

105TH CONGRESS
1ST SESSION

H. R. 1708

Making interim emergency supplemental appropriations for immediate needs
for the fiscal year ending September 30, 1997, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 1997

Mr. LIVINGSTON introduced the following bill; which was referred 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

A BILL

Making interim emergency supplemental appropriations for
immediate needs for the fiscal year ending September
30, 1997, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, to pro-
5 vide interim emergency supplemental appropriations for
6 immediate needs for the fiscal year ending September 30,
7 1997, and for other purposes, namely:

1 TITLE I—INTERIM EMERGENCY SUPPLE-
2 MENTAL APPROPRIATIONS FOR RECOVERY
3 FROM NATURAL DISASTERS AND OVERSEAS
4 PEACEKEEPING

5 CHAPTER 1

6 DEPARTMENT OF DEFENSE—MILITARY

7 OPERATION AND MAINTENANCE

8 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

9 (INCLUDING TRANSFER OF FUNDS)

10 For an additional amount for “Overseas Contingency
11 Operations Transfer Fund”, \$500,000,000: *Provided*,
12 That the Secretary of Defense may transfer these funds
13 only to Department of Defense operation and maintenance
14 accounts: *Provided further*, That the funds transferred
15 shall be merged with and shall be available for the same
16 purposes and for the same time period, as the appropria-
17 tion to which transferred: *Provided further*, That the
18 transfer authority provided in this paragraph is in addi-
19 tion to any other transfer authority available to the De-
20 partment of Defense: *Provided further*, That such amount
21 is designated by Congress as an emergency requirement
22 pursuant to section 251(b)(2)(D)(i) of the Balanced
23 Budget and Emergency Deficit Control Act of 1985, as
24 amended.

GENERAL PROVISIONS, CHAPTER 1

(RESCISSIONS)

3 SEC. 101. Of the funds provided in the Department
4 of Defense Appropriations Act, 1997 (as contained in sec-
5 tion 101(b) of Public Law 104–208), amounts are hereby
6 rescinded from the following accounts in the specified
7 amounts to reflect savings from revised economic assump-
8 tions (with each such reduction to be applied proportion-
9 ally to each budget activity, activity group, and subactivity
10 group within each such account):

11 “Operation and Maintenance, Army”,
12 \$19,000,000.

13 “Operation and Maintenance, Navy”,
14 \$24,000,000.

15 “Operation and Maintenance, Air Force”,
16 \$18,000,000.

17 “Operation and Maintenance, Defense-Wide”,
18 \$8,000,000.

19 “Aircraft Procurement, Army”, \$8,000,000.

20 “Aircraft Procurement, Navy”, \$12,000,000.

21 “Aircraft Procurement, Air Force”,
22 \$11,000,000.

(RESCISSION)

SEC. 102. Of the funds provided in the Department
of Defense Appropriations Act, 1997 (as contained in sec-
tion 101(b) of Public Law 104-208), amounts related to

1 foreign currency are hereby rescinded from the following
2 accounts in the specific amounts, except as otherwise pro-
3 vided by law, to reflect savings from revised foreign cur-
4 rency exchange rates:

5 “Military Personnel, Army”, \$37,000,000.

6 “Military Personnel, Navy”, \$9,000,000.

7 “Military Personnel, Air Force”, \$12,000,000.

8 “Operation and Maintenance, Army”,
9 \$75,000,000.

10 “Operation and Maintenance, Navy”,
11 \$15,000,000.

12 “Operation and Maintenance, Air Force”,
13 \$50,000,000.

14 “Operation and Maintenance, Defense-Wide”,
15 \$2,000,000.

16 (RESCISSIONS)

17 SEC. 103. Of the funds provided in previous Depart-
18 ment of Defense Appropriations Acts, amounts only asso-
19 ciated with unobligated balances to expire at the end of
20 the current fiscal year are hereby rescinded from the fol-
21 lowing accounts in the specified amounts:

22 “Aircraft Procurement, Army, 1995/1997”,
23 \$1,000,000.

24 “Missile Procurement, Army, 1995/1997”,
25 \$2,000,000.

1 “Procurement of Weapons and Tracked Combat
2 Vehicles, Army, 1995/1997”, \$2,000,000.

3 “Other Procurement, Army, 1995/1997”,
4 \$1,000,000.

5 “Aircraft Procurement, Navy, 1995/1997”,
6 \$34,000,000.

7 “Weapons Procurement, Navy, 1995/1997”,
8 \$16,000,000.

9 “Shipbuilding and Conversion, Navy, 1995/
10 1997”, \$10,000,000.

11 “Aircraft Procurement, Air Force, 1995/1997”,
12 \$34,000,000.

13 “Procurement, Defense-Wide, 1995/1997”,
14 \$8,000,000.

15 “Research, Development, Test and Evaluation,
16 Army, 1996/1997”, \$4,000,000.

17 “Research, Development, Test and Evaluation,
18 Navy, 1996/1997”, \$4,000,000.

19 “Research, Development, Test and Evaluation,
20 Air Force, 1996/1997”, \$28,000,000.

21 “Research, Development, Test and Evaluation,
22 Defense-Wide, 1996/1997”, \$46,000,000.

1 CHAPTER 2
2 SUBCOMMITTEE ON AGRICULTURE, RURAL DE-
3 VELOPMENT, FOOD AND DRUG ADMINIS-
4 TRATION, AND RELATED AGENCIES
5 DEPARTMENT OF AGRICULTURE
6 FARM SERVICE AGENCY
7 EMERGENCY CONSERVATION PROGRAM

8 For an additional amount for “Emergency Conserva-
9 tion Program” for expenses, including carcass removal, re-
10 sulting from flooding and other natural disasters,
11 \$29,000,000, to remain available until expended: *Pro-*
12 *vided*, That such amount is designated by Congress as an
13 emergency requirement pursuant to section
14 251(b)(2)(D)(i) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985, as amended.

16 COMMODITY CREDIT CORPORATION FUND
17 DISASTER RESERVE ASSISTANCE PROGRAM

18 Effective only for losses in the fiscal year beginning
19 October 1, 1996, through the date of enactment of this
20 Act, the Secretary may use up to \$50,000,000 from pro-
21 ceeds earned from the sale of grain in the disaster reserve
22 established in the Agricultural Act of 1970 to implement
23 a livestock indemnity program for losses from natural dis-
24 asters subject to a Presidential or Secretarial declaration
25 in a manner similar to catastrophic loss coverage available

1 for other commodities under 7 U.S.C. 1508(b): *Provided*,
 2 That in administering a program described in the preced-
 3 ing sentence, the Secretary shall, to the extent practicable,
 4 utilize gross income and payment limitations conditions
 5 established for the Disaster Reserve Assistance Program
 6 for the 1996 crop year: *Provided further*, That notwith-
 7 standing any other provision of law, beginning on October
 8 1, 1997, grain in the disaster reserve established in the
 9 Agricultural Act of 1970 shall not exceed 20 million bush-
 10 els: *Provided further*, That the entire amount is designated
 11 by Congress as an emergency requirement pursuant to
 12 section 251(b)(2)(D)(i) of the Balanced Budget and
 13 Emergency Deficit Control Act of 1985, as amended.

14 NATURAL RESOURCES CONSERVATION SERVICE

15 WATERSHED AND FLOOD PREVENTION OPERATIONS

16 For an additional amount for “Watershed and Flood
 17 Prevention Operations” to repair damages to the water-
 18 ways and watersheds, including debris removal that would
 19 not be authorized under the Emergency Watershed Pro-
 20 gram, resulting from flooding and other natural disasters,
 21 including those in prior years, \$30,000,000, to remain
 22 available until expended: *Provided*, That such amount is
 23 designated by Congress as an emergency requirement pur-
 24 suant to section 251(d)(2)(D)(i) of the Balanced Budget
 25 and Emergency Deficit Control Act of 1985, as amended:

1 *Provided further*, That none of the funds provided under
 2 this heading shall be used for the salmon memorandum
 3 of understanding.

4 FOOD AND CONSUMER SERVICE
 5 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
 6 WOMEN, INFANTS, AND CHILDREN (WIC)

7 For an additional amount for the Special Supple-
 8 mental Nutrition Program for Women, Infants, and Chil-
 9 dren (WIC) as authorized by section 17 of the Child Nu-
 10 trition Act of 1966, as amended (42 U.S.C. et seq.),
 11 \$20,000,000, to remain available through September 30,
 12 1998: *Provided*, That the Secretary shall allocate such
 13 funds through the existing formula or, notwithstanding
 14 section 17 (g), (h), or (i) of such Act and the regulations
 15 promulgated thereunder, such other means as the Sec-
 16 retary deems necessary.

17 CHAPTER 3
 18 SUBCOMMITTEE ON COMMERCE, JUSTICE, AND
 19 STATE, THE JUDICIARY, AND RELATED
 20 AGENCIES

21 DEPARTMENT OF COMMERCE
 22 ECONOMIC DEVELOPMENT ADMINISTRATION
 23 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

24 For an additional amount for “Economic Develop-
 25 ment Assistance Programs” for emergency infrastructure

1 expenses and the capitalization of revolving loan funds re-
 2 lated to recent flooding and other natural disasters,
 3 \$25,000,000, to remain available until expended: *Pro-*
 4 *vided*, That the entire amount is designated by Congress
 5 as an emergency requirement pursuant to section
 6 251(b)(2)(D)(i) of the Balanced Budget and Emergency
 7 Deficit Control Act of 1985, as amended.

8 CHAPTER 4

9 SUBCOMMITTEE ON ENERGY AND WATER

10 DEVELOPMENT

11 DEPARTMENT OF DEFENSE—CIVIL

12 DEPARTMENT OF THE ARMY

13 CORPS OF ENGINEERS—CIVIL

14 FLOOD CONTROL AND COASTAL EMERGENCIES

15 For an additional amount for “Flood Control and
 16 Coastal Emergencies” due to flooding and other natural
 17 disasters, \$71,000,000, to remain available until ex-
 18 pended: *Provided*, That the entire amount is designated
 19 by Congress as an emergency requirement pursuant to
 20 section 251(b)(2)(D)(i) of the Balanced Budget and
 21 Emergency Deficit Control Act of 1985, as amended.

1 CHAPTER 5
2 DEPARTMENTS OF VETERANS AFFAIRS AND
3 HOUSING AND URBAN DEVELOPMENT, AND
4 INDEPENDENT AGENCIES
5 DEPARTMENT OF HOUSING AND URBAN
6 DEVELOPMENT
7 COMMUNITY PLANNING AND DEVELOPMENT
8 COMMUNITY DEVELOPMENT BLOCK GRANTS FUND

9 For an additional amount for “Community develop-
10 ment block grants fund” as authorized under title I of the
11 Housing and Community Development Act of 1974,
12 \$100,000,000, to remain available until September 30,
13 2000, for use only for buyouts, relocation, long-term recov-
14 ery, and mitigation in communities affected by the flood-
15 ing in the upper Midwest and other disasters in fiscal year
16 1997 and such natural disasters designated 30 days prior
17 to the start of fiscal year 1997, except those activities re-
18 imburseable or for which funds are made available by the
19 Federal Emergency Management Agency, the Small Busi-
20 ness Administration, or the Army Corps of Engineers:
21 *Provided*, That, in administering these amounts, the Sec-
22 retary may waive, or specify alternative requirements for,
23 any provision of any statute or regulation that the Sec-
24 retary administers in connection with the obligation by the
25 Secretary or the use by the recipient of these funds, except

1 for statutory requirements related to civil rights, fair
2 housing and non-discrimination, the environment, and
3 labor standards, upon a finding that such waiver is re-
4 quired to facilitate the use of such funds, and would not
5 be inconsistent with the overall purpose of the statute:
6 *Provided further*, That the Secretary of Housing and
7 Urban Development shall publish a notice in the Federal
8 Register governing the use of community development
9 block grants funds in conjunction with any program ad-
10 ministered by the Director of the Federal Emergency
11 Management Agency for buyouts for structures in disaster
12 areas: *Provided further*, That for any funds under this
13 head used for buyouts in conjunction with any program
14 administered by the Director of the Federal Emergency
15 Management Agency, each State or unit of general local
16 government requesting funds from the Secretary of Hous-
17 ing and Urban Development for buyouts shall submit a
18 plan to the Secretary which must be approved by the Sec-
19 retary as consistent with the requirements of this pro-
20 gram: *Provided further*, That the Secretary of Housing
21 and Urban development and the Director of the Federal
22 Emergency Management Agency shall submit quarterly
23 reports to the House and Senate Committees on Appro-
24 priations on all disbursements and uses of funds for or
25 associated with buyouts: *Provided further*, That the Sec-

1 retary of Housing and Urban Development may waive, on
 2 a case by-case-basis and upon such other terms as the Sec-
 3 retary may specify, in whole or in part, the requirements
 4 that activities benefit persons of low- and moderate-income
 5 pursuant to section 122 of the Housing and Community
 6 Development Act of 1974, and may waive, in whole or in
 7 part, the requirements that housing qualify as affordable
 8 housing pursuant to section 290 of the HOME Investment
 9 Partnerships Act: *Provided further*, That the entire
 10 amount made available under this head is designated by
 11 the Congress as an emergency requirement pursuant to
 12 section 251(b)(2)(D)(i) of the Balanced Budget and
 13 Emergency Deficit Control Act of 1985, as amended.

14 INDEPENDENT AGENCY

15 FEDERAL EMERGENCY MANAGEMENT AGENCY

16 DISASTER RELIEF

17 For an additional amount of “Disaster relief”,
 18 \$225,000,000, to remain available until expended: *Pro-*
 19 *vided*, That the entire amount is designated by Congress
 20 as an emergency requirement pursuant to section
 21 251(b)(2)(D)(i) of the Balanced Budget and Emergency
 22 Deficit Control Act of 1985, as amended.

1 TITLE II—RESCISSIONS AND OFFSETS

2 DEPARTMENT OF AGRICULTURE

3 OFFICE OF THE SECRETARY

4 FUND FOR RURAL AMERICA

5 Of the funds provided on January 1, 1997, for sec-
6 tion 793 of Public Law 104–127, Fund for Rural Amer-
7 ica, not more than \$80,000,000 shall be available.

8 FOREIGN AGRICULTURAL SERVICE

9 EXPORT CREDIT

10 None of the funds made available in the Agriculture,
11 Rural Development, Food and Drug Administration, and
12 Related Agencies Appropriations Act, 1997, Public Law
13 104–180, may be used to pay the salaries and expenses
14 of personnel to carry out a combined program for export
15 credit guarantees, supplier credit guarantees, and emerg-
16 ing democracies facilities guarantees at a level which ex-
17 ceeds \$3,500,000,000.

18 EXPORT ENHANCEMENT PROGRAM

19 None of the funds appropriated or otherwise made
20 available in Public Law 104–180 shall be used to pay the
21 salaries and expenses of personnel to carry out an export
22 enhancement program if the aggregate amount of funds
23 and/or commodities under such program exceeds
24 \$10,000,000.

1 DEPARTMENT OF HOUSING AND URBAN
2 DEVELOPMENT
3 HOUSING PROGRAMS
4 ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING
5 (RESCISSION)

6 Of the amounts recaptured under this heading during
7 fiscal year 1997 and prior years, with the exception of the
8 recaptures specified in section 214 of Public Law 104–
9 204, \$441,000,000 are rescinded: *Provided*, That of this
10 amount, the Secretary of Housing and Urban Develop-
11 ment shall recapture \$191,000,000 in amounts heretofore
12 made available to housing agencies for tenant-based as-
13 sistance under the Section 8 existing housing certificate
14 and housing voucher programs (42 U.S.C. 1437f and
15 1437f(o) respectively): *Provided further*, That the fore-
16 going recaptures shall be from amounts in the annual con-
17 tributions contract (ACC) reserve accounts established
18 and maintained by HUD.

19 TITLE III—GENERAL PROVISION, THIS ACT

20 SEC. 301. No part of any appropriation contained in
21 this Act shall remain available for obligation beyond the
22 current fiscal year unless expressly so provided herein.

23 This Act may be cited as the “Interim Emergency
24 Supplemental Appropriations Act of 1997”.

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