remain available until expended, for the cost-effective emergency acquisition of land and water rights necessitated by floods and other natural disasters: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for "Construction" for emergency expenses resulting from flooding and other natural disasters,

\$187,321,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That of this amount, \$30,000,000 shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in such Act, is transmitted by the President to Congress, and upon certification by the Secretary of the Interior to the President that a specific amount of such funds is required for (1) repair or replacement of concession use facilities at Yosemite National Park if the Secretary determines, after consulting with the Director of the Office of Management and Budget, that the repair or replacement of those facilities cannot be postponed until completion of an agreement with the Yosemite Concessions Services Corporation or any responsible third party to satisfy its repair or replacement obligations for the facilities, or (2) the Federal portion, if any, of the costs of repair or replacement of such concession use facilities: *Provided further*, That nothing herein should be construed as impairing in any way the rights of the United States against the Yosemite Concession Services Corporation or any other party or as relieving the Corporation or any other party of its obligations to the United States: *Provided further*, That prior to any final agreement by the Secretary with the Corporation or any other party concerning its obligation to repair or replace concession use facilities, the Solicitor of the Department of the Interior shall certify that the agreement fully satisfies the obligations of the Corporation or third party: *Provided further*, That nothing herein, or any payments, repairs, or replacements made by the Corporation or a third party in fulfillment of the Corporation's obligations to the United States to repair and replace damaged facilities, shall create any possessory interest for the Corporation or such third party in such repaired or replaced facilities: *Provided further*, That any payments made to the United States by the Corporation or a third party for repair or replacement of concession use facilities shall be deposited in the General Fund of the Treasury or, where facilities are repaired or replaced by the Corporation or any other third party, an equal amount of appropriations for "Construction" shall be rescinded.

For an additional amount for "Construction", \$10,000,000, to remain available until expended, to make repairs, construct facilities, and provide visitor transportation and for related purposes at Yosemite National Park.

UNITED STATES GEOLOGICAL SURVEY
SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, Investigations, and Research", \$4,650,000, to remain available until September 30, 1998, to repair or replace damaged equipment and facilities caused by floods and other natural disasters: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

BUREAU OF INDIAN AFFAIRS
OPERATION OF INDIAN PROGRAMS

For an additional amount for "Operation of Indian Programs", \$14,317,000, to remain available until September 30, 1998, for emergency response activities, including emergency school operations, heating costs, emergency welfare assistance, and to repair and replace facilities and resources damaged

by snow, floods, and other natural disasters: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for "Construction", \$6,249,000, to remain available until expended, to repair damages caused by floods and other natural disasters: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That notwithstanding any other provision of law, funds appropriated herein and in Public Law 104-208 to the Bureau of Indian Affairs for repair of the Wapato irrigation project shall be made available on a nonreimbursable basis.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for "National Forest System" for emergency expenses resulting from flooding and other natural disasters, \$39,677,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RECONSTRUCTION AND CONSTRUCTION

For an additional amount for "Reconstruction and Construction" for emergency expenses resulting from flooding and other natural disasters, \$27,685,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For an additional amount for "Indian Health Services" for emergency expenses resulting from flooding and other natural disasters, \$1,000,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INDIAN HEALTH FACILITIES

For an additional amount for "Indian Health Facilities" for emergency expenses resulting from flooding and other natural disasters, \$2,000,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, CHAPTER 5

SEC. 5001. Section 101(c) of Public Law 104-134 is amended as follows: Under the heading "Title III—General Provisions" amend sections 315(c)(1)(A) and 315(c)(1)(B) by striking in each of those sections "104%" and inserting in lieu thereof "100%"; by striking in each of those sections "1995" and inserting in lieu thereof "1994"; and by striking in each of those sections "and thereafter annually adjusted upward by 4%".

SEC. 5002. Section 101(d) of Public Law 104-208 is amended as follows: Under the heading

"Administrative Provisions, Indian Health Service" strike the seventh proviso and insert the following in lieu thereof: "": *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self Determination Act, may be credited to the same or subsequent appropriation account which provided the funding, said amounts to remain available until expended".

SEC. 5003. (a) EXTENSION AND EFFECTIVE DATE.—Section 3711(b)(1) of the San Carlos Apache Tribe Water Rights Settlement Act of 1992 (106 Stat. 4752) is amended by striking "June 30, 1997" and inserting "March 31, 1999".

(b) EXTENSION FOR RIVER SYSTEM GENERAL ADJUDICATION.—Section 3711 of such Act is amended by adding at the end the following new subsection:

"(c) EXTENSION FOR RIVER SYSTEM GENERAL ADJUDICATION.—If, at any time prior to March 31, 1999, the Secretary notifies the Committee on Indian Affairs of the United States Senate or the Committee on Resources in the United States House of Representatives that the Settlement Agreement, as executed by the Secretary, has been submitted to the Superior Court of the State of Arizona in and for Maricopa County for consideration and approval as part of the General Adjudication of the Gila River System and Source, the March 31, 1999, referred to in subsection (b)(1) shall be deemed to be changed to December 31, 1999."

(c) COUNTIES.—Section 3706(b)(3) of such Act is amended by inserting "Gila, Graham, Greenlee," after "Maricopa,".

(d) PARTIES TO AGREEMENT.—Section 3703(2) of such Act is amended by adding at the end the following new sentence: "The Gila Valley Irrigation District and the Franklin Irrigation District shall be added as parties to the Agreement, but only so long as none of the aforementioned parties objects to adding the Gila Valley Irrigation and/or the Franklin Irrigation District as parties to the Agreement."

(e) DEFINITIONS.—Section 3703 of such Act is amended by adding the following new paragraphs:

"(12) 'Morenci mine complex' means the lands owned or leased by Phelps Dodge Corporation, now or in the future, delineated in a map as 'Phelps Dodge Mining, Mineral Processing, and Auxiliary Facilities Water Use Area', which map is dated March 19, 1996, and is on file with the Secretary of the Interior.

"(13) 'Upper Eagle Creek Wellfield' means that area in Greenlee County which is bounded by the eastern boundary of Graham County on the west, the southern boundary of the Black River watershed on the north, a line running north and south 5 miles east of the eastern boundary of Graham County on the east, and the southern boundary of the natural drainage of Cottonwood Canyon on the south."

(f) BLACK RIVER FACILITIES.—Section 3711 of such Act, as amended by subsection (b) of this Act, is further amended by adding at the end the following:

"(d) BLACK RIVER FACILITIES.—(1) IN GENERAL.—The provisions and agreements set forth or referred to in paragraphs (2), (3), and (4) below shall be enforceable against the United States in United States district court, and the immunity of the United States for such purposes and for no other purpose is hereby waived. The provisions and agreements set forth or referred to in para-

graphs (2)(A), (3), and (4) below shall be enforceable against the Tribe in United States district court, and the immunity of the Tribe for such purposes and for no other purpose, is hereby waived. The specific agreements made by the Tribe and set forth in paragraph (5) shall be enforceable against the Tribe in United States district court, and the immunity of the Tribe is hereby waived as to such specific agreements and for no other purpose.

“(2) INTERIM PERIOD.—

“(A) As of July 23, 1997, Phelps Dodge shall vacate the reservation and no longer rely upon permit #2000089, dated July 25, 1944. On such date the United States, through the Bureau of Reclamation, shall enter, operate, and maintain the Black River pump station, outbuildings, the pipeline, related facilities, and certain caretaker quarters (hereinafter referred to collectively as the ‘Black River facilities’).

“(B) The United States and Phelps Dodge shall enter into a contract for delivery of water pursuant to subparagraph (C), below. Water for delivery to Phelps Dodge from the Black River shall not exceed an annual average of 40 acre feet per day, or 14,000 acre feet per year. All diversions from Black River to Phelps Dodge shall be junior to the diversion and use of up to 7,300 acre feet per year by the San Carlos Apache Tribe, and no such diversion for Phelps Dodge shall cause the flow of Black River to fall below 20 cubic feet per second. The United States shall account for the costs for operating and maintaining the Black River facilities, and Phelps Dodge shall reimburse the United States for such costs. Phelps Dodge shall pay to the United States, for delivery to the Tribe, the sum of \$20,000 per month, with an annual CPI adjustment from July 23, 1997, for purposes of compensating the Tribe for United States use and occupancy of the Black River facilities. Phelps Dodge and the Tribe shall cooperate with the United States in effectuating an orderly transfer of the operations of the Black River facilities from Phelps Dodge to the United States.

“(C) Notwithstanding any other provision of law, the contract referred to in subparagraph (B) between the United States and Phelps Dodge which provides for the diversion of water from the Black River into the Black River facilities, and the delivery of such water to Phelps Dodge at that location where the channel of Eagle Creek last exits the reservation for use in the Morenci mine complex and the towns of Clifton and Morenci and at no other location, is ratified and confirmed.

“(D) The power line right-of-way over the Tribe’s Reservation which currently is held by Phelps Dodge shall remain in place. During the interim period, Phelps Dodge shall provide power to the United States for operation of the pump station and related facilities without charge, and Phelps Dodge shall pay a monthly right-of-way fee to the Tribe of \$5,000 per month, with an annual CPI adjustment from July 23, 1997.

“(E) Any questions regarding the water claims associated with Phelps Dodge’s use of the Upper Eagle Creek Wellfield, its diversions of surface water from Eagle Creek, the San Francisco River, Chase Creek, and/or its use of other water supplies are not addressed in this title. No provision in this subsection shall affect or be construed to affect any claims by the Tribe, the United States, or Phelps Dodge to groundwater or surface water.

“(3) FINAL ARRANGEMENTS AND TERMS.—The interim period described in paragraph (2) shall extend until all conditions set forth in paragraph (3)(B) have been satisfied. At such time, the following final arrangements shall apply, based on the terms set forth below. Such terms shall bind the Tribe, the United States, and Phelps Dodge, and shall be en-

forceable pursuant to subsection (d)(1) of this Act.

“(A) The United States shall hold the Black River facilities in trust for the Tribe, without cost to the Tribe or the United States.

“(B) Responsibility for operation of the Black River facilities shall be transferred from the United States to the Tribe. The United States shall train Tribal members during the interim period, and the responsibility to operate the Black River facilities shall be transferred upon satisfaction of 2 conditions—

“(i) a finding by the United States that the Tribe has completed necessary training and is qualified to operate the Black River facilities; and

“(ii) execution of the contract described in paragraph (3)(E), which contract shall be executed on or before December 31, 1998. In the event that the contract is not executed by December 31, 1998, the transfer described in this subsection shall occur on December 31, 1998 (so long as condition (i) of this subparagraph has been satisfied), based on application of the contract terms described in paragraph (3)(E), which terms shall be enforceable under this Act. Upon the approval of the Secretary, the Tribe may contract with third parties to operate the Black River facilities.

“(C) Power lines currently operated by Phelps Dodge on the Tribe’s Reservation, and the right-of-way associated with such power lines, shall be surrendered by Phelps Dodge to the Tribe, without cost to the Tribe. Prior to the surrender of the power lines, the Bureau of Reclamation shall arrange for an inspection of the power lines and associated facilities by a qualified third party and shall obtain a certification that such power lines and facilities are of sound design and are in good working order. Phelps Dodge shall pay for the cost of such inspection and certification. Concurrently with the surrender of the power lines and the right-of-way, Phelps Dodge shall construct a switch station at the boundary of the Reservation at which the Tribe may switch power on or off and shall deliver ownership and control of such switch station to the Tribe. Subsequent to the transfer of the power lines and the right-of-way and the delivery of ownership and control of the switch station to the Tribe, Phelps Dodge shall have no further obligation or liability of any nature with respect to the ownership, operation, or maintenance of the power lines, the right-of-way, or the switch station.

“(D) The Tribe and the United States will enter into an exchange agreement with the Salt River Project which will deliver CAP water controlled by the Tribe to the Salt River Project in return for the diversion of water from the Black River into the Black River facilities. The exchange agreement shall be subject to review and approval by Phelps Dodge, which approval shall not be unreasonably withheld. Notwithstanding any other provision of law, the contract referred to in this subparagraph is ratified and confirmed.

“(E) The Tribe, the United States, and Phelps Dodge will execute a contract covering the lease and delivery of CAP water from the Tribe to Phelps Dodge on the following terms:

“(i) The Tribe will lease to Phelps Dodge 14,000 acre feet of CAP water per year as of the date on which the interim period referred to in paragraph (2) expires. The lease shall be subject to the terms and conditions identified in the Tribal CAP Delivery Contract referenced in section 3706(b). The leased CAP water shall be delivered to Phelps Dodge from the Black River pursuant to the exchange referred to in subparagraph (D) above, based on diversions from the Black River that shall not exceed an annual aver-

age of 40 acre feet per day and shall not cause the flow of Black River to fall below 20 cubic feet per second. Such CAP water shall be delivered to Phelps Dodge at that location where the channel of Eagle Creek last exits the Reservation, to be utilized in the Morenci mine complex and the towns of Clifton and Morenci, and at no other location.

“(ii) The leased CAP water shall be junior to the diversion and use of up to 7,300 acre feet per year from the Black and Salt Rivers by the San Carlos Apache Tribe.

“(iii) The lease will be for a term of 50 years or, if earlier, the date upon which mining activities at the Morenci mine complex cease, with a right to renew for an additional 50 years upon a finding by the Secretary that the water is needed for continued mining activities at the Morenci mine complex. The lease shall have the following financial terms:

“(I) The Tribe will lease CAP water at a cost of \$1,200 per acre foot. Phelps Dodge shall pay to the United States, on behalf of the Tribe, the sum of \$5,000,000 upon the earlier of the execution of the agreement, or upon the expiration of the interim period referred to in paragraph (2) hereof, which amount shall be a prepayment for and applicable to the first 4,166 acre feet of CAP water to be delivered in each year during the term of the lease.

“(II) Phelps Dodge shall pay the United States, on behalf of the Tribe, the sum of \$65 per acre foot per year, with an annual CPI adjustment for the remaining 9,834 acre feet of water to be delivered pursuant to the lease each year. Such payments shall be made in advance on January 1 of each year, with a reconciliation made at year-end, if necessary, in the event that less than 14,000 acre feet of CAP water is diverted from the Black River due to shortages in the CAP system or on the Black River.

“(III) Phelps Dodge shall pay in advance each month the Tribe’s reasonable costs associated with the Tribe’s operation, maintenance, and replacement of the Black River facilities for purposes of delivering water to Phelps Dodge pursuant to the lease, which costs shall be based upon the experience of the Bureau of Reclamation in operating the Black River facilities during the interim period referred to in paragraph (2), subject to an annual CPI adjustment, and providing for a credit for power provided by Phelps Dodge to the Tribe. In addition, Phelps Dodge shall pay a monthly fee of \$30,000 to the United States, on behalf of the Tribe, to account for the use of the Tribe’s distribution system.

“(IV) Phelps Dodge shall pay the United States operation, maintenance, and replacement charges associated with the leased CAP water and such reasonable interconnection charges as may be imposed by Salt River Project in connection with the exchange referred to in subparagraph (D) above.

“(iv) Notwithstanding the provisions of section 3707(b), any moneys, except Black River facilities OM&R, CAP OM&R and any charges associated with an exchange agreement with Salt River Project, paid to the United States on behalf of the Tribe from the lease referred to under paragraph (3)(D)(iii) shall be held in trust by the United States for the benefit of the Tribe. There is hereby established in the Treasury of the United States a fund to be known as the ‘San Carlos Apache Tribe Lease Fund’ for such purpose. Interest accruing to the Fund may be used by the Tribe for economic and community development purposes upon presentation to the Secretary of a certified copy of a duly enacted resolution of the Tribal Council requesting distribution and a written budget approved by the Tribal Council. Such income may thereafter be expended only in accordance with such budget. Income not distributed shall be added to principal. The United

States shall not be liable for any claim or causes of action arising from the Tribe's use or expenditure of moneys distributed from the Fund.

"(v) The lease is not assignable to any third party, except with the consent of the Tribe and Phelps Dodge, and with the approval of the Secretary.

"(vi) Notwithstanding subsection (b) hereof, section 3706 shall be fully effective immediately with respect to the CAP water lease provided for in this subparagraph and the Secretary shall take all actions authorized by section 3706 necessary for purposes of implementing this subparagraph. Notwithstanding any other provision of law, the contract referred to in this subparagraph is ratified and confirmed and shall be enforceable in United States district court. In the event that no lease authorized by this subparagraph is executed, this subparagraph, notwithstanding any other provision of law, shall be enforceable as a lease among the Tribe, the United States, and Phelps Dodge in the United States district court, and the Secretary shall take all action authorized by section 3706 for purposes of implementing this subparagraph in such an event.

"(F) Any questions regarding the water claims associated with Phelps Dodge's use of the Eagle Creek Wellfield, its diversions of surface water from lower Eagle Creek, the San Francisco River, Chase Creek, and/or its use of other water supplies are not addressed by this title. No provision in this subsection shall affect or be construed to affect any claims by the Tribe, the United States, or Phelps Dodge to groundwater or surface water.

"(4) EAGLE CREEK.—From the effective date of this subsection, and during the Interim Period, the Tribe shall not, in any way, impede, restrict, or sue the United States regarding the passage of water from the Black River facilities into those portions of the channels of Willow Creek and Eagle Creek which flow through the Reservation. Phelps Dodge agrees to limit pumping from the Upper Eagle Creek Wellfield so that the combination of water from the Black River facilities and water pumped from the Upper Eagle Creek Wellfield does not exceed 22,000 acre feet per year of delivered water at the Phelps Dodge Lower Eagle Creek Pump Station below the Reservation. In calculating the pumping rates allowed under this subparagraph, transmission losses from Black River and the Upper Eagle Creek Wellfield shall be estimated, but in no event shall such transmission losses be more than 10 percent of the Black River or Upper Eagle Creek Wellfield water. Based on this agreement, the Tribe shall not, in any way, impede, restrict, or sue Phelps Dodge regarding the passage of water from the Phelps Dodge Upper Eagle Creek Wellfield, except that—

(A) Phelps Dodge shall pay to the United States, on behalf of the Tribe, \$5,000 per month, with an annual CPI adjustment from July 23, 1997, to account for the passage of such flows; and

(B) the Tribe and the United States reserve the right to challenge Phelps Dodge's claims regarding the pumping of groundwater from the Upper Eagle Creek Wellfield, in accordance with paragraphs (2)(E) and (3)(F) above. In the event that a court determines that Phelps Dodge does not have the right to pump the Upper Eagle Creek Wellfield, the Tribe will no longer be subject to the restriction set forth in this subparagraph regarding the passage of water from the Wellfield through the Reservation. Nothing in this subsection shall affect the rights, if any, that Phelps Dodge might claim regarding the flow of water in the channel of Eagle Creek in the absence of this subsection.

"(5) PAST CLAIMS.—The Act does not address claims relating to Phelps Dodge's prior

occupancy and operation of the Black River facilities. The Tribe agrees not to bring any such claims against the United States. The Tribe also agrees that within 30 days after Phelps Dodge has vacated the Reservation, it shall dismiss with prejudice the suit that it has filed in Tribal Court against Phelps Dodge (The San Carlos Apache Tribe v. Phelps Dodge, et al., Case No. C-97-118), which such dismissal shall not be considered a decision on the merits, and any claims that it might assert against Phelps Dodge in connection with Phelps Dodge's prior occupancy and operation of the Black River facilities shall be brought exclusively in the United States district court.

"(6) RELATIONSHIP TO SETTLEMENT.—

"(A) The term 'Agreement', as defined by section 3703(2), shall not include Phelps Dodge.

"(B) Section 3706(j) and section 3705(f) shall be repealed and shall have no effect.

"(7) RATIFICATION OF SETTLEMENT.—The agreement between the San Carlos Apache Tribe, the Phelps Dodge Corporation, and the Secretary of the Interior, as set forth in this subsection, is hereby ratified and approved."

(g) TECHNICAL AMENDMENT.—Section 3702(a)(3) is amended by striking "qualification" and inserting "quantification".

SEC. 5004. Paragraph (5) of section 104(c) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374(c)(5)) is amended as follows:

(1) In subparagraph (A), by striking ", including polar bears taken but not imported prior to the date of enactment of the Marine Mammal Protection Act Amendments of 1994,"

(2) By adding the following new subparagraph at the end thereof:

"(D) The Secretary of the Interior shall, expeditiously after the expiration of the applicable 30 day period under subsection (d)(2), issue a permit for the importation of polar bear parts (other than internal organs) from polar bears taken in sport hunts in Canada before the date of enactment of the Marine Mammal Protection Act Amendments of 1994, to each applicant who submits, with the permit application, proof that the polar bear was legally harvested in Canada by the applicant. The Secretary shall issue such permits without regard to the provisions of subparagraphs (A) and (C)(ii) of this paragraph, subsection (d)(3) of this section, and sections 101 and 102. This subparagraph shall not apply to polar bear parts that were imported before the effective date of this subparagraph."

SEC. 5005. (a) FINDINGS.—The Congress finds that—

(1) section 2477 of the Revised Statutes (R.S. 2477) was repealed on October 21, 1976 by the Federal Land Policy and Management Act (43 U.S.C. 1701 et seq.);

(2) the Federal Land Policy and Management Act did not terminate valid rights of way established under R.S. 2477 prior to its repeal;

(3) the Federal Land Policy and Management Act included four provisions which explicitly preserved "valid existing rights" and made the actions of the government "subject to valid existing rights";

(4) after the repeal of R.S. 2477, disagreement and confusion has surrounded the existence and extent of rights of way established under R.S. 2477;

(5) in 1994 the Secretary of the Interior published proposed regulations for processing claims regarding R.S. 2477 rights of way;

(6) in 1995 and 1996 the Congress passed, and the President enacted, three separate pieces of legislation that prevented the Secretary of the Interior from finalizing those regulations;

(7) the Omnibus Consolidated Appropriations for Fiscal Year 1997 (Public Law 104-208) permanently prohibited the promulga-

tion of final rules or regulations regarding the recognition, validity, or management of R.S. 2477 rights of way unless such regulations were specifically authorized by a subsequent Act of Congress;

(8) the position of the Clinton Administration on this issue is reflected in the written policy statement issued by the Secretary of the Interior in January 1997 regarding R.S. 2477;

(9) western State representatives strongly disagree with the Administration's policy guidance; and

(10) a process is needed to recommend expeditiously a legislative mechanism to resolve all outstanding R.S. 2477 claims.

(b) PROCESS.—

(1) ESTABLISHMENT OF COMMISSION.—

(A) There is established a commission to be known as the Commission on Section 2477 of the Revised Statutes (hereinafter referred to in this section as "the Commission"). The Commission shall be composed of 13 members, as follows:

(i) two officials from Federal land management agencies, which shall be the Secretary of the Interior and the Secretary of Agriculture, or their designees;

(ii) six Members of Congress (or their staff designee), of whom two shall be appointed by the Majority Leader of the Senate and one by the Minority Leader of the Senate, and of whom two shall be appointed by the Speaker of the House of Representatives and one by the Minority Leader of the House of Representatives;

(iii) four State officials with land management or transportation development responsibilities, two of whom shall be from affected western States with a Republican Governor and two of whom shall be from affected western States with a Democratic Governor, with the four States selected by mutual agreement between the President, the Senate Majority Leader, and the Speaker of the House; and

(iv) a chairman, who shall be a former member of the Federal judiciary with experience in property and land management law, to be selected by consensus (or failing all reasonable attempts at consensus, majority vote) of the other 12 members of the Commission.

(B) The Commission shall be appointed within 90 days after the date of enactment of this section. The Secretary of the Interior shall provide any necessary support to the Commission.

(C) The chairman of the Commission shall receive compensation at the daily rate of GS-15, step 7 of the General Schedule, when engaged in the actual performance of duties for the Commission, and shall be reimbursed for actual expenses in the performance of such duties by the Secretary of the Interior. All other members of the Commission shall be reimbursed and compensated as appropriate by their respective employers and shall not be considered Federal employees solely because of their activities on the Commission.

(D) The Commission shall conduct its first meeting no later than 120 days after the date of enactment of this section, at which time the Commission shall select by consensus or majority vote the chairman. The Secretary of the Interior shall recommend to Commission members the names of at least three persons who meet the requirements of subparagraph (A)(iv) for consideration at the first meeting. Any other member of the Commission may also recommend persons who meet the requirements of subparagraph (A)(iv) for the consideration of the members at the first meeting.

(2) DUTIES OF COMMISSION.—

(A) The Commission shall recommend changes to law that should be enacted to provide for an expeditious resolution of all

outstanding claims of a right of way across Federal lands established pursuant to section 2477 of the Revised Statutes (43 U.S.C. 932).

(B) The Commission shall hold a public hearing in each affected State upon the request of the Governor of each such State, and shall consult with the Governor of each affected State in developing its recommendations. The Commission may hold such other hearings as it deems necessary. All hearings conducted by the Commission shall be open to the public, and notice of each hearing shall be provided in media of general circulation within the State at least 14 days prior to each such hearing. The Secretary of the Interior shall publish a public record of each hearing.

(C) The Commission shall make its recommendations and all decisions by consensus, or failing all reasonable attempts at consensus, by majority vote. The Commission shall keep a record of its discussions. The Commission may, by majority vote, open its meetings to the public. If the Commission does conduct public meetings, it shall provide public notice of the time and place at least seven days in advance of each such meeting.

(D) The Commission shall submit its recommendations to the Secretary of the Interior by March 1, 1998. Not later than 15 days prior to this date, the Commission shall provide a draft of its recommendations to the Governor of each affected State, and shall include any letters submitted by such Governors with respect to such recommendations as an appendix to the Commission's submission to the Secretary of the Interior.

(3) REVIEW BY SECRETARY; SUBMISSION TO CONGRESS.—The Secretary of the Interior shall review and either approve or disapprove of the Commission's recommendations in their entirety by March 31, 1998. If the Secretary of the Interior approves of the Commission's recommendations, the Secretary shall submit all of the Commission's recommendations to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives by April 1, 1998. If the Secretary of the Interior disapproves of the Commission's recommendations, the Secretary shall state the reasons in writing for such disapproval and send a copy of such reasons with the Commission's recommendations to the Congress.

(4) CONGRESSIONAL PROCEDURE.—

(A) INTRODUCTION.—The Chairman of the Committee on Energy and Natural Resources of the Senate and the Chairman of the Committee on Resources of the House of Representatives (or their designees) shall introduce the Commission's recommendations as a bill in their respective Houses no later than 10 calendar days after such recommendations are approved and submitted by the Secretary of the Interior pursuant to paragraph (3). The provisions of this paragraph hereinafter set forth shall not apply to any bill containing the recommendations of the Commission if the Secretary of the Interior disapproves the Commission's recommendations under paragraph (3).

(B) CONSIDERATION IN THE HOUSE.—

(i) Any committee of the House of Representatives to which a bill introduced pursuant to subsection (A) is referred shall report it, with or without amendment and with or without recommendation, not later than 60 days of session after the date of such referral. If any committee fails to report the bill within that period, it is in order to move that the House discharge the committee from further consideration of the bill. A motion to discharge the bill may only be made by a member favoring the bill (but only at a time or place designated by the Speaker in the legislative schedule of the day after the

calendar day on which the member offering the motion announces to the House his intention to do so and the form of the motion). The motion is highly privileged. Debate thereon shall be limited to not more than one hour, the time to be divided in the House equally between a proponent and opponent. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion was agreed to or disagreed to shall not be in order.

(ii) After a bill introduced pursuant to subparagraph (A) is reported or a committee has been discharged from further consideration, it is in order to move that the House resolve into the Committee of the Whole House on the State of the Union for consideration of the bill. If reported and the report has been available for at least one calendar day, all points of order against the bill and against consideration of the bill are waived. If discharged, all points of order against the bill and against consideration of the bill are waived. The motion is highly privileged. A motion to reconsider the vote by which the motion was agreed to or disagreed to shall not be in order. During consideration of the bill in the Committee of the Whole, the first reading of the bill shall be dispensed with. General debate shall proceed, shall be confined to the bill, and shall not exceed four hours equally divided and controlled by a proponent and opponent of the bill. The bill shall be considered as read for amendment under the five-minute rule. Only one motion to rise shall be in order, except if offered by the manager. Consideration of the bill for amendment shall not exceed four hours excluding time for recorded votes and quorum calls. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion. A motion to reconsider the vote on passage of the bill shall not be in order.

(iii) Appeals from the decision of the Chair regarding application of the rules of the House of Representatives to the procedure relating to a bill introduced pursuant to subparagraph (A) shall be decided without debate.

(iv) It shall not be in order to consider under this subparagraph more than one bill introduced pursuant to subparagraph (A) except for consideration of a Senate bill introduced pursuant to subparagraph (A).

(C) CONSIDERATION IN THE SENATE.—

(i) A bill introduced pursuant to subparagraph (A) shall be referred to the appropriate committee or committees. A committee to which the bill is referred shall report the bill not later than 60 days of session after such referral. If any committee fails to report the bill within that period, that committee shall be automatically discharged from further consideration of the bill and the bill shall be placed on the calendar.

(ii) A motion to proceed to consideration of a bill introduced pursuant to subparagraph (A) and reported or automatically discharged pursuant to subparagraph (C)(i) shall not be debatable. It shall not be in order to move to reconsider the vote by which the motion to proceed was adopted or rejected, although subsequent motions to proceed may be made under this clause.

(iii) After no more than 30 hours of consideration of a bill introduced pursuant to subparagraph (A), the Senate shall proceed, without intervening action or debate, to vote on final disposition thereof to the exclusion of all amendments not then pending and to the exclusion of all motions, except a motion

to reconsider or to table. The time for debate on the bill shall be equally divided between the Majority Leader and the Minority Leader or their designees.

(iv) Only relevant amendments to the bill shall be in order. Debate on any amendment shall be limited to one hour, equally divided and controlled by the Senator proposing the amendment and the majority manager, unless the majority manager is in favor of the amendment, in which case the minority manager shall be in control of the time in opposition.

(v) A motion to recommit a bill introduced pursuant to subparagraph (A) shall not be in order.

(vi) If the Senate receives a message from the House on a bill introduced pursuant to subparagraph (A), consideration in the Senate of all motions, amendments, or appeals necessary to dispose of such message shall be limited to four hours, equally divided in the usual form.

(D) EXERCISE OF RULEMAKING POWERS.—The provisions of this paragraph are enacted by the Congress—

(i) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent they are inconsistent therewith; and

(ii) with full recognition of the Constitutional right of either House to change such rules (so far as to relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

(5) APPLICABILITY OF OTHER LAW.—

(A) NO EXPRESS AUTHORIZATION.—This section shall not be construed as an express authorization for any final rule or regulation under any law.

(B) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App. 2) shall not apply to the Commission established by this section.

CHAPTER 6

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

Public Law 104-208, under the heading "Health Education Assistance Loans Program" is amended by inserting after "\$140,000,000" the following: "Provided further, That the Secretary may use up to \$499,000 derived by transfer from insurance premiums collected from guaranteed loans made under Title VII of the Public Health Service Act for the purpose of carrying out section 709 of that Act".

ADMINISTRATION FOR CHILDREN AND FAMILIES CHILDREN AND FAMILIES SERVICES PROGRAMS

Public Law 104-208, under the heading titled "Children and Families Services Programs" is amended by inserting after the reference to "part B(1) of title IV" the following: "and Section 1110".

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support high priority health research, \$15,000,000, to remain available until expended: *Provided*, That the Secretary shall award such funds on a competitive basis.

DEPARTMENT OF EDUCATION EDUCATION FOR THE DISADVANTAGED

For additional amounts to carry out subpart 2 of part A of title I of the Elementary

and Secondary Education Act of 1965, \$101,133,000, of which \$78,362,000 shall be for Basic Grants and \$22,771,000 shall be for Concentration Grants, which shall be allocated, notwithstanding any other provision of law, only to those States, and counties within those States, that will receive, from funds available under the Department of Education Appropriations Act, 1997, smaller allocations for Grants to Local Educational Agencies than they would have received had those allocations been calculated entirely on the basis of child poverty counts from the 1990 census: *Provided*, That the Secretary of Education shall use these additional funds to provide those States with 50 percent of the difference between the allocations they would have received had the allocations under that Appropriations Act been calculated entirely on the basis of the 1990 census data and the allocations under the 1997 Appropriations Act: *Provided further*, That if any State's total allocation under that Appropriations Act and this paragraph is less than its 1996 allocation for that subpart, that State shall receive, under this paragraph, the amount the State would have received had that allocation been calculated entirely on the basis of child poverty counts from the 1990 census: *Provided further*, That the Secretary shall ratably reduce the allocations to states under the preceding proviso for either Basic Grants or Concentration Grants, or both, as the case may be, if the funds available are insufficient to make those allocations in full: *Provided further*, That the Secretary shall allocate, to such counties in each such State, additional amounts for Basic Grants and Concentration Grants that are in the same proportion, respectively, to the total amounts allocated to the State, as the differences between such counties' initial allocations for Basic Grants and Concentration Grants, respectively (compared to what they would have received had the initial allocations been calculated entirely on the basis of 1990 census data), are to the differences between the State's initial allocations for Basic Grants and Concentration Grants, respectively (compared to the amounts the State would have received had the initial allocations been calculated entirely on the basis of 1990 census data): *Provided further*, That the funds appropriated under this paragraph shall become available on July 1, 1997 and shall remain available through September 30, 1998: *Provided further*, That the additional amounts appropriated under this paragraph shall not be taken into account in determining State allocations under any other program administered by the Secretary.

RELATED AGENCY

NATIONAL COMMISSION ON THE COST OF HIGHER EDUCATION

SALARIES AND EXPENSES

For necessary expenses for the National Commission on the Cost of Higher Education, \$650,000, to remain available until expended.

GENERAL PROVISIONS, CHAPTER 6

SEC. 6001. Notwithstanding any other provision of law, fiscal year 1995 funds awarded under State-administered programs of the Department of Education and funds awarded for fiscal year 1996 for State-administered programs under the Rehabilitation Act of the Department of Education to recipients in Presidentially declared disaster areas, which were declared as such during fiscal year 1997, are available to those recipients for obligation until September 30, 1998: *Provided*, That for the purposes of assisting those recipients, the Secretary's waiver authority under section 14401 of the Elementary and Secondary Education Act of 1965 shall be extended to all State-administered programs of the Depart-

ment of Education. This special waiver authority applies only to funds awarded for fiscal years 1995, 1996 and 1997.

SEC. 6002. Notwithstanding any other provision of law, the Secretary of Education may waive or modify any statutory or regulatory provision applicable to the student financial aid programs under title IV of the Higher Education Act that the Secretary deems necessary to assist individuals and other program participants who suffered financial harm from natural disasters and who, at the time the disaster struck were operating, residing at, or attending an institution of higher education, or employed within these areas on the date which the President declared the existence of a major disaster (or, in the case of an individual who is a dependent student, whose parent or stepparent suffered financial harm from such disaster, and who resided, or was employed in such an area at that time): *Provided further*, That such authority shall be in effect only for awards for award years 1996-1997 and 1997-1998.

SEC. 6003. None of the funds provided in this Act or in any other Act making appropriations for fiscal year 1997 may be used to administer or implement in Denver, Colorado, the Medicare Competitive Pricing/Open Enrollment Demonstration, as titled in the April 1, 1997, Final Request for Proposals (RFP).

SEC. 6004. EMERGENCY USE OF CHILD CARE FUNDS.

(a) IN GENERAL.—Notwithstanding any other provision of law, during the period beginning on April 30, 1997, and ending on July 30, 1997, the Governors of the States described in paragraph (1) of subsection (b) may, subject to subsection (c), use amounts received for the provision of child care assistance or services under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9801 et seq.) to provide emergency child care services to individuals described in paragraph (2) of subsection (b).

(b) ELIGIBILITY.—

(1) OF STATES.—A State described in this paragraph is a State in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), has determined that a major disaster exists, or that an area within the State is determined to be eligible for disaster relief under other Federal law by reason of damage related to flooding in 1997.

(2) OF INDIVIDUALS.—An individual described in this subsection is an individual who—

(A) resides within any area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), has determined that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to flooding in 1997; and

(B) is involved in unpaid work activities (including the cleaning, repair, restoration, and rebuilding of homes, businesses, and schools) resulting from the flood emergency described in subparagraph (A).

(c) LIMITATIONS.—

(1) REQUIREMENTS.—With respect to assistance provided to individuals under this section, the quality, certification and licensure, health and safety, nondiscrimination, and other requirements applicable under the Federal programs referred to in subsection (a) shall apply to child care provided or obtained under this section.

(2) AMOUNT OF FUNDS.—The total amount utilized by each of the States under subsection (a) during the period referred to in such subsection shall not exceed the total amount of such assistance that, notwith-

standing the enactment of this section, would otherwise have been expended by each such State in the affected region during such period.

(d) PRIORITY.—In making assistance available under this section, the Governors described in subsection (a) shall give priority to eligible individuals who do not have access to income, assets, or resources as a direct result of the flooding referred to in subsection (b)(2)(A).

EXTENSION OF SSI REDETERMINATION PROVISIONS

SEC. 6005. (a) Section 402(a)(2)(D)(i) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(D)(i)) is amended—

(1) in subclause (I), by striking "the date which is 1 year after such date of enactment," and inserting "September 30, 1997,"; and

(2) in subclause (III), by striking "the date of the redetermination with respect to such individual" and inserting "September 30, 1997,".

(b) The amendment made by subsection (a) shall be effective as if included in the enactment of section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

CHAPTER 7

CONGRESSIONAL OPERATIONS SENATE

CONTINGENT EXPENSES OF THE SENATE SECRETARY OF THE SENATE

(TRANSFER OF FUNDS)

For an additional amount for expenses of the "Office of the Secretary of the Senate", to carry out the provisions of section 8 of the Legislative Branch Appropriations Act, 1997, \$5,000,000, to remain available until September 30, 2000, to be derived by transfer from funds previously appropriated from fiscal year 1997 funds under the heading "SENATE", subject to the approval of the Committee on Appropriations.

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Marissa, Sonya, and Frank (III) Tejada, children of Frank Tejada, late a Representative from the State of Texas, \$133,600.

OTHER AGENCY

BOTANIC GARDEN

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses, Botanic Garden", \$33,500,000, to remain available until expended, for emergency repair and renovation of the Conservatory.

GENERAL PROVISIONS, CHAPTER 7

SEC. 7001. Section 105(f) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61-1(f)) is amended by adding at the end the following: "The limitation on the minimum rate of gross compensation under this subsection shall not apply to any member or civilian employee of the Capitol Police whose compensation is disbursed by the Secretary of the Senate."

SEC. 7002. (a) Notwithstanding any other provision of law or regulation, with the approval of the Committee on Rules and Administration of the Senate, the Sergeant at Arms and Doorkeeper of the Senate is authorized to provide additional facilities, services, equipment, and office space for use by a Senator in that Senator's State in connection with a disaster or emergency declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Expenses incurred by the Sergeant at Arms and Doorkeeper of the Senate

under this section shall be paid from the appropriation account, within the contingent fund of the Senate, for expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, upon vouchers signed by the Sergeant at Arms and Doorkeeper of the Senate with the approval of the Committee on Rules and Administration of the Senate.

(b) This section is effective on and after the date of enactment of this Act.

SEC. 7003. (a) Section 2 of Public Law 100-71 (2 U.S.C. 65f) is amended by adding at the end the following: "(c) Upon the written request of the Secretary of the Senate, with the approval of the Committee on Appropriations of the Senate, there shall be transferred any amount of funds available under subsection (a) specified in the request, but not to exceed \$10,000 in any fiscal year, from the appropriation account (within the contingent fund of the Senate) for expenses of the Office of the Secretary of the Senate to the appropriation account for the expense allowance of the Secretary of the Senate. Any funds so transferred shall be available in like manner and for the same purposes as are other funds in the account to which the funds are transferred."

(b) The amendment made by subsection (a) shall be effective with respect to appropriations for fiscal years beginning on or after October 1, 1996.

SEC. 7004. The Comptroller General may use available funds, now and hereafter, to enter into contracts for the acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year and to enter in multiyear contracts for the acquisition of property and nonaudit-related services, to the same extent as executive agencies under the authority of sections 303L and 304B, respectively, of the Federal Property and Administrative Services Act (41 U.S.C. sec. 2531 and 254c).

CHAPTER 8

DEPARTMENT OF TRANSPORTATION

COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$1,600,000, for necessary expenses directly related to support activities in the TWA Flight 800 crash investigation, to remain available until expended.

RETIRED PAY

For an additional amount for "Retired Pay", \$9,200,000.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

(HIGHWAY TRUST FUND)

For an additional amount for the Emergency Relief Program for emergency expenses resulting from flooding and other natural disasters, as authorized by 23 U.S.C. 125, \$650,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That 23 U.S.C. 125(b)(1) shall not apply to projects resulting from the December 1996 and January 1997 flooding in the western States.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The limitation under this heading in Public Law 104-205 is increased by \$694,810,534: *Provided*, That such additional authority shall remain available during fiscal year 1997: *Provided further*, That notwithstanding any other provision of law, the authority provided herein above shall be distributed to

ensure that States receive an amount they would have received had the Highway Trust Fund fiscal year 1994 income statement not been understated prior to the revision on December 24, 1996: *Provided further*, That notwithstanding any other provision of law, \$318,077,043 of the amount provided herein above shall be distributed to assure that States receive obligation authority that they would have received had the Highway Trust Fund fiscal year 1995 income statement not been revised on December 24, 1996: *Provided further*, That the remaining authority provided herein above shall be distributed to those States whose share of Federal-aid obligation limitation under Section 310 of Public Law 104-205 is less than the amount such States received under Section 310(a) of Public Law 104-50 in fiscal year 1996 in a ratio equal to the amounts necessary to bring each such State to the Federal-aid obligation limitation distributed under Section 310(a) of Public Law 104-50.

FEDERAL RAILROAD ADMINISTRATION

EMERGENCY RAILROAD REHABILITATION AND REPAIR

For necessary expenses to repair and rebuild freight rail lines of regional and short line railroads or a State entity damaged by floods, \$18,900,000, to be awarded subject to the discretion of the Secretary on a case-by-case basis: *Provided*, That up to \$900,000 shall be solely for damage incurred in West Virginia in September 1996 and \$18,000,000 shall be solely for damage incurred in the Northern Plains States in March and April 1997: *Provided further*, That funds provided under this head shall be available for rehabilitation of railroad rights-of-way, bridges, and other facilities which are part of the general railroad system of transportation, and primarily used by railroads to move freight traffic: *Provided further*, That railroad rights-of-way, bridges, and other facilities owned by passenger railroads, or by tourist, scenic, or historic railroads are not eligible for funding under this head: *Provided further*, That these funds shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That all funds made available under this head are to remain available until September 30, 1997.

RELATED AGENCY

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", for emergency expenses resulting from the crashes of TWA Flight 800, ValuJet Flight 592, and Comair Flight 3272, and for assistance to families of victims of aviation accidents as authorized by Public Law 104-264, \$29,859,000, of which \$4,877,000 shall remain available until expended: *Provided*, That these funds shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That notwithstanding any other provision of

law, not more than \$10,330,000 shall be provided by the National Transportation Safety Board to the Department of the Navy as reimbursement for costs incurred in connection with recovery of wreckage from TWA Flight 800 and shall be credited to the appropriation contained in the Omnibus Consolidated Appropriations Act, 1997, which is available for the same purpose as the appropriation originally charged for the expense for which the reimbursements are received, to be merged with, and to be available for the same purpose as the appropriation to which such reimbursements are credited: *Provided further*, That notwithstanding any other provision of law, of the amount provided to the State of New York and local counties in New York, as reimbursement for costs incurred in connection with the crash of TWA Flight 800: *Provided further*, That notwithstanding any other provision of law, of the amount provided, not more than \$3,100,000 shall be made available to Metropolitan Dade County, Florida as reimbursement for costs incurred in connection with the crash of ValuJet Flight 592: *Provided further*, That notwithstanding any other provision of law, of the amount provided, not more than \$300,000 shall be made available to Monroe County, Michigan as reimbursement for costs incurred in connection with the crash of Comair Flight 3272.

GENERAL PROVISIONS, CHAPTER 8

SEC. 8001. Title I of the Department of Transportation and Related Agencies Appropriations Act, 1997 (Public Law 104-205) is amended under the heading "Federal Transit Administration—Discretionary Grants" by striking "\$661,000,000" and inserting "\$661,000".

SEC. 8002. Section 325 of Title III of the Department of Transportation and Related Agencies Appropriations Act, 1997 (Public Law 104-205) is amended by deleting all text following: "*Provided*, That such funds shall not be subject to the obligation limitation for Federal-aid highways and highway safety construction."

SEC. 8003. Section 410(j) of title 23, United States Code, is amended by striking the period after "1997" and inserting ", and an additional \$500,000 for fiscal year 1997."

SEC. 8004. Section 30308(a) of title 49, United States Code, is amended by striking "and 1996" and inserting ", 1996, and 1997".

CHAPTER 9

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount under the heading "Departmental Offices, Salaries and Expenses", \$1,950,000: *Provided*, That the Secretary of Treasury may utilize the law enforcement services, personnel, equipment, and facilities of the State of Colorado, the County of Denver, and the City of Denver, with their consent, and shall reimburse the State of Colorado, the County of Denver, and the City of Denver for the utilization of such law enforcement services, personnel (for salaries, overtime, and benefits), equipment, and facilities for security arrangements for the Denver Summit of Eight being held June 20 through June 22, 1997, in Denver, Colorado subject to verification of appropriate costs.

COUNTER-TERRORISM AND DRUG LAW ENFORCEMENT

DEPARTMENT OF THE TREASURY

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

Of the funds made available under this heading in Public Law 104-208, \$16,000,000 shall be available until September 30, 1998 to develop further the Automated Targeting System.

U.S. POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For an additional amount for the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsection (d) of section 2401 of title 39, United States Code, \$5,383,000.

GENERAL PROVISIONS, CHAPTER 9

SEC. 9001. The Administrator of General Services is authorized to obligate the funds appropriated in Public Law 104-208 for construction of the Montgomery, Alabama courthouse.

SEC. 9002. None of the funds appropriated or made available in this Act or any other Act may be used by the General Services Administration to implement Section 1555 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355) prior to the date of adjournment of the first session of the 105th Congress.

SEC. 9003. (a) The Bureau of Engraving and Printing and the Department of the Treasury shall not award a contract for Solicitation No. BEP-97-13(TN) or Solicitation No. BEP-96-13(TN) until the General Accounting Office (GAO) has completed a comprehensive analysis of the optimum circumstances for government procurement of distinctive currency paper. The GAO shall report its findings to the House and Senate Committees on Appropriations no later than August 1, 1998.

(b) The contractual term of the distinctive currency paper "bridge" contract shall not exceed 24 months, and the contract shall not be effective until the Secretary of the Department of the Treasury certifies that the price under the terms of any "bridge" contract is fair and reasonable and that the terms of any "bridge" contract are customary and appropriate according to Federal procurement regulations. In addition, the Secretary of the Treasury shall report to the Committees on Appropriations on the price and profit levels of any "bridge" contract at the time of certification.

SEC. 9004. (a) Chapter 63 of title 5, United States Code, is amended by adding after subchapter V the following:

"SUBCHAPTER VI—LEAVE TRANSFER IN DISASTERS AND EMERGENCIES

"§ 6391. Authority for leave transfer program in disasters and emergencies

"(a) For the purpose of this section—
"(1) 'employee' means an employee as defined in section 6331(1); and

"(2) 'agency' means an Executive agency.

"(b) In the event of a major disaster or emergency, as declared by the President, that results in severe adverse effects for a substantial number of employees, the President may direct the Office of Personnel Management to establish an emergency leave transfer program under which any employee in any agency may donate unused annual leave for transfer to employees of the same or other agencies who are adversely affected by such disaster or emergency.

"(c) The Office shall establish appropriate requirements for the operation of the emergency leave transfer program under subsection (b), including appropriate limitations on the donation and use of annual leave under the program. An employee may receive and use leave under the program without regard to any requirement that any annual leave and sick leave to a leave recipient's credit must be exhausted before any transferred annual leave may be used.

"(d) A leave bank established under subchapter IV may, to the extent provided in regulations prescribed by the Office, donate annual leave to the emergency leave transfer program established under subsection (b).

"(e) Except to the extent that the Office may prescribe by regulation, nothing in section 7351 shall apply to any solicitation, do-

nation, or acceptance of leave under this section.

"(f) The Office shall prescribe regulations necessary for the administration of this section."

(b) The analysis for chapter 63 of title 5, United States Code, is amended by adding at the end the following:

"SUBCHAPTER VI—LEAVE TRANSFER IN DISASTERS AND EMERGENCIES

"6391. Authority for leave transfer program in disasters and emergencies."

CHAPTER 10

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

For an additional amount for "Compensation and pensions", \$928,000,000, to remain available until expended.

ADMINISTRATIVE PROVISION

The Secretary of Veterans Affairs may carry out the construction of a multi-story parking garage at the Department of Veterans Affairs medical center in Cleveland, Ohio, in the amount of \$12,300,000, and there is authorized to be appropriated for fiscal year 1997 for the Parking Revolving Fund account, a total of \$12,300,000 for this project.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

Notwithstanding any other provision of law, of the \$1,000,000 appropriated for special purpose grants in Public Law 102-139, for a parking garage in Ashland, Kentucky, \$500,000 shall be made available instead for use in acquiring parking in Ashland, Kentucky and \$500,000 shall be made available instead for the restoration of the Paramount Theater in Ashland, Kentucky.

PRESERVING EXISTING HOUSING INVESTMENT

For an additional amount for "Preserving existing housing investment", to be made available for use in conjunction with properties that are eligible for assistance under the Low-Income Housing Preservation and Resident Homeownership Act of 1990 or the Emergency Low Income Housing Preservation Act of 1987, \$3,500,000, to remain available until expended: *Provided*, That up to such amount shall be for a project in Syracuse, New York, the processing for which was suspended, deferred or interrupted for a period of nine months or more because of differing interpretations, by the Secretary of Housing and Urban Development and an owner, concerning the timing of the ability of an uninsured section 236 property to prepay, or by the Secretary and a State rent regulatory agency concerning the effect of a presumptively applicable State rent control law or regulation on the determination of preservation value under section 213 of such Act, if the owner of such project filed a notice of intent to extend the low-income affordability restrictions of the housing on or before August 23, 1993, and the Secretary approved the plan of action on or before July 25, 1996.

CAPACITY BUILDING FOR COMMUNITY DEVELOPMENT AND AFFORDABLE HOUSING (TRANSFER OF FUNDS)

For "Capacity building for community development and affordable housing", as authorized by section 4 of the HUD Demonstration Act of 1993 (Public Law 103-120), \$30,200,000, to remain available until expended, and to be derived by transfer from the Homeownership and Opportunity for People Everywhere Grants account: *Provided*, That at least \$10,000,000 of the funding under this head be used in rural areas, including tribal areas.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANTS FUND

For an additional amount for "Community development block grants fund", as authorized under title I of the Housing and Community Development Act of 1974, \$500,000,000, of which \$250,000,000 shall become available for obligation on October 1, 1997, all of which shall remain available until September 30, 2000, for use only for buyouts, relocation, long-term recovery, and mitigation in communities affected by the flooding in the upper Midwest and other disasters in fiscal year 1997 and such natural disasters designated 30 days prior to the start of fiscal year 1997, except those activities reimbursable or for which funds are made available by the Federal Emergency Management Agency, the Small Business Administration, or the Army Corps of Engineers: *Provided*, That in administering these amounts, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds, except for statutory requirements related to civil rights, fair housing and non-discrimination, the environment, and labor standards, upon a finding that such waiver is required to facilitate the use of such funds, and would not be inconsistent with the overall purpose of the statute: *Provided further*, That the Secretary of Housing and Urban Development shall publish a notice in the Federal Register governing the use of community development block grants funds in conjunction with any program administered by the Director of the Federal Emergency Management Agency for buyouts for structures in disaster areas: *Provided further*, That for any funds under this head used for buyouts in conjunction with any program administered by the Director of the Federal Emergency Management Agency, each state or unit of general local government requesting funds from the Secretary of Housing and Urban Development for buyouts shall submit a plan to the Secretary which must be approved by the Secretary as consistent with the requirements of this program: *Provided further*, That the Secretary of Housing and Urban Development and the Director of the Federal Emergency Management Agency shall submit quarterly reports to the House and Senate Committees on Appropriations on all disbursements and uses of funds for or associated with buyouts: *Provided further*, That for purposes of disasters eligible under this head the Secretary of Housing and Urban Development may waive, on a case-by-case basis and upon such other terms as the Secretary may specify, in whole or in part, the requirements that activities benefit persons of low- and moderate-income pursuant to section 122 of the Housing and Community Development Act of 1974, and may waive, in whole or in part, the requirements that housing qualify as affordable housing pursuant to section 290 of the HOME Investment Partnerships Act: *Provided further*, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MANAGEMENT AND ADMINISTRATION SALARIES AND EXPENSES

Of the funds appropriated under this head in Public Law 104-204, the Secretary of Hous-

ing and Urban Development shall enter into a contract with the National Academy of Public Administration not to exceed \$1,000,000 no later than one month after enactment of this Act for an evaluation of the Department of Housing and Urban Development's management systems.

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

BUILDINGS AND FACILITIES

From the amounts appropriated under this heading in prior appropriation Acts for the Center for Ecology Research and Training (CERT), the Environmental Protection Agency (EPA) shall, after the closing of the period for filing CERT-related claims pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), obligate the maximum amount of funds necessary to settle all outstanding CERT-related claims against the EPA pursuant to such Act. To the extent that unobligated balances then remain from such amounts previously appropriated, the EPA is authorized beginning in fiscal year 1997 to make grants to the City of Bay City, Michigan, for the purpose of EPA-approved environmental remediation and rehabilitation of publicly owned real property included in the boundaries of the CERT project.

STATE AND TRIBAL ASSISTANCE GRANTS

The funds appropriated in Public Law 104-204 to the Environmental Protection Agency under this heading for grants to States and federally recognized tribes for multi-media or single media pollution prevention, control, and abatement and related activities, \$674,207,000, may also be used for the direct implementation by the Federal Government of a program required by law in the absence of an acceptable State or tribal program.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For an additional amount for "Disaster relief", \$3,300,000,000, to remain available until expended: *Provided*, That \$2,300,000,000 shall become available for obligation on September 30, 1997, but shall not become available until the Director of the Federal Emergency Management Agency submits to the Congress a legislative proposal to control disaster relief expenditures including the elimination of funding for certain revenue producing facilities: *Provided further*, That of the funds made available under this heading, up to \$20,000,000 may be transferred to the Disaster Assistance Direct Loan Program for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That such transfer may be made to subsidize gross obligations for the principal amount of direct loans not to exceed \$21,000,000 under section 417 of the Stafford Act: *Provided further*, That any such transfer of funds shall be made only upon certification by the Director of the Federal Emergency Management Agency that all requirements of section 417 of the Stafford Act will be complied with: *Provided further*, That the entire amount appropriated herein shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided further*, That the entire amount appropriated herein is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS, CHAPTER 10

SEC. 10001. The Secretary shall submit semi-annually to the Committees on Appropriations a list of all contracts and task orders issued under such contracts in excess of \$250,000 which were entered into during the prior 6-month period by the Secretary, the Government National Mortgage Association, and the Office of Federal Housing Enterprise Oversight (or by any officer of the Department of Housing and Urban Development, the Government National Mortgage Association, or the Office of Federal Housing Enterprise Oversight acting in his or her capacity to represent the Secretary or these entities). Each listing shall identify the parties to the contract, the term and amount of the contract, and the subject matter and responsibilities of the parties to the contract.

SEC. 10002. Section 8(c)(9) of the United States Housing Act of 1937 is amended by striking out "Not less than one year prior to terminating any contract" and inserting in lieu thereof: "Not less than 180 days prior to terminating any contract".

SEC. 10003. The first sentence of section 542(c)(4) of the Housing and Community Development Act of 1992 is amended by striking out "on not more than 12,000 units during fiscal year 1996" and inserting in lieu thereof: "on not more than 12,000 units during fiscal year 1996 and not more than an additional 7,500 units during fiscal year 1997".

SEC. 10004. Section 4(a) and (b)(3) of the HUD Demonstration Act of 1993 is amended by inserting after "National Community Development Initiative": ", Local Initiatives Support Corporation, The Enterprise Foundation, Habitat for Humanity, and Youthbuild USA".

SEC. 10005. Section 234(c) of the National Housing Act is amended by inserting after "203(b)(2)" the following: "or pursuant to section 203(h) under the conditions described in section 203(h)".

SEC. 10006. Section 211(b)(4)(B) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (Public Law 104-204) is amended by inserting the following at the end: "The term 'owner', as used in this subparagraph, in addition to it having the same meaning as in section 8(f) of the United States Housing Act of 1937, also means an affiliate of the owner. The term 'affiliate of the owner' means any person or entity (including, but not limited to, a general partner or managing member, or an officer of either) that controls an owner, is controlled by an owner, or is under common control with the owner. The term 'control' means the direct or indirect power (under contract, equity ownership, the right to vote or determine a vote, or otherwise) to direct the financial, legal, beneficial, or other interests of the owner."

CHAPTER 11

OFFSETS AND RESCISSIONS

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

FUND FOR RURAL AMERICA

Of the funds provided on January 1, 1997 for section 793 of Public Law 104-127, Fund for Rural America, not more than \$80,000,000 shall be available.

FOOD AND CONSUMER SERVICE

THE EMERGENCY FOOD ASSISTANCE PROGRAM

Notwithstanding section 27(a) of the Food Stamp Act, the amount specified for allocation under such section for fiscal year 1997 shall be \$80,000,000.

FOREIGN AGRICULTURAL SERVICE AND

GENERAL SALES MANAGER

EXPORT CREDIT

None of the funds made available in the Agriculture, Rural Development, Food and

Drug Administration, and Related Agencies Appropriations Act, 1997, Public Law 104-180, may be used to pay the salaries and expenses of personnel to carry out a combined program for export credit guarantees, supplier credit guarantees, and emerging democracies facilities guarantees at a level which exceeds \$3,500,000,000.

EXPORT ENHANCEMENT PROGRAM

None of the funds appropriated or otherwise made available in Public Law 104-180 shall be used to pay the salaries and expenses of personnel to carry out an export enhancement program if the aggregate amount of funds and/or commodities under such program exceeds \$10,000,000.

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, \$6,400,000 are rescinded.

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

Of the amounts made available to the Attorney General on October 1, 1996, from surplus balances declared in prior years pursuant to 28 U.S.C. 524(c), authority to obligate \$3,000,000 of such funds in fiscal year 1997 is rescinded.

IMMIGRATION AND NATURALIZATION SERVICE

CONSTRUCTION

(RESCISSION)

Of the unobligated balances under this heading from amounts made available in Public Law 103-317, \$1,000,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND

TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the unobligated balances available under this heading for the Advanced Technology Program, \$7,000,000 are rescinded.

RELATED AGENCIES

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

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

OUNCE OF PREVENTION COUNCIL

(RESCISSION)

Of the amounts made available under this heading in Public Law 104-208, \$1,000,000 are rescinded.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT

ACTIVITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 104-206 and prior years' Energy and Water Development Appropriations Acts, \$11,180,000 are rescinded.

POWER MARKETING ADMINISTRATIONS

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(RESCISSION)

Of the funds made available under this heading in Public Law 104-206 and prior years' Energy and Water Development Appropriations Acts, \$11,352,000 are rescinded.

CLEAN COAL TECHNOLOGY

(RESCISSION)

Of the funds made available under this heading for obligation in fiscal year 1997 or prior years, \$17,000,000 are rescinded: *Pro-*

vided, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

STRATEGIC PETROLEUM RESERVE
(RESCISSION)

Of the funds made available under this heading in previous appropriations Acts, \$11,000,000 are rescinded.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
JOB OPPORTUNITIES AND BASIC SKILLS
(RESCISSION)

Of the funds made available under this heading in Public Law 104-208, there is rescinded an amount equal to the total of the funds within each State's limitation for fiscal year 1997 that are not necessary to pay such State's allowable claims for such fiscal year.

Section 403(k)(3)(F) of the Social Security Act (as in effect on October 1, 1996) is amended by adding after the “,” the following: “reduced by an amount equal to the total of those funds that are within each State's limitation for fiscal year 1997 that are not necessary to pay such State's allowable claims for such fiscal year (except that such amount for such year shall be deemed to be \$1,000,000,000 for the purpose of determining the amount of the payment under subsection (l) to which each State is entitled),”.

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
GRANTS-IN-AID FOR AIRPORTS
(AIRPORT AND AIRWAY TRUST FUND)
(RESCISSION OF CONTRACT AUTHORIZATION)

Of the unobligated balances authorized under 49 U.S.C. 48103 as amended, \$750,000,000 are rescinded.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
HIGHWAY TRAFFIC SAFETY GRANTS
(HIGHWAY TRUST FUND)
(RESCISSION OF CONTRACT AUTHORIZATION)

Of the available balances of contract authority under this heading, \$13,000,000 are rescinded.

FEDERAL TRANSIT ADMINISTRATION
TRUST FUND SHARE OF EXPENSES
(HIGHWAY TRUST FUND)
(RESCISSION OF CONTRACT AUTHORIZATION)

Of the available balances of contract authority under this heading, \$271,000,000 are rescinded.

DISCRETIONARY GRANTS
(HIGHWAY TRUST FUND)
(RESCISSION OF CONTRACT AUTHORIZATION)

Of the available balances of contract authority under this heading, for fixed guideway modernization and bus activities under 49 U.S.C. 5309(m)(A) and (C), \$588,000,000 are rescinded.

INDEPENDENT AGENCY
GENERAL SERVICES ADMINISTRATION
EXPENSES, PRESIDENTIAL TRANSITION
(RESCISSION)

Of the amounts made available under this heading in Public Law 104-208, \$5,600,000 are rescinded.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PROGRAMS
ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING
(INCLUDING RESCISSION)

Of the amounts recaptured under this heading during fiscal year 1997 and prior

years, \$3,650,000,000 are rescinded: *Provided*, That the Secretary of Housing and Urban Development shall recapture at least \$5,800,000,000 in amounts heretofore maintained as section 8 reserves made available to housing agencies for tenant-based assistance under the section 8 existing housing certificate and housing voucher programs: *Provided further*, That all additional section 8 reserve funds of an amount not less than \$2,150,000,000 and any recaptures (other than funds already designated for other uses) specified in section 214 of Public Law 104-204 shall be preserved under the head “Section 8 Reserve Preservation Account” for use in extending section 8 contracts expiring in fiscal year 1998 and thereafter: *Provided further*, That the Secretary may recapture less than \$5,800,000,000 and reserve less than \$2,150,000,000 where the Secretary determines that insufficient section 8 funds are available for current fiscal year contract obligations: *Provided further*, That the Comptroller General of the United States shall conduct an audit of all accounts of the Department of Housing and Urban Development to determine whether the Department's systems for budgeting and accounting for section 8 rental assistance ensure that unexpended funds do not reach unreasonable levels and that obligations are spent in a timely manner.

INDEPENDENT AGENCY
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
NATIONAL AERONAUTICS FACILITIES
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$365,000,000 are rescinded.

FUNDS APPROPRIATED TO THE PRESIDENT
UNANTICIPATED NEEDS
(RESCISSION)

Of the funds made available under this heading in Public Law 103-211 to NASA for “Space flight, control, and data communications”, \$4,200,000 are rescinded.

TITLE III
GENERAL PROVISIONS—THIS ACT

SEC. 30001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

BUY-AMERICAN REQUIREMENTS

SEC. 30002. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a-10c).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United

States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

TITLE IV—COST OF HIGHER EDUCATION REVIEW

SEC. 40001. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This title may be cited as the “Cost of Higher Education Review Act of 1997”.

(b) FINDINGS.—The Congress finds the following:

(1) According to a report issued by the General Accounting Office, tuition at 4-year public colleges and universities increased 234 percent from school year 1980-1981 through school year 1994-1995, while median household income rose 82 percent and the cost of consumer goods as measured by the Consumer Price Index rose 74 percent over the same time period.

(2) A 1995 survey of college freshmen found that concern about college affordability was the highest it has been in the last 30 years.

(3) Paying for a college education now ranks as one of the most costly investments for American families.

SEC. 40002. ESTABLISHMENT OF NATIONAL COMMISSION ON THE COST OF HIGHER EDUCATION.

There is established a Commission to be known as the “National Commission on the Cost of Higher Education” (hereafter in this title referred to as the “Commission”).

SEC. 40003. MEMBERSHIP OF COMMISSION.

(a) APPOINTMENT.—The Commission shall be composed of 11 members as follows:

(1) Three individuals shall be appointed by the Speaker of the House.

(2) Two individuals shall be appointed by the Minority Leader of the House.

(3) Three individuals shall be appointed by the Majority Leader of the Senate.

(4) Two individuals shall be appointed by the Minority Leader of the Senate.

(5) One individual shall be appointed by the Secretary of Education.

(b) ADDITIONAL QUALIFICATIONS.—Each of the individuals appointed under subsection (a) shall be an individual with expertise and experience in higher education finance (including the financing of State institutions of higher education), Federal financial aid programs, education economics research, public or private higher education administration, or business executives who have managed successful cost reduction programs.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the Commission shall elect a Chairman and a Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson will assume the duties of the Chairperson.

(d) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business.

(e) APPOINTMENTS.—All appointments under subsection (a) shall be made within 30 days after the date of enactment of this Act. In the event that an officer authorized to make an appointment under subsection (a) has not made such appointment within such 30 days, the appointment may be made for such officer as follows:

(1) the Chairman of the Committee on Education and the Workforce may act under such subsection for the Speaker of the House of Representatives;

(2) the Ranking Minority Member of the Committee on Education and the Workforce may act under such subsection for the Minority Leader of the House of Representatives;

(3) the Chairman of the Committee on Labor and Human Resources may act under

such subsection for the Majority Leader of the Senate; and

(4) the Ranking Minority Member of the Committee on Labor and Human Resources may act under such subsection for the Minority Leader of the Senate.

(f) VOTING.—Each member of the Commission shall be entitled to one vote, which shall be equal to the vote of every other member of the Commission.

(g) VACANCIES.—Any vacancy on the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(h) PROHIBITION OF ADDITIONAL PAY.—Members of the Commission shall receive no additional pay, allowances, or benefits by reason of their service on the Commission. Members appointed from among private citizens of the United States may be allowed travel expenses, including per diem, in lieu of subsistence, as authorized by law for persons serving intermittently in the government service to the extent funds are available for such expenses.

(i) INITIAL MEETING.—The initial meeting of the Commission shall occur within 40 days after the date of enactment of this Act.

SEC. 40004. FUNCTIONS OF COMMISSION.

(a) SPECIFIC FINDINGS AND RECOMMENDATIONS.—The Commission shall study and make findings and specific recommendations regarding the following:

(1) The increase in tuition compared with other commodities and services.

(2) Innovative methods of reducing or stabilizing tuition.

(3) Trends in college and university administrative costs, including administrative staffing, ratio of administrative staff to instructors, ratio of administrative staff to students, remuneration of administrative staff, and remuneration of college and university presidents or chancellors.

(4) Trends in (A) faculty workload and remuneration (including the use of adjunct faculty), (B) faculty-to-student ratios, (C) number of hours spent in the classroom by faculty, and (D) tenure practices, and the impact of such trends on tuition.

(5) Trends in (A) the construction and renovation of academic and other collegiate facilities, and (B) the modernization of facilities to access and utilize new technologies, and the impact of such trends on tuition.

(6) The extent to which increases in institutional financial aid and tuition discounting have affected tuition increases, including the demographics of students receiving such aid, the extent to which such aid is provided to students with limited need in order to attract such students to particular institutions or major fields of study, and the extent to which Federal financial aid, including loan aid, has been used to offset such increases.

(7) The extent to which Federal, State, and local laws, regulations, or other mandates contribute to increasing tuition, and recommendations on reducing those mandates.

(8) The establishment of a mechanism for a more timely and widespread distribution of data on tuition trends and other costs of operating colleges and universities.

(9) The extent to which student financial aid programs have contributed to changes in tuition.

(10) Trends in State fiscal policies that have affected college costs.

(11) The adequacy of existing Federal and State financial aid programs in meeting the costs of attending colleges and universities.

(12) Other related topics determined to be appropriate by the Commission.

(b) FINAL REPORT.—

(1) IN GENERAL.—Subject to paragraph (2), the Commission shall submit to the President and to the Congress, not later than 120

days after the date of the first meeting of the Commission, a report which shall contain a detailed statement of the findings and conclusions of the Commission, including the Commission's recommendations for administrative and legislative action that the Commission considers advisable.

(2) MAJORITY VOTE REQUIRED FOR RECOMMENDATIONS.—Any recommendation described in paragraph (1) shall be made by the Commission to the President and to the Congress only if such recommendation is adopted by a majority vote of the members of the Commission who are present and voting.

(3) EVALUATION OF DIFFERENT CIRCUMSTANCES.—In making any findings under subsection (a) of this section, the Commission shall take into account differences between public and private colleges and universities, the length of the academic program, the size of the institution's student population, and the availability of the institution's resources, including the size of the institution's endowment.

SEC. 40005. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may, for the purpose of carrying out this title, hold such hearings and sit and act at such times and places, as the Commission may find advisable.

(b) RULES AND REGULATIONS.—The Commission may adopt such rules and regulations as may be necessary to establish the Commission's procedures and to govern the manner of the Commission's operations, organization, and personnel.

(c) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) INFORMATION.—The Commission may request from the head of any Federal agency or instrumentality such information as the Commission may require for the purpose of this title. Each such agency or instrumentality shall, to the extent permitted by law and subject to the exceptions set forth in section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), furnish such information to the Commission, upon request made by the Chairperson of the Commission.

(2) FACILITIES AND SERVICES, PERSONNEL DETAIL AUTHORIZED.—Upon request of the Chairperson of the Commission, the head of any Federal agency or instrumentality shall, to the extent possible and subject to the discretion of such head—

(A) make any of the facilities and services of such agency or instrumentality available to the Commission; and

(B) detail any of the personnel of such agency or instrumentality to the Commission, on a nonreimbursable basis, to assist the Commission in carrying out the Commission's duties under this title.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

(e) CONTRACTING.—The Commission, to such extent and in such amounts as are provided in appropriation Acts, may enter into contracts with State agencies, private firms, institutions, and individuals for the purpose of conducting research or surveys necessary to enable the Commission to discharge the Commission's duties under this title.

(f) STAFF.—Subject to such rules and regulations as may be adopted by the Commission, and to such extent and in such amounts as are provided in appropriation Acts, the Chairperson of the Commission shall have the power to appoint, terminate, and fix the compensation (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, or of any other provision, or of any other provision of law, relating to the

number, classification, and General Schedule rates) of an Executive Director, and of such additional staff as the Chairperson deems advisable to assist the Commission, at rates not to exceed a rate equal to the maximum rate for level IV of the Executive Schedule under section 5332 of such title.

SEC. 40006. FUNDING OF COMMISSION.

There is authorized to be appropriated for fiscal year 1997 for carrying out this title, \$650,000, to remain available until expended, or until one year after the termination of the Commission pursuant to section 40007, whichever occurs first.

SEC. 40007. TERMINATION OF COMMISSION.

The Commission shall cease to exist on the date that is 60 days after the date on which the Commission is required to submit its final report in accordance with section 40004(b).

TITLE V—DEPOSITORY INSTITUTION DISASTER RELIEF

SEC. 50001. SHORT TITLE.

This title may be cited as the "Depository Institutions Disaster Relief Act of 1997".

SEC. 50002. TRUTH IN LENDING ACT; EXPEDITED FUNDS AVAILABILITY ACT.

(a) TRUTH IN LENDING ACT.—During the 240-day period beginning on the date of enactment of this Act, the Board of Governors of the Federal Reserve System may make exceptions to the Truth in Lending Act for transactions within an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after February 28, 1997, that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers, if the Board determines that the exception can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

(b) EXPEDITED FUNDS AVAILABILITY ACT.—During the 240-day period beginning on the date of enactment of this Act, the Board of Governors of the Federal Reserve System may make exceptions to the Expedited Funds Availability Act for depository institution offices located within any area referred to in subsection (a) of this section if the Board determines that the exception can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

(c) TIME LIMIT ON EXCEPTIONS.—Any exception made under this section shall expire not later than September 1, 1998.

(d) PUBLICATION REQUIRED.—The Board of Governors of the Federal Reserve System shall publish in the Federal Register a statement that—

(1) describes any exception made under this section; and

(2) explains how the exception can reasonably be expected to produce benefits to the public that outweigh possible adverse effects.

SEC. 50003. DEPOSIT OF INSURANCE PROCEEDS.

(a) IN GENERAL.—The appropriate Federal banking agency may, by order, permit an insured depository institution to subtract from the institution's total assets, in calculating compliance with the leverage limit prescribed under section 38 of the Federal Deposit Insurance Act, an amount not exceeding the qualifying amount attributable to insurance proceeds, if the agency determines that—

(1) the institution—

(A) had its principal place of business within an area in which the President, pursuant to section 401 of the Robert T. Stafford Dis-

aster Relief and Emergency Assistance Act, has determined, on or after February 28, 1997, that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers, on the day before the date of any such determination;

(B) derives more than 60 percent of its total deposits from persons who normally reside within, or whose principal place of business is normally within, areas of intense devastation caused by the major disaster;

(C) was adequately capitalized (as defined in section 38 of the Federal Deposit Insurance Act) before the major disaster; and

(D) has an acceptable plan for managing the increase in its total assets and total deposits; and

(2) the subtraction is consistent with the purpose of section 38 of the Federal Deposit Insurance Act.

(b) TIME LIMIT ON EXCEPTIONS.—Any exception made under this section shall expire not later than February 28, 1999.

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

(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term “appropriate Federal banking agency” has the same meaning as in section 3 of the Federal Deposit Insurance Act.

(2) INSURED DEPOSITORY INSTITUTION.—The term “insured depository institution” has the same meaning as in section 3 of the Federal Deposit Insurance Act.

(3) LEVERAGE LIMIT.—The term “leverage limit” has the same meaning as in section 38 of the Federal Deposit Insurance Act.

(4) QUALIFYING AMOUNT ATTRIBUTABLE TO INSURANCE PROCEEDS.—The term “qualifying amount attributable to insurance proceeds” means the amount (if any) by which the institution’s total assets exceed the institution’s average total assets during the calendar quarter ending before the date of any determination referred to in subsection (a)(1)(A), because of the deposit of insurance payments or governmental assistance made with respect to damage caused by, or other costs resulting from, the major disaster.

SEC. 50004. BANKING AGENCY PUBLICATION REQUIREMENTS.

(a) IN GENERAL.—A qualifying regulatory agency may take any of the following actions with respect to depository institutions or other regulated entities whose principal place of business is within, or with respect to transactions or activities within, an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after February 28, 1997, that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers, if the agency determines that the action would facilitate recovery from the major disaster:

(1) PROCEDURE.—Exercising the agency’s authority under provisions of law other than this section without complying with—

(A) any requirement of section 553 of title 5, United States Code; or

(B) any provision of law that requires notice or opportunity for hearing or sets maximum or minimum time limits with respect to agency action.

(2) PUBLICATION REQUIREMENTS.—Making exceptions, with respect to institutions or other entities for which the agency is the primary Federal regulator, to—

(A) any publication requirement with respect to establishing branches or other deposit-taking facilities; or

(B) any similar publication requirement.

(b) PUBLICATION REQUIRED.—A qualifying regulatory agency shall publish in the Federal Register a statement that—

(1) describes any action taken under this section; and

(2) explains the need for the action.

(c) QUALIFYING REGULATORY AGENCY DEFINED.—For purposes of this section, the term “qualifying regulatory agency” means—

(1) the Board of Governors of the Federal Reserve System;

(2) the Comptroller of the Currency;

(3) the Director of the Office of Thrift Supervision;

(4) the Federal Deposit Insurance Corporation;

(5) the Financial Institutions Examination Council;

(6) the National Credit Union Administration; and

(7) with respect to chapter 53 of title 31, United States Code, the Secretary of the Treasury.

(d) EXPIRATION.—Any exception made under this section shall expire not later than February 28, 1998.

SEC. 50005. SENSE OF THE CONGRESS.

(a) FINANCIAL SERVICES.—It is the sense of the Congress that the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Director of the Office of Thrift Supervision, the Federal Deposit Insurance Corporation, and the National Credit Union Administration should encourage depository institutions to meet the financial services needs of their communities and customers located in areas affected by the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers.

(b) APPRAISAL STANDARDS.—It is the sense of the Congress that each Federal financial institutions regulatory agency should, by regulation or order, make exceptions to the appraisal standards prescribed by title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3331 et seq.) for transactions involving institutions for which the agency is the primary Federal regulator with respect to real property located within a disaster area pursuant to section 1123 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3352), if the agency determines that the exceptions can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

SEC. 50006. OTHER AUTHORITY NOT AFFECTED.

No provision of this title shall be construed as limiting the authority of any department or agency under any other provision of law.

TITLE VI—TECHNICAL AMENDMENTS WITH RESPECT TO EDUCATION

SEC. 60001. TECHNICAL AMENDMENTS RELATING TO DISCLOSURES REQUIRED WITH RESPECT TO GRADUATION RATES.

(a) AMENDMENTS.—Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is amended—

(1) in subsection (a)(3)(B), by striking “June 30” and inserting “August 31”; and

(2) in subsection (e)(9), by striking “August 30” and inserting “August 31”.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsection (a) are effective upon enactment.

(2) INFORMATION DISSEMINATION.—No institution shall be required to comply with the amendment made by subsection (a)(1) before July 1, 1998.

SEC. 60002. DATE EXTENSION.

Section 1501(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C.

6491(a)(4)) is amended by striking “January 1, 1998” and inserting “January 1, 1999”.

SEC. 60003. TIMELY FILING OF NOTICE.

Notwithstanding any other provision of law, the Secretary of Education shall deem Kansas and New Mexico to have timely submitted under section 8009(c)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7709(c)(1)) the States’ written notices of intent to consider payments described in section 8009(b)(1) of the Act (20 U.S.C. 7709(b)(1)) in providing State aid to local educational agencies for school year 1997-1998, except that the Secretary may require the States to submit such additional information as the Secretary may require, which information shall be considered part of the notices.

SEC. 60004. HOLD HARMLESS PAYMENTS.

Section 8002(h)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(h)(1)) is amended—

(1) in subparagraph (A), by striking “or” after the semicolon;

(2) in subparagraph (B), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(C) for fiscal year 1997 and each succeeding fiscal year through fiscal year 2000 shall not be less than 85 percent of the amount such agency received for fiscal year 1996 under subsection (b).”.

SEC. 60005. DATA.

(a) IN GENERAL.—Section 8003(f)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(f)(4)) is amended—

(1) in subparagraph (A)—

(A) by inserting “expenditure,” after “revenue.”; and

(B) by striking the semicolon and inserting a period;

(2) by striking “the Secretary” and all that follows through “shall use” and inserting “the Secretary shall use”; and

(3) by striking subparagraph (B).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to fiscal years after fiscal year 1997.

SEC. 60006. PAYMENTS RELATING TO FEDERAL PROPERTY.

Section 8002(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)) is amended to read as follows:

“(i) PRIORITY PAYMENTS.—

“(1) IN GENERAL.—Notwithstanding subsection (b)(1)(B), and for any fiscal year beginning with fiscal year 1997 for which the amount appropriated to carry out this section exceeds the amount so appropriated for fiscal year 1996—

“(A) the Secretary shall first use the excess amount (not to exceed the amount equal to the difference of (i) the amount appropriated to carry out this section for fiscal year 1997, and (ii) the amount appropriated to carry out this section for fiscal year 1996) to increase the payment that would otherwise be made under this section to not more than 50 percent of the maximum amount determined under subsection (b) for any local educational agency described in paragraph (2); and

“(B) the Secretary shall use the remainder of the excess amount to increase the payments to each eligible local educational agency under this section.

“(2) LOCAL EDUCATIONAL AGENCY DESCRIBED.—A local educational agency described in this paragraph is a local educational agency that—

“(A) received a payment under this section for fiscal year 1996;

“(B) serves a school district that contains all or a portion of a United States military academy;

“(C) serves a school district in which the local tax assessor has certified that at least 60 percent of the real property is federally owned; and

“(D) demonstrates to the satisfaction of the Secretary that such agency’s per-pupil revenue derived from local sources for current expenditures is not less than that revenue for the preceding fiscal year.”.

SEC. 60007. TIMELY FILING UNDER SECTION 8003.

The Secretary of Education shall treat as timely filed, and shall process for payment, an amendment to an application for a fiscal year 1997 payment from a local educational agency under section 8003 of the Elementary and Secondary Education Act of 1965 if—

- (1) that agency is described in subsection (a)(3) of that section, as amended by section 376 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201);
- (2) that agency was not described in that subsection prior to that amendment; and
- (3) the Secretary received the amendment to the agency’s application prior to the enactment of this Act.

TITLE VII—FOOD STAMP PROGRAM

STATE OPTION TO ISSUE FOOD STAMP BENEFITS TO CERTAIN INDIVIDUALS MADE INELIGIBLE BY WELFARE REFORM

(a) **IN GENERAL.**—Section 7 of the Food Stamp Act of 1977 (7 U.S.C. 2016) is amended—

(1) in subsection (a), by inserting after “necessary, and” the following: “(except as provided in subsection (j))”; and

(2) by adding at the end the following:

“(j) **STATE OPTION TO ISSUE BENEFITS TO CERTAIN INDIVIDUALS MADE INELIGIBLE BY WELFARE REFORM.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law, a State agency may, with the approval of the Secretary, issue benefits under this Act to an individual who is ineligible to participate in the food stamp program solely as a result of section 6(o)(2) of this Act or section 402 or 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612 or 1613).

“(2) **STATE PAYMENTS TO SECRETARY.**—

“(A) **IN GENERAL.**—Not later than the date the State agency issues benefits to individuals under this subsection, the State agency shall pay the Secretary, in accordance with procedures established by the Secretary, an amount that is equal to—

- “(i) the value of the benefits; and
- “(ii) the costs of printing, shipping, and redeeming coupons, and other Federal costs, incurred in providing the benefits, as determined by the Secretary.

“(B) **CREDITING.**—Notwithstanding section 3302(b) of title 31, United States Code, payments received under subparagraph (A) shall be credited to the food stamp program appropriation account or the account from which the costs were drawn, as appropriate, for the fiscal year in which the payment is received.

“(3) **REPORTING.**—To be eligible to issue benefits under this subsection, a State agency shall comply with reporting requirements established by the Secretary to carry out this subsection.

“(4) **PLAN.**—To be eligible to issue benefits under this subsection, a State agency shall—

“(A) submit a plan to the Secretary that describes the conditions and procedures under which the benefits will be issued, including eligibility standards, benefit levels, and the methodology the State agency will use to determine amounts due the Secretary under paragraph (2); and

“(B) obtain the approval of the Secretary for the plan.

“(5) **VIOLATIONS.**—A sanction, disqualification, fine, or other penalty prescribed under Federal law (including sections 12 and 15) shall apply to a violation committed in connection with a coupon issued under this subsection.

“(6) **INELIGIBILITY FOR ADMINISTRATIVE REIMBURSEMENT.**—Administrative and other

costs incurred in issuing a benefit under this subsection shall not be eligible for Federal funding under this Act.

“(7) **EXCLUSION FROM ENHANCED PAYMENT ACCURACY SYSTEMS.**—Section 16(c) shall not apply to benefits issued under this subsection.”.

(b) **CONFORMING AMENDMENTS.**—Section 17(b)(1)(B)(iv) of the Food Stamp Act of 1977 (7 U.S.C. 2026(b)(1)(B)(iv)) is amended—

(1) in subclause (V), by striking “or” at the end;

(2) in subclause (VI), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(VII) waives a provision of section 7(j).”.

TITLE VIII—2000 DECENNIAL CENSUS

(a) **THE CONGRESS FINDS THAT—**

(1) the decennial enumeration of the population is one of the most critical constitutional functions our government performs;

(2) it is the goal that the decennial enumeration of the population be as accurate as possible, consistent with the Constitution;

(3) the Constitution clearly states that the census is to be an “actual enumeration” of the population, and section 195 of title 13, United States Code, states that sampling cannot be used for purposes of the apportionment of Representatives in Congress among the several States;

(4) the proposed use of statistical sampling by the Bureau of the Census exposes taxpayers to the unacceptable risk of an inaccurate, invalid and unconstitutional census; and

(5) Congress is committed to providing the level of funding that is required to perform the entire range of constitutional census activities, with a particular emphasis on accurately enumerating all individuals that have historically been undercounted, and toward this end, the Congress is eager to see aggressive and innovative promotion and outreach campaigns in hard-to-count communities, the hiring of enumerators within those localities, continued cooperation with local government on address list development, and maximizing census employment opportunities for individuals seeking to make the transition from welfare to work.

(b)(1) Section 141(a) of title 13, United States Code, is amended by adding at the end the following: “Notwithstanding any other provision of law, no sampling or any other statistical procedure, including any statistical adjustment, may be used in any determination of population for purposes of the apportionment of Representatives in Congress among the several States.”.

(2) The amendment made by this subsection shall take effect on the date of the enactment of this Act.

(c) None of the funds made available in this or any other Act for any fiscal year may be used by the Department of Commerce to plan or otherwise prepare for the use of sampling or any other statistical procedure, including any statistical adjustment, in any determination of population for purposes of the apportionment of Representatives in Congress among the several States.

TITLE IX—GOVERNMENT SHUTDOWN PREVENTION ACT

SEC. 90001. SHORT TITLE.

This title may be cited as the “Government Shutdown Prevention Act”.

SEC. 90002. CONTINUING FUNDING.

(a) **IN GENERAL.**—If any regular appropriation bill for fiscal year 1998 does not become law prior to the beginning of fiscal year 1998 or a joint resolution making continuing appropriations is not in effect, there is appropriated, out of any moneys in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, such sums as may be necessary to

continue any program, project, or activity for which funds were provided in fiscal year 1997.

(b) **LEVEL OF FUNDING.**—Appropriations and funds made available, and authority granted, for a program, project, or activity for fiscal year 1998 pursuant to this title shall be at 100 per cent of the rate of operations that was provided for the program, project, or activity in fiscal year 1997 in the corresponding regular appropriation Act for fiscal year 1997.

(c) **PERIOD OF AVAILABILITY.**—Appropriations and funds made available, and authority granted, for fiscal year 1998 pursuant to this title for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the earlier of—

(1) the date on which the applicable regular appropriation bill for fiscal year 1998 becomes law (whether or not that law provides for that program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be; or

(2) the last day of fiscal year 1998.

SEC. 90003. TERMS AND CONDITIONS.

(a) **IN GENERAL.**—An appropriation of funds made available, or authority granted, for a program, project, or activity for fiscal year 1998 pursuant to this title shall be made available to the extent and in the manner which would be provided by the pertinent appropriations Act for fiscal year 1997, including all of the terms and conditions and the apportionment schedule imposed with respect to the appropriation made or funds made available for fiscal year 1997 or authority granted for the program, project, or activity under current law.

(b) **EXTENT AND MANNER.**—Appropriations made by this title shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 90004. COVERAGE.

Appropriations and funds made available, and authority granted, for any program, project, or activity for fiscal year 1998 pursuant to this title shall cover all obligations or expenditures incurred for that program, project, or activity during the portion of fiscal year 1998 for which this title applies to that program, project, or activity.

SEC. 90005. EXPENDITURES.

Expenditures made for a program, project, or activity for fiscal year 1998 pursuant to this title shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of fiscal year 1998 providing for that program, project, or activity for that period becomes law.

SEC. 90006. INITIATING OR RESUMING A PROGRAM, PROJECT, OR ACTIVITY.

No appropriation or funds made available or authority granted pursuant to this title shall be used to initiate or resume any program, project, or activity for which appropriations, funds, or other authority were not available during fiscal year 1997.

SEC. 90007. PROTECTION OF OTHER OBLIGATIONS.

Nothing in this title shall be construed to effect Government obligations mandated by other law, including obligations with respect to Social Security, Medicare, Medicaid, and veterans benefits.

SEC. 90008. DEFINITION.

In this title, the term “regular appropriation bill” means any annual appropriation bill making appropriations, otherwise making funds available, or granting authority, for any of the following categories of programs, projects, and activities:

(1) Agriculture, rural development, and related agencies programs.

(2) The Departments of Commerce, Justice, and State, the judiciary, and related agencies.

(3) The Department of Defense.

(4) The government of the District of Columbia and other activities chargeable in whole or in part against the revenues of the District.

(5) The Departments of Labor, Health and Human Services, and Education, and related agencies.

(6) The Departments of Veterans and Housing and Urban Development, and sundry independent agencies, boards, commissions, corporations, and offices.

(7) Energy and water development.

(8) Foreign assistance and related programs.

(9) The Department of the Interior and related agencies.

(10) Military construction.

(11) The Department of Transportation and related agencies.

(12) The Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies.

(13) The legislative branch.

This Act may be cited as the "1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia".

And the Senate agree to the same.

BOB LIVINGSTON,
JOSEPH M. MCDADE,
BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
JOHN EDWARD PORTER,
HAROLD ROGERS,
JOE SKEEN,
FRANK R. WOLF,
JIM KOLBE,
RON PACKARD,
SONNY CALLAHAN,
JAMES T. WALSH,
CHARLES H. TAYLOR,

Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
CHRISTOPHER S. BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
RICHARD C. SHELBY,
JUDD GREGG,
ROBERT F. BENNETT,
BEN NIGHTHORSE
CAMPBELL,
LARRY CRAIG,
LAUCH FAIRCLOTH,
KAY BAILEY HUTCHISON,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. COMBEST, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas 220
Nays 201

59.24 [Roll No. 169]
YEAS—220

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| Aderholt | Gilchrest | Oxley |
| Arney | Gillmor | Packard |
| Bachus | Gilman | Pappas |
| Baessler | Goodlatte | Parker |
| Baker | Goodling | Paxon |
| Balleger | Gordon | Pease |
| Barcia | Goss | Peterson (MN) |
| Barr | Graham | Peterson (PA) |
| Barrett (NE) | Granger | Petri |
| Bartlett | Greenwood | Pitts |
| Barton | Gutknecht | Pombo |
| Bateman | Hall (TX) | Pomeroy |
| Bereuter | Hamilton | Porter |
| Berry | Hansen | Portman |
| Bilbray | Hastert | Pryce (OH) |
| Bilirakis | Hastings (WA) | Quinn |
| Bliley | Hayworth | Radanovich |
| Blunt | Herger | Rahall |
| Boehlert | Hill | Ramstad |
| Boehner | Hilleary | Redmond |
| Bonilla | Hobson | Regula |
| Bono | Hooley | Reyes |
| Brady | Horn | Riggs |
| Bryant | Hostettler | Riley |
| Bunning | Houghton | Roemer |
| Burton | Hunter | Rogan |
| Buyer | Hutchinson | Rogers |
| Callahan | Hyde | Ros-Lehtinen |
| Calvert | Istook | Royce |
| Camp | Jenkins | Ryun |
| Canady | Johnson (CT) | Saxton |
| Cannon | Johnson, Sam | Sessions |
| Capps | Kasich | Shaw |
| Chabot | Kelly | Shimkus |
| Chambliss | Kim | Shuster |
| Chenoweth | King (NY) | Skeen |
| Christensen | Kleczka | Skelton |
| Coble | Knollenberg | Smith (NJ) |
| Combest | Kolbe | Smith (OR) |
| Condit | LaHood | Smith (TX) |
| Cook | Latham | Smith, Linda |
| Cooksey | LaTourrette | Snowbarger |
| Crane | Lazio | Solomon |
| Crapo | Leach | Souder |
| Cubin | Lewis (CA) | Spence |
| Cunningham | Lewis (KY) | Strickland |
| Danner | Linder | Stump |
| Davis (VA) | Livingston | Sununu |
| DeLay | LoBiondo | Talent |
| Dickey | Lucas | Tanner |
| Dingell | Luther | Tauscher |
| Doolittle | Manzullo | Tauzin |
| Dreier | Matsui | Taylor (MS) |
| Duncan | McCarthy (NY) | Taylor (NC) |
| Dunn | McCollum | Thomas |
| Ehlers | McCrery | Thornberry |
| Ehrlich | McDade | Thune |
| Emerson | McHale | Tiahrt |
| English | McHugh | Trafigant |
| Ensign | McIntosh | Walsh |
| Everett | McIntyre | Wamp |
| Ewing | McKeon | Watkins |
| Fawell | Meek | Watts (OK) |
| Fazio | Metcalf | Weldon (FL) |
| Foley | Minge | Weldon (PA) |
| Forbes | Molinari | Weller |
| Fowler | Moran (KS) | White |
| Fox | Morella | Whitfield |
| Franks (NJ) | Myrick | Wicker |
| Frelinghuysen | Nethercutt | Wolf |
| Gallegly | Ney | Young (AK) |
| Ganske | Northup | Young (FL) |
| Gekas | Nussle | |
| Gibbons | Ortiz | |

NAYS—201

| | | |
|--------------|------------|------------|
| Abercrombie | Brown (FL) | Cummings |
| Ackerman | Brown (OH) | Davis (FL) |
| Allen | Burr | Davis (IL) |
| Baldacci | Campbell | Deal |
| Barrett (WI) | Cardin | DeFazio |
| Bass | Carson | DeGette |
| Becerra | Castle | Delahunt |
| Bentsen | Clay | DeLauro |
| Berman | Clayton | Dellums |
| Bishop | Clement | Dicks |
| Blagojevich | Clyburn | Dixon |
| Blumenauer | Coburn | Doggett |
| Bonior | Collins | Dooley |
| Borski | Conyers | Doyle |
| Boswell | Costello | Edwards |
| Boucher | Cox | Engel |
| Boyd | Coyne | Eshoo |
| Brown (CA) | Cramer | Etheridge |

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|---------------|--------------------|---------------|
| Evans | Lewis (GA) | Roybal-Allard |
| Fattah | Lipinski | Rush |
| Filner | Lofgren | Sabo |
| Flake | Lowe | Salmon |
| Foglietta | Maloney (CT) | Sanchez |
| Ford | Maloney (NY) | Sanders |
| Frank (MA) | Manton | Sandlin |
| Frost | Markey | Sanford |
| Furse | Martinez | Sawyer |
| Gejdenson | Mascara | Scarborough |
| Gephardt | McCarthy (MO) | Schaefer, Dan |
| Gonzalez | McDermott | Schaffer, Bob |
| Green | McGovern | Scott |
| Gutierrez | McInnis | Sensenbrenner |
| Hall (OH) | McNulty | Serrano |
| Harman | Meehan | Shadegg |
| Hastings (FL) | Menendez | Shays |
| Hefley | Mica | Sherman |
| Hefner | Millender-McDonald | Sisisky |
| Hilliard | Miller (CA) | Skaggs |
| Hinchey | Miller (FL) | Slaughter |
| Hinojosa | Mink | Smith (MI) |
| Hoekstra | Moakley | Smith, Adam |
| Holden | Mollohan | Snyder |
| Hoyer | Moran (VA) | Spratt |
| Hulshof | Murtha | Stabenow |
| Inglis | Nadler | Stark |
| Jackson (IL) | Neal | Stearns |
| Jackson-Lee | Neumann | Stenholm |
| (TX) | Norwood | Stokes |
| John | Oberstar | Stupak |
| Johnson (WI) | Obey | Thompson |
| Johnson, E.B. | Olver | Thurman |
| Jones | Owens | Tierney |
| Kanjorski | Pallone | Torres |
| Kaptur | Pascrell | Towns |
| Kennedy (MA) | Pastor | Upton |
| Kennedy (RI) | Paul | Velazquez |
| Kennelly | Payne | Vento |
| Kildee | Pelosi | Visclosky |
| Kilpatrick | Pickett | Waters |
| Kind (WI) | Poshard | Watt (NC) |
| Kingston | Price (NC) | Waxman |
| Klink | Rangel | Wexler |
| Klug | Rivers | Weygand |
| Kucinich | Rodriguez | Wise |
| LaFalce | Rohrabacher | Woolsey |
| Lampson | Rothman | Wynn |
| Largent | Roukema | Yates |
| Levin | | |

NOT VOTING—13

| | | |
|-------------|-----------|--------|
| Andrews | Goode | Schiff |
| Archer | Jefferson | Schump |
| Deutsch | Lantos | Turner |
| Diaz-Balart | McKinney | |
| Farr | Pickering | |

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

59.25 MESSAGE FROM THE PRESIDENT—
NATIONAL EMERGENCY WITH RESPECT
TO THE PROLIFERATION OF NUCLEAR,
BIOLOGICAL AND CHEMICAL WEAPONS

The SPEAKER pro tempore, Mr. PEASE, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)) and section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)), I transmit herewith a 6-month report on the national emergency declared by Executive Order 12938 of November 14, 1994, in response to the threat posed by the proliferation of nuclear, biological, and chemical weapons ("weapons of mass destruction") and of the means of delivering such weapons.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 5, 1997.

The message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 105-94).

¶59.26 HOUR OF MEETING

On motion of Mr. DREIER, by unanimous consent,

Ordered, That when the House adjourns on Friday, June 6, 1997, it adjourn to meet at 10:00 a.m. on Saturday, June 7, 1997.

¶59.27 ADJOURNMENT OVER

On motion of Mr. DREIER, by unanimous consent,

Ordered, That when the House adjourns on Saturday, June 7, 1997, it adjourn to meet on Tuesday, June 9, 1997, at 10:30 a.m. for "morning-hour debate."

¶59.28 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. DREIER, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, June 11, 1997, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶59.29 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1469) an act making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the resolution (H. Con. Res. 84) a concurrent resolution establishing the congressional budget for the U.S. Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002.

¶59.30 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DIAZ-BALART, for today;

To Mr. TURNER, for today; and

To Ms. MCKINNEY, for today after 5 p.m..

And then,

¶59.31 ADJOURNMENT

On motion of Mr. KLINK, at 9 o'clock and 45 minutes p.m., the House adjourned.

¶59.32 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DREIER: Committee on Rules. House Resolution 162. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1469) making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes (Rept. No. 105-120). Referred to the House Calendar.

Mr. CANADY: Committee on the Judiciary. House Joint Resolution 54. Resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (Rept. No. 105-121). Referred to the House Calendar.

¶59.33 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1277. Referral to the Committee on Commerce extended for a period ending not later than June 9, 1997.

¶59.34 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILMAN:

H.R. 1795. A bill to amend the Internal Revenue Code of 1986 to remove the dollar limitation on payment of benefits from a defined benefit plan maintained by a State or local government for the benefit of employees of the police department or fire department; to the Committee on Ways and Means.

By Mr. OBEY:

H.R. 1796. A bill making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including Bosnia, for the fiscal year ending September 30, 1997, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARMEY (for himself, Mr. LIPINSKI, Mr. RIGGS, Mr. GOODLING, Mr. DAVIS of Virginia, Mr. FLAKE, Mr. WATTS of Oklahoma, Mr. TALENT, Mr. BOB SCHAFFER, Mr. HOEKSTRA, Mr. HALL of Texas, Mr. ENSIGN, Mr. BILLEY, and Mr. BOEHNER):

H.R. 1797. A bill to provide scholarship assistance for District of Columbia elementary and secondary school students; to the Committee on Government Reform and Oversight.

By Mr. BAKER (for himself and Mr. BACHUS):

H.R. 1798. A bill to reform the program of the Department of Housing and Urban Development for disposition of single family properties in the inventory of the Department for use for the homeless; to the Committee on Banking and Financial Services.

By Mr. BARCIA of Michigan (for himself, Mr. DINGELL, Mr. LOBIONDO, Mr. CAMP, Mr. DELLUMS, Ms. KILPATRICK, Ms. JACKSON-LEE, Mr. SOLOMON, Ms. STABENOW, Mr. STRICKLAND, and Mr. STUPAK):

H.R. 1799. A bill to amend title 23, United States Code, to provide for greater local input in transportation planning, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BOEHLERT (for himself, Mr. HOUGHTON, Mr. BALDACCI, Mr. ENGLISH of Pennsylvania, Mr.

HOLDEN, Mr. WALSH, Mr. MCHUGH, and Mr. KIND of Wisconsin):

H.R. 1800. A bill to amend the Internal Revenue Code of 1986 to exclude gain or loss from the sale of livestock from the computation of capital gain net income for purposes of the earned income credit; to the Committee of Ways and Means.

By Mr. BROWN of California (for himself and Mr. MILLER of California):

H.R. 1801. A bill to authorize the United States Man and the Biosphere Program, and for other purposes; to the Committee on Science.

By Mr. BURTON of Indiana (for himself and Mr. CONDIT):

H.R. 1802. A bill to suspend United States development assistance for India unless the President certifies to Congress that the Government of India has taken certain steps to prevent human rights abuses in India; to the Committee on International Relations.

By Mr. CLAY (for himself and Mr. MARTINEZ) (both by request):

H.R. 1803. A bill to assist State and secondary and postsecondary schools to develop, implement, and improve career preparation education so that every student has an opportunity to acquire academic and technical knowledge and skills needed for postsecondary education, further learning, and a wide range of opportunities in high-skill, high-wage careers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CRAMER:

H.R. 1804. A bill to designate the Federal building located at 210 Seminary Street in Florence, AL, as the "John McKinley Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. DOOLITTLE:

H.R. 1805. A bill to amend the Auburn Indian Restoration Act to establish restrictions related to gaming on and use of land held in trust for the United Auburn Indian Community of the Auburn Rancheria of California, and for other purposes; to the Committee on Resources.

By Mr. DOYLE (for himself, Mr. CALVERT, Mr. BROWN of California, Mr. ROEMER, Mr. MOLLOHAN, Mr. COYNE, Mr. COBURN, Mr. GORDON, Mr. KLINK, Mr. MASCARA, Mr. NEY, Mr. FOLEY, Ms. LOFGREN, Mr. ENGLISH of Pennsylvania, and Mr. ROHRBACHER):

H.R. 1806. A bill to provide for the consolidation of the Office of Fossil Energy and the Office of Renewable Energy and Energy Efficiency of the Department of Energy; to the Committee on Science.

By Ms. ESHOO (for herself, Mr. MCDERMOTT, Mr. SCHUMER, Mr. MILLER of California, Mr. TIERNEY, and Mr. WEYGAND):

H.R. 1807. A bill to impose a limitation on lifetime aggregate limits imposed by health plans; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 1808. A bill to prohibit the relocation of certain Marine Corps helicopter aircraft to Naval Air Station Miramar, CA; to the Committee on National Security.

By Mr. FOX of Pennsylvania:

H.R. 1809. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit for a portion of the expenses of providing dependent care services to employees, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as

fall within the jurisdiction of the committee concerned.

By Ms. GRANGER (for herself, Ms. DUNN of Washington, Mr. PITTS, Mr. DELAY, Mr. SAM JOHNSON, Mr. WELLER, Mr. RIGGS, Mr. WATTS of Oklahoma, Mr. SHIMKUS, Mr. PAUL, Mr. COMBEST, Mr. THORNBERRY, Mr. SESSIONS, Mr. BRADY, and Mrs. MYRICK):

H.R. 1810. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for higher education; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington (for himself, Ms. DUNN of Washington, Mr. NETHERCUTT, Mr. SMITH of Oregon, Mrs. CHENOWETH, and Mr. HILL):

H.R. 1811. A bill to ensure the long-term protection of the resources of the portion of the Columbia River known as the Hanford Reach; to the Committee on Resources.

By Mr. HEFLEY (for himself, Mr. ING-LIS of South Carolina, Mr. CRANE, Mr. STENHOLM, Mr. BARTLETT of Maryland, Mr. HERGER, and Mr. HOSTETTLER):

H.R. 1812. A bill to provide for the elimination of the Department of Education, and for other purposes; to the Committee on Education and the Workforce and Government Reform and Oversight.

By Mr. KLECZKA (for himself, Mr. FRANKS of New Jersey, Mr. ENGLISH of Pennsylvania, Mr. TOWNS, Mr. FRANK of Massachusetts, Mr. BROWN of California, Mr. HASTINGS of Florida, Mr. BARRETT of Wisconsin, Ms. CARSON, Mr. MORAN of Virginia, Mr. STARK, Mr. CLAY, Mrs. CLAYTON, Mr. KILDEE, Mr. FROST, Mr. LUTHER, Mr. FILNER, and Mr. COOK):

H.R. 1813. A bill to protect the privacy of the individual with respect to the social security number and other personal information, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Banking and Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUTHER (for himself and Mr. RAMSTAD):

H.R. 1814. A bill to provide for the termination of further production of the Trident II (D-5) missile; to the Committee on National Security.

By Mr. McDERMOTT (for himself, Mr. NADLER, Mr. DELLUMS, Ms. LOFGREN, Mr. RUSH, Mr. BARRETT of Wisconsin, Mrs. MINK of Hawaii, Mr. FROST, Mr. MILLER of California, and Mr. TORRES):

H.R. 1815. A bill to protect the privacy of health information in the age of genetic and other new technologies, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 1816. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for tuition and related expenses for public and nonpublic elementary and secondary education; to the Committee on Ways and Means.

By Mr. PETRI:

H.R. 1817. A bill to require that employers offering benefits to associates of its employees who are not spouses or dependents of the employees not discriminate on the basis of the nature of the relationship between the employee and the designated associates; to

the Committee on Education and the Workforce.

By Mr. RIGGS (for himself, Mr. MARTINEZ, Mr. GOODLING, Mr. SCOTT, and Mr. GREENWOOD):

H.R. 1818. A bill to Amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1998, 1999, 2000, and 2001, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ROTHMAN (for himself, Mr. FROST, and Ms. CHRISTIAN-GREEN):

H.R. 1819. A bill to amend the Internal Revenue Code of 1986 to provide for the establishment of lifetime learning accounts for the purpose of accumulating funds to pay the qualified expenses related to higher education and job training of the taxpayer and the taxpayer's family; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK (for himself and Mr. CAMP):

H.R. 1820. A bill to delay the application of the substantiation requirements to reimbursement arrangements of certain loggers; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 1821. A bill to require the Attorney General to add to schedule III of the Controlled Substances Act, the "club" drugs ketamine hydrochloride and gamma hydroxybutyrate; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. TAUSCHER (for herself, Mr. MCINTYRE, Ms. LOFGREN, Mr. FROST, Mr. FARR of California, Mr. ENGLISH of Pennsylvania, Mr. MORAN of Virginia, Mr. DOOLEY of California, Mr. ROEMER, Mr. MILLER of California, Mr. JEFFERSON, Mr. LEWIS of Georgia, Mr. LAMPSON, Mr. MCGOVERN, Mr. BROWN of California, Mr. BOYD, Ms. STABENOW, Ms. HOOLEY of Oregon, Mr. PAYNE, Mr. FORD, Mr. MATSUI, Mr. SNYDER, Ms. CHRISTIAN-GREEN, Ms. ESHOO, Ms. SANCHEZ, Mr. FILNER, Mr. PETERSON of Minnesota, Mr. MINGE, Mr. CONDIT, Mr. HOLDEN, Mr. FAZIO of California, and Mr. TIERNEY):

H.R. 1822. A bill to establish State infrastructure banks for education; to the Committee on Education and the Workforce.

By Mr. WEYGAND:

H.R. 1823. A bill to reduce the incidence of child abuse and neglect, and for other purposes; to the Committee on the Judiciary.

By Mr. WYNN (for himself, Mr. RUSH, Mr. CUMMINGS, Ms. LOFGREN, Mrs. MEEK of Florida, Ms. HOOLEY of Oregon, Mr. FROST, Mr. FARR of California, Mr. UNDERWOOD, Mr. BROWN of California, and Mr. BALDACC):

H.R. 1824. A bill to amend the Small Business Act to increase the annual Government-wide goal from 20 percent to 25 percent for procurement contracts awarded to small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women; to the Committee on Small Business.

By Mr. GILMAN (for himself, Mr. YOUNG of Alaska, and Mr. FALEOMAVAEGA):

H. Con. Res. 92. Concurrent resolution to recognize the value of continued friendly re-

lations between the United States and the Republic of the Marshall Islands, and for other purposes; to the Committee on International Relations.

By Mr. FOX of Pennsylvania (for himself, Mr. WELLER, Mr. GILMAN, Mr. LINDER, Mr. LAZIO of New York, Mr. PAXON, Mr. SAXTON, Ms. MOLINARI, Mr. FORBES, Mrs. LOWEY, Mr. ENGEL, Mr. ACKERMAN, Mr. MANTON, Mr. ORTIZ, Mr. WAXMAN, Mr. KENNEDY of Massachusetts, Mr. WELDON of Pennsylvania, Ms. SLAUGHTER, Mr. HOYER, Mr. CARDIN, Mr. STARK, and Mr. SOLOMON):

H. Con. Res. 93. Concurrent resolution concerning the Palestinian Authority and the sale of land to Israelis; to the Committee on International Relations.

By Mr. HASTINGS of Florida:

H. Con. Res. 94. Concurrent resolution condemning the military coup d'etat of May 26, 1997, in Sierra Leone; to the Committee on International Relations.

59.35 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

116. The SPEAKER presented a memorial of the Legislature of the State of Minnesota, relative to Resolution No. 2 memorializing the President, Congress, and the Secretary of Agriculture of the United States to design and implement adjustments to the Federal milk marketing order system that are equitable to Minnesota's family dairy farmers; including reassessment of the use of wholesale price indicators derived from trade on the Green Bay Cheese Exchange; to the Committee on Agriculture.

117. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 107 memorializing the United States Department of State to adopt a guarantee of unimpeded access to orphaned and abandoned children by Americans as a tenet of foreign policy when negotiating treaties; to the Committee on International Relations.

118. Also, a memorial of the Legislature of the State of Alaska, relative to Senate Joint Resolution 9 urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production; to the Committee on Resources.

119. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution 8 requesting the United States Congress to enact legislation requiring out-of-state mail order sellers to collect and submit use taxes on goods delivered in those states that impose them; to the Committee on the Judiciary.

120. Also, a memorial of the Legislature of the State of Minnesota, relative to Resolution No. 1 memorializing Congress to support legislative initiatives to mitigate the economic competition among the states that has resulted from the adoption of targeted business incentive programs; to the Committee on the Judiciary.

121. Also, a memorial of the General Assembly of the State of Iowa, relative to House Concurrent Resolution 23 requesting that the Congress of the United States maintain and renew its commitment to America's corn growers and this Nation's ethanol industry by supporting a tax exemption and by taking other actions to increase this Nation's commitment to the production and use of ethanol; to the Committee on Ways and Means.

122. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution 177 urging the United

States Congress to adopt a local purchase requirement for the purchase of cigarettes by military and Coast Guard facilities in Alaska and Hawaii; jointly to the Committees on National Security and Transportation and Infrastructure.

123. Also, a memorial of the General Assembly of the State of Rhode Island, relative to Senate Resolution 97-S 971 memorializing the President and the Congress to improve funding for Federal assistance programs for legal aliens; jointly to the Committees on Ways and Means and Agriculture.

124. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Concurrent Resolution 242 urging Hawaii's Congressional Delegation to support Federal proposals to redirect revenues from the Federal motor fuels tax increases into the Highway Trust Fund; jointly to the Committees on Ways and Means, the Budget, and Transportation and Infrastructure.

§59.36 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Ms. KAPTUR introduced a bill (H.R. 1825) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Mighty John III*; which was referred to the Committee on Transportation and Infrastructure.

§59.37 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 15: Mr. SNYDER.
 H.R. 18: Mr. COOKSEY, Mr. LIVINGSTON, Ms. CHRISTIAN-GREEN, Mr. PAUL, Mr. HEFNER, Ms. MOLINARI, and Mr. BARRETT of Wisconsin.
 H.R. 45: Mr. FILNER.
 H.R. 66: Mr. HOLDEN and Mr. MCCOLLUM.
 H.R. 76: Mr. WAMP, Ms. BROWN of Florida, Mr. GILCHREST, Mr. STARK, Mr. ENGEL, Mr. FOX of Pennsylvania, Mr. SKEEN, and Mr. CUMMINGS.
 H.R. 123: Mr. LAHOOD, Mr. COOK, Mr. STEARNS, Mr. SHADEGG, Mr. SPENCE, and Mr. FRANKS of New Jersey.
 H.R. 158: Mr. CLAY, Mr. MCHUGH, Mr. SAM JOHNSON, Mr. STUMP, Mr. ROYCE, Mr. BISHOP, Mr. PETERSON of Minnesota, Mr. FOX of Pennsylvania, Mr. LATOURETTE, Mr. CAMP, Mr. FORBES, Mrs. EMERSON, Mr. MCINTYRE, Mr. BONIOR, Mr. TURNER, Mr. REYES, Mr. HASTINGS of Washington, Mr. CHAMBLISS, Mr. GALLEGLY, Mr. LINDER, Mr. LAHOOD, Mr. BLUNT, Mr. THORNBERRY, and Mr. FAZIO of California.
 H.R. 159: Ms. DUNN of Washington.
 H.R. 160: Mr. BARRETT of Nebraska.
 H.R. 176: Mr. FOX of Pennsylvania, Mr. EHLERS, and Mrs. LINDA SMITH of Washington.
 H.R. 195: Mr. FOX of Pennsylvania.
 H.R. 197: Mr. FRANK of Massachusetts.
 H.R. 198: Mr. BAKER and Mr. TOWNS.
 H.R. 218: Mr. CHAMBLISS and Mr. ENGLISH of Pennsylvania.
 H.R. 222: Mr. PORTER and Mr. BAKER.
 H.R. 404: Mr. PACKARD.
 H.R. 409: Mr. PALLONE, Ms. CHRISTIAN-GREEN, Mr. BISHOP, Ms. MOLINARI, Mr. LAMPSON, Mr. BILBRAY, Mr. BARTLETT of Maryland, Mr. FRELINGHUYSEN, Mr. LARGENT, Mr. WELDON of Pennsylvania, Mr. RAMSTAD, Mr. COOK, and Mr. HUNTER.
 H.R. 411: Ms. KILPATRICK.
 H.R. 465: Mr. LEWIS of Georgia.
 H.R. 484: Mr. CHABOT and Mr. STUMP.
 H.R. 536: Ms. MOLINARI.
 H.R. 586: Mr. BUNNING and Mr. MALONEY of Connecticut.
 H.R. 588: Mr. GOODLATTE and Ms. MCCARTHY of Missouri.

H.R. 611: Mr. STOKES, Mr. SAWYER, Mr. GREENWOOD, Mr. POSHARD, Mr. KLINK, Mr. PETERSON of Minnesota, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 612: Mr. MEEHAN, Mr. SPENCE, and Mr. BALDACCI.

H.R. 674: Mr. PICKERING.

H.R. 712: Mr. WISE.

H.R. 768: Mr. CALVERT and Mr. CANADY of Florida.

H.R. 807: Ms. DELAURO.

H.R. 836: Ms. CHRISTIAN-GREEN, Mr. EVANS, Mr. MATSUI, Mr. PICKETT, Mr. FARR of California, Mr. DAVIS of Virginia, and Mr. GILLMOR.

H.R. 840: Mr. ENSIGN, Ms. LOFGREN, Mr. EVANS, and Mr. CLYBURN.

H.R. 883: Mr. NETHERCUTT.

H.R. 901: Mr. FOLEY, Mr. RIGGS, Mr. BRADY, Mr. SCARBOROUGH, Mr. DELAY, and Mr. TAYLOR of Mississippi.

H.R. 939: Mr. BACHUS.

H.R. 955: Mr. CLYBURN.

H.R. 978: Ms. VELAZQUEZ and Mr. GIBBONS.
 H.R. 981: Mr. CANADY of Florida, Mr. YATES, Mr. DELLUMS, Mr. FILNER, and Mr. BLAGOJEVICH.

H.R. 982: Mr. CANADY of Florida.

H.R. 1010: Mr. BARRETT of Nebraska.

H.R. 1022: Mr. WEXLER.

H.R. 1031: Mr. CUMMINGS.

H.R. 1032: Mr. KOLBE.

H.R. 1068: Mr. DEAL of Georgia and Mr. WELDON of Pennsylvania.

H.R. 1070: Mr. WATTS of Oklahoma and Mr. ACKERMAN.

H.R. 1077: Mrs. KENNELLY of Connecticut.

H.R. 1104: Mr. RUSH, Mr. WATT of North Carolina, and Ms. STABENOW.

H.R. 1126: Mrs. MCCARTHY of New York, Mr. POMEROY, Mr. Bentsen, and Mr. ABERCROMBIE.

H.R. 1129: Mr. MCCOLLUM, Mr. DICKS, Mr. MCHUGH, Mr. MCDADE, Mr. CUMMINGS, and Mr. GILCHREST.

H.R. 1146: Mr. DOOLITTLE.

H.R. 1151: Mr. OBERSTAR, Mr. MASCARA, Mr. FOGLIETTA, Mr. DICKS, and Mr. CALVERT.

H.R. 1153: Mr. PAUL.

H.R. 1160: Mr. HINCHEY.

H.R. 1165: Mr. FRANK of Massachusetts.

H.R. 1169: Mr. BENTSEN, Mr. LAMPSON, Mr. LUCAS of Oklahoma, Mr. CAMPBELL, Mr. OLVER, Ms. DEGETTE, and Mr. MALONEY of Connecticut.

H.R. 1176: Mr. TOWNS.

H.R. 1219: Mr. VENTO and Mr. FATTAH.

H.R. 1220: Mr. HASTINGS of Washington and Mr. SENSENBRENNER.

H.R. 1231: Mr. LAFALCE and Mr. COLLINS.

H.R. 1247: Mr. FORBES, Mr. BAKER, and Mr. CRAPO.

H.R. 1288: Mr. LINDER.

H.R. 1290: Mr. EHLERS.

H.R. 1298: Mr. ENSIGN and Mr. NORWOOD.

H.R. 1299: Mr. LAHOOD, Mr. FILNER, Mr. CANADY of Florida, Mr. BLUNT, Mr. BATEMAN, Mr. BACHUS, Mr. GRAHAM, Mr. MCINTYRE, and Mr. SMITH of Michigan.

H.R. 1320: Ms. LOFGREN.

H.R. 1354: Mr. THOMPSON and Mr. KIND of Wisconsin.

H.R. 1355: Mr. DELLUMS, Mr. MCGOVERN, and Mr. BLILEY.

H.R. 1357: Mr. CANADY of Florida.

H.R. 1373: Mr. LEWIS of Georgia, and Mr. MOAKLEY.

H.R. 1375: Ms. JACKSON-LEE, Mr. LAFALCE, and Ms. MOLINARI.

H.R. 1380: Ms. WOOLSEY.

H.R. 1404: Mr. MARKEY, Mr. KUCINICH, Mr. HINCHEY, Mr. OLVER, Mr. RUSH, Ms. CHRISTIAN-GREEN, Mrs. MINK of Hawaii, Mr. NADLER, Mr. KENNEDY of Massachusetts, Mr. FILNER, Ms. MCKINNEY, Mr. BLUMENAUER, Ms. DEGETTE, Mr. GUTIERREZ, Mr. FARR of California, Ms. RIVERS, Mr. LAMPSON, Mr. EVANS, Mr. BARRETT of Wisconsin, Mr. DELAHUNT, Mr. PAYNE, Mr. DELLUMS, Mr. CLAY, Mr.

SANDERS, Ms. FURSE, Mrs. KENNELLY of Connecticut, Mrs. LOWEY, Mr. BERMAN, Ms. ROYBAL-ALLARD, Mr. DEFazio, Mr. THOMPSON, Mr. PASTOR, Mr. PASCRELL, Mr. DIXON, Mr. SHERMAN, and Mr. SCHUMER.

H.R. 1427: Mr. MICA.

H.R. 1437: Mr. NADLER, Mr. MORAN of Virginia, Mr. DELLUMS, and Mr. FILNER.

H.R. 1441: Mr. MCINTOSH, Mrs. THURMAN, and Mr. HULSHOF.

H.R. 1442: Ms. WATERS, Mr. BARRETT of Wisconsin, and Mr. HINCHEY.

H.R. 1456: Mr. FILNER.

H.R. 1474: Ms. SANCHEZ.

H.R. 1504: Mrs. EMERSON, Mr. GORDON, and Mr. BOEHLERT.

H.R. 1506: Mr. LEWIS of Georgia, Mr. OBERSTAR, and Mr. HASTINGS of Florida.

H.R. 1507: Mr. LEWIS of Georgia and Mr. WISE.

H.R. 1519: Mr. GALLEGLY, Ms. WOOLSEY, and Mr. JACKSON.

H.R. 1524: Mr. SNYDER and Mr. DICKEY.

H.R. 1525: Ms. JACKSON-LEE, Mr. MALONEY of Connecticut, and Mr. HILLIARD.

H.R. 1532: Mr. LAZIO of New York, Mr. YOUNG of Alaska, Mr. LARGENT, Mr. COMBEST, Mr. LATHAM, Mr. BARTLETT of Maryland, Mr. HOUGHTON, Mr. EWING, Mr. EHLERS, Mr. KING of New York, Mr. DOOLITTLE, Mr. BACHUS, Mr. DEAL of Georgia, Mrs. EMERSON, Mrs. MYRICK, Mr. PAXON, Mr. FOX of Pennsylvania, Mrs. CHENOWETH, Mr. HORN, Ms. PELOSI, Mr. CHAMBLISS, Ms. MOLINARI, Mr. KINGSTON, Mr. DREIER, Mr. DELAY, Mr. NETHERCUTT, Mr. SHAW, Mr. FORBES, Mr. HOEKSTRA, Mr. WOLF, Mr. PACKARD, Mr. OXLEY, Mr. CASTLE, Mr. BUNNING of Kentucky, Mr. POMBO, Mr. BLILEY, Mr. SKEEN, Mr. BOEHLERT, Mr. CRANE, Mr. JONES, Mr. BAKER, and Mr. COLLINS.

H.R. 1565: Mr. WATKINS and Mr. WICKER.

H.R. 1572: Mr. CLEMENT and Ms. HOOLEY of Oregon.

H.R. 1573: Mr. BONIOR, Mr. BARRETT of Wisconsin, Mr. ADAM SMITH of Washington, and Mr. POSHARD.

H.R. 1580: Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mrs. SLAUGHTER, and Mr. ENGEL.

H.R. 1583: Mr. DEFazio.

H.R. 1596: Mrs. MEEK of Florida, Mr. BERMAN, Mr. BRYANT, Ms. LOFGREN, and Mr. BONO.

H.R. 1620: Mr. RIGGS.

H.R. 1682: Mr. FROST and Mr. WYNN.

H.R. 1683: Mr. FROST.

H.R. 1711: Mr. REYES, Mr. PICKETT, Mr. SISISKY, and Mr. BONILLA.

H.R. 1719: Mr. CLEMENT, Mr. BLUNT, Mr. STUMP, Mr. PICKETT, and Mr. LIVINGSTON.

H.R. 1737: Mr. BOUCHER.

H.R. 1765: Mr. SNYDER and Mr. ENGLISH of Pennsylvania.

H.R. 1766: Mr. WATTS of Oklahoma, Mr. SKEEN, Mr. GONZALEZ, Mr. LATOURETTE, and Mr. COMBEST.

H.R. 1776: Mr. BLUMENAUER and Mr. CAPPS.

H.R. 1777: Mr. BLUMENAUER and Mr. CAPPS.

H.R. 1783: Mr. NEAL of Massachusetts.

H.R. 1789: Mr. POMBO.

H.J. Res. 54: Mr. RODRIGUEZ and Mr. CASTLE.

H.J. Res. 64: Mr. CALVERT, Mr. DEUTSCH, and Mrs. MYRICK.

H.J. Res. 67: Mr. SAM JOHNSON, Mr. STENHOLM, Mr. CONDIT, and Mr. GOODE.

H.J. Res. 76: Mr. SCHUMER and Mr. CRAPO.

H. Con. Res. 19: Mr. LANTOS.

H. Con. Res. 60: Mr. BASS, Mr. STRICKLAND, Mr. WEYGAND, Mr. COOKSEY, Mr. EHLERS, Mrs. TAUSCHER, Mr. ORTIZ, Mr. DICKS, Mr. DELAHUNT, Mr. HOLDEN, Mr. SAXTON, Mr. DIXON, Mr. QUINN, Mr. SISISKY, Mr. OWENS, Mrs. KENNELLY of Connecticut, Mr. TIAHRT, Mr. SKELTON, Mr. FILNER, Mr. FROST, Ms. RIVERS, Mr. DAVIS of Illinois, Mr. TALENT, Mr. MEEHAN, Mr. NADLER, Mr. HALL of Texas, Mr. EHRlich, Mr. LEVIN, Mr. LINDER, Mr. CLYBURN, Mr. MARKEY, Mr. SANDERS, Mr.

FURSE, Mr. DELAY, Mr. BERRY, Mr. GIBBONS, Mr. Frank of Massachusetts, Mr. COBLE, Mr. HUNTER, Mr. HASTINGS of Florida, Ms. SLAUGHTER, Mr. JONES, Mr. PAXON, Mr. BUNNING of Kentucky, Mr. RADANOVICH, Mr. PAYNE, Mr. TORRES, Mr. COLLINS, Mr. SHAYS, Mr. MCCRERY, Ms. ESHOO, and Ms. DELAURO.
H. Con. Res. 75: Ms. FURSE.

H. Con. Res. 80: Mr. TOWNS, Mr. DOYLE, Mr. DICKEY, Mr. RUSH, Mr. LIPINSKI, Ms. KAPTUR, Mr. CLYBURN, Mr. BONIOR, Mr. KLUG, Mr. LATOURETTE, and Mr. GORDON.

H. Con. Res. 91: Mr. MCNULTY and Mr. WAXMAN.

H. Con. Res. 139: Mrs. MYRICK and Mr. BALLENGER.

¶59.38 PETITIONS, ETC.

Under clause 1 of rule XXII,

16. The SPEAKER presented a petition of the Board of Directors, Federation of Asian People on Guam, relative to Resolution No. 97-1 commending and supporting Representative George Miller on his legislation to strip CNMI of many of its immigration and labor powers; to the Committee on Resources.

¶59.39 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1525: Mr. PASCRELL.

FRIDAY, JUNE 6, 1997 (60)

The House was called to order by the SPEAKER.

¶60.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, June 5, 1997.

Pursuant to clause 1, rule I, the Journal was approved.

¶60.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3680. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Imazamox; Pesticide Tolerance [OPP-300502; FRL-5721-1] (RIN: 2070-AB78) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3681. A letter from the Administrator, Rural Utilities Service, transmitting the Service's final rule—RUS Standard for Acceptance Tests and Measurements of Telecommunications Plant [7 CFR Part 1755] received May 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3682. A letter from the Administrator, Rural Utilities Service, transmitting the Service's final rule—Exemptions of RUS Operational Controls under Section 306E of the Rural Electrification Act; Timing of Notification to Borrowers [7 CFR Part 1710] received May 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3683. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting Final Priorities—Research in Education of Individuals with Disabilities Program; Program for Children with Severe Disabilities; Training Personnel for the Education of Individuals with Disabilities, pur-

suant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

3684. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the Individuals with Disabilities Education Act, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Education and the Workforce.

3685. A letter from the Acting General Counsel, Department of Energy, transmitting the Department's final rule—Energy Conservation Program for Consumer Products: Test Procedures for Furnaces/Boilers, Vented Home Heating Equipment, and Pool Heaters (Office of Energy Efficiency and Renewable Energy) [Docket No. EE-RM-93-501] (RIN: 1904-AA45) received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3686. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with Japan (Transmittal No. DTC-18-97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3687. A letter from the Secretary of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period October 1, 1996 through March 31, 1997, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

3688. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Truck Size and Weight; National Network; North Carolina (Federal Highway Administration) [FHWA Docket No. 96-12] (RIN: 2125-AE04) received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3689. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Two-Way End-of-Train Telemetry Devices (Federal Railroad Administration) [FRA Docket No. PB-9, Notice No. 7] (RIN: 2130-AA73) received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3690. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Hazardous Materials: Shipping Description and Packaging of Oxygen Generators (Research and Special Programs Administration) [Docket No. HM-224A] (RIN: 2137-AD02) received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3691. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to transfer to the Secretary of Agriculture the authority to conduct the Census of Agriculture; jointly to the Committees on Agriculture and Government Reform and Oversight.

3692. A letter from the Board Members, Railroad Retirement Board, transmitting a draft of proposed legislation to amend the Railroad Retirement Act and a related statute to change the calculation of the interest rate payable with respect to the investment of railroad retirement trust fund monies and to require that the proceeds of uncashed checks drawn on the railroad retirement and railroad unemployment insurance accounts are returned to the accounts on which the checks were originally drawn; jointly to the Committees on Transportation and Infrastructure and Banking and Financial Services.

And then,

¶60.3 ADJOURNMENT

On motion of Mr. UNDERWOOD, pursuant to the special order agreed to on June 5, 1997, at 9 o'clock and 46 minutes a.m., the House adjourned until 10:00 a.m. on Saturday, June 7, 1997.

¶60.4 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. FURSE:

H.R. 1826. A bill to increase deficit-reduction assessments for participants in the Federal price support program for tobacco and to extend the period during which such assessments will be collected; to the Committee on Agriculture.

H.R. 1827. A bill to eliminate below-cost sales of timber from National Forest System lands; to the Committee on Agriculture.

H.R. 1828. A bill to limit the total number of political appointees allowable; to the Committee on Government Reform and Oversight.

H.R. 1829. A bill to establish a formula for the calculation of livestock grazing fees for the use of National Forest System lands in the 16 contiguous Western States and public domain lands administered by the Bureau of Land Management; to the Committee on Resources.

H.R. 1830. A bill to provide for claim maintenance fees and royalties on hardrock mining claims, and for other purposes; to the Committee on Resources.

H.R. 1831. A bill to terminate the U.S. participation in the International Space Station program; to the Committee on Science.

H.R. 1832. A bill to achieve budgetary savings by terminating or limiting certain Department of Defense programs, by reducing the scope of the Stockpile Stewardship Program of the Department of Energy, and by reducing arms transfer subsidies; to the Committee on National Security, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶60.5 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

125. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution 39 memorializing the Congress of the United States and the Environmental Protection Agency not to restrict the use of barbecue grills; to the Committee on Commerce.

126. Also, a memorial of the Legislature of the State of Michigan, relative to Senate Resolution No. 20 memorializing the President and the Congress of the United States to repeal the Federal unified gift and estate tax; to the Committee on Ways and Means.

127. Also, a memorial of the Legislature of the State of Minnesota, relative to Resolution No. 4 memorializing Congress to recognize Earth Day as a national day of service and education and establishing Earth Day as a State day of service and education; jointly to the Committee on Education and the Workforce and Government Reform and Oversight.

¶60.6 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows: