

the law allows that. The boardroom boys need to do that for whatever they need to do when they leave early. But salaried workers and boardroom folks and Government workers are special citizens compared to hourly workers. I think just as God is no respecter of persons, we should not be a respecter of persons that says one category of American workers has the freedom to help their family, and for others it is illegal. I think that ought to cause us all to cringe, and I think the ones that ought to be cringing the most are the ones that have provided it, voted to provide it, even without protections to the public sector who are saying now we cannot provide that to the private sector until we make it so cumbersome it would not work.

Madam President, we have a great opportunity to help the families of America help each other. The success of this Nation is not going to be determined by what happens in Washington, DC. The success of this Nation will be determined around the kitchen table in American homes. That is where values are built. That is where we develop the kind of character that really determines the future of a country. We have to do what we can to make the homes as strong as possible, and we cannot have a group of American workers that are—they are a minority of the workers. It is clear the majority already have flexible work arrangements. We cannot have the 59 million American workers say, "Your home is not important enough. You could not make this decision. You are not bright enough." The truth of the matter is they deserve the opportunity to have flexible working arrangements to choose compensatory time off instead of overtime if they want it, and then to change their mind if they want and to ask for the money instead.

I think the great opportunity we have is something we can capitalize on next week. I look forward to voting on it at that time.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMITH of New Hampshire). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT OF 1997

The PRESIDING OFFICER. Pursuant to the order of May 8, 1997 H.R. 1469, having been received from the House, the clerk will report.

The legislative clerk read as follows:

A 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.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. Under the previous order, all after the enacting clause is stricken and the language of S. 672 is inserted in lieu thereof.

Under the previous order, the bill is deemed read a third time and passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 1469) entitled "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.", do pass with the following amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide supplemental appropriations and rescissions for the fiscal year ending September 30, 1997, and for other purposes, namely:

TITLE I—DEPARTMENT OF DEFENSE SUPPLEMENTALS

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", \$1,312,900,000: Provided, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts within this title: 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 POW 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

(TRANSFER OF FUNDS)

SEC. 101. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$100,000,000 of working capital funds of the Department of Defense and funds made available in Public Law 104-208 to the Department of Defense only for obligations incurred for United States participation in the Bosnia Stabilization Force (SFOR) and for the continuation of enforcing the no-fly zones in northern and southern Iraq (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That this transfer authority is in addition to transfer authority provided in section 8005 of Public Law 104-208 (110 Stat. 3009-88).

SEC. 102. None of the funds available to the Department of Defense shall be obligated or expended to transfer management, development, and acquisition authority over the elements of the National Missile Defense Program from the Military Services until the contract for a Lead System Integrator for the National Missile Defense Program is awarded: Provided, That the Joint Requirements Oversight Council, with the advisement of the Joint Chiefs of Staff, is directed to conduct an analysis and submit recommendations as to the recommended future roles of the Services with respect to the management, technical development, cost, schedule, and acquisition plan for the elements in the National Missile Defense Program and to certify that the Lead System Integrator contract will conform to these recommendations: Provided further, That the analysis and recommendations shall be submitted to the Congressional Defense Committees within 60 days of enactment of this Act.

SEC. 103. In addition to the amounts provided in Public Law 104-208, \$50,000,000 is appropriated under the heading "Overseas Humanitarian, Disaster and Civil Aid": Provided, That, from the funds available under that heading, the Secretary of Defense shall make a grant in the amount of \$50,000,000 to the American Red Cross for reimbursement for disaster relief and recovery expenditures.

(TRANSFER OF FUNDS)

SEC. 104. 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. 105. 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 Section 2854 of Title 10, United States Code.

SEC. 106. REPORT ON COST AND SOURCE OF FUNDS FOR MILITARY ACTIVITIES RELATING TO BOSNIA.

(a) PROHIBITION ON USE OF FUNDS PENDING REPORT.—Notwithstanding any other provision of this Act or any other provision of law, no funds appropriated or otherwise made available to the Department of Defense may be obligated or expended for operations or activities of the Armed Forces relating to Bosnia 60 days after enactment unless the President submits to Congress the report described in subsection (b): Provided, That none of the funds made available under this Act may be obligated or expended for operations or activities of the Armed Forces relating to Bosnia ground deployment after June 30, 1998.

(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. 107. 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. 108. 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 ex-

ceed 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 pay 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.

**TITLE II—NATURAL DISASTERS AND OTHER EMERGENCIES
CHAPTER I**

SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, AND RELATED AGENCIES

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, \$28,000,000, to remain available until expended, of which \$18,000,000 shall be available for emergency insured loans and \$10,000,000 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 \$28,000,000 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.

EMERGENCY CONSERVATION PROGRAM

For an additional amount for "Emergency Conservation Program" for expenses, including carcass removal, resulting from flooding and other natural disasters, \$77,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent that an official budget request for \$77,000,000, 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 \$9,500,000 is provided for assistance to small orchardists to replace or rehabilitate trees and vineyards damaged by natural disasters, of which \$500,000 may be available through the Forestry Incentives Program for replanting of trees damaged by tornadoes in 1997: Provided, That the entire amount shall be available only to the extent that an official budget request of \$9,500,000, 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 subject to a Presidential or Secretarial declaration 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, \$171,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent an official budget request for \$171,000,000, 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 \$20,000,000, from funds provided under this heading to accept bids from willing sellers to provide floodplain easements for such cropland inundated by floods.

RURAL HOUSING SERVICE

**RURAL HOUSING INSURANCE FUND PROGRAM
ACCOUNT**

For an additional amount for "Rural Housing Insurance Fund Program Account", \$250,000, for the cost of section 515 direct loans, 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, to remain available until September 30, 1998: 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.

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, and Section 515 loans 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.

RURAL HOUSING ASSISTANCE PROGRAM

For an additional amount for "Rural Housing Assistance Program", for emergency expenses resulting from flooding and other natural disasters, \$4,000,000, to remain available until September 30, 1998, for very low-income housing repair grants and domestic farm labor grants: 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: 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, \$6,500,000, 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 \$6,500,000, 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.

CHAPTER 2

SUBCOMMITTEE ON COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for "Economic Development Assistance Programs" for emergency

expenses from flooding and other natural disasters, \$54,700,000, to remain available until expended, of which not more than \$6,800,000 shall be used for planning and technical assistance grants, and not more than \$2,900,000 shall be available for administrative 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 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 continue the salmon fishing permit buyback program implemented under the Northwest Economic Aid Package to provide disaster assistance pursuant to section 312 of 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 \$7,000,000, 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.

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.

CHAPTER 3

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

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, 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.

OPERATIONS AND MAINTENANCE, GENERAL

For an additional amount for "Operations and Maintenance, General" for emergency expenses due to flooding and other natural disasters, \$137,000,000, to remain available until expended: Provided, That of the total 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 the Secretary of the Army is directed to use from available balances of the funds appropriated herein to perform such emergency dredging and snagging and clearing of the Truckee River, Nevada, and the San Joaquin River channel, California, as the Secretary determines to be necessary as the result of the January 1997 flooding in Nevada and California; and dredging of shoaling which has occurred downstream from the Federal Chena River Flood Control Facility: Provided further, That the entire amount is designated by Con-

gress 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, \$390,000,000, 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 associated Environmental Impact Statement for an emergency outlet from Devils Lake, North Dakota to the Sheyenne River, at full Federal expense: Provided further, That, of the funds appropriated under this paragraph, \$10,000,000 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.

CHAPTER 4

SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES

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.

FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for "Resource Management", \$8,350,000, of which \$3,350,000, to remain available until September 30, 1998, is for fish replacement and for technical assistance made necessary by floods and other natural disasters and for restoration of public lands damaged by fire, and of which \$5,000,000, to remain

available until September 30, 1999, is 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", \$91,000,000, 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", \$5,000,000, 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.

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 make repairs 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.

CHAPTER 5

SUBCOMMITTEE ON TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

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 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, of which \$374,000,000 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 the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: 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 23 U.S.C. 125(b)(1) shall not apply to projects relating to the December 1996 and 1997 flooding.

FEDERAL RAILROAD ADMINISTRATION

EMERGENCY RAILROAD REHABILITATION AND REPAIR

For necessary expenses to repair and rebuild freight rail lines of regional and short line railroads damaged by the floods in September 1996, and in March and April 1997, \$24,000,000, to be awarded subject to the discretion of the Secretary on a case-by-case basis: Provided, 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 class I railroads, passenger railroads, or by tourist, scenic, or historic railroads are not eligible for funding under this section: 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 crash of TWA Flight 800, and for assistance to families of victims of aviation accidents as authorized by Public Law 104-264, \$14,100,000: 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.

CHAPTER 6

SUBCOMMITTEE ON VA, HUD, AND
INDEPENDENT AGENCIESDEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT

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, to remain available until September 30, 2000 for emergency expenses resulting from 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, so long as the emergency expenses are for those community development activities related to recovery efforts and for immediate recovery needs not reimbursable by the Federal Emergency Management Agency: 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 nondiscrimination, 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 grant 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 disbursement and use of funds for or associated with buyouts: 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.

INDEPENDENT AGENCY

FEDERAL EMERGENCY MANAGEMENT AGENCY
DISASTER RELIEF

For an additional amount for "Disaster Relief", \$3,100,000,000, 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 such Act: Provided further, That of the funds made available under this heading, \$2,100,000,000 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 ob-

ligations 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 of the preceding proviso 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 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.

CHAPTER 7

SUBCOMMITTEE ON LABOR, HEALTH AND
HUMAN SERVICES, AND EDUCATION,
AND RELATED AGENCIESDEPARTMENT OF HEALTH AND HUMAN
SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
FUND

For expenses necessary to support research on environmental risk factors associated with breast cancer, \$15,000,000, to remain available until expended: Provided, That the Secretary shall award such funds on a competitive basis: 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.

TITLE III—OTHER SUPPLEMENTALS

CHAPTER 1

SUBCOMMITTEE ON AGRICULTURE,
RURAL DEVELOPMENT, AND RELATED
AGENCIES

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 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, \$12,600,000, to remain available until expended.

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.), \$58,000,000, 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.

CHAPTER 2

SUBCOMMITTEE ON COMMERCE, JUSTICE,
AND STATE, THE JUDICIARY, AND RE-
LATED AGENCIES

DEPARTMENT OF STATE

INTERNATIONAL ORGANIZATIONS AND
CONFERENCESCONTRIBUTIONS TO INTERNATIONAL
ORGANIZATIONS

For an additional amount for "Contributions to International Organizations", \$100,000,000, to

remain available until expended, for payment of United States arrearsages owed to the United Nations: Provided, That none of the funds appropriated or otherwise made available by this Act for payment of United States arrearsages to the United Nations may be obligated or expended unless such obligation or expenditure is expressly authorized by the enactment of a subsequent Act.

CHAPTER 3

SUBCOMMITTEE ON THE DISTRICT OF
COLUMBIA

DISTRICT OF COLUMBIA

FEDERAL PAYMENT TO THE DISTRICT OF
COLUMBIA

For an additional amount to the District of Columbia for the fiscal year ending September 30, 1997, \$31,150,000, to remain available until September 30, 1998, and which shall be deposited into an escrow account of the District of Columbia Financial Responsibility and Management Assistance Authority, pursuant to section 205 of Public Law 104-8 (109 Stat. 131), and shall be disbursed from such escrow account pursuant to the instructions of the Authority, and in accordance with a plan approved by the Authority: Provided, That \$22,350,000 shall be used to carry out a program of school facility emergency repair of public schools located in the District of Columbia, and \$8,800,000 shall be used for pay raises within the Metropolitan Police Department.

DIVISION OF EXPENSES

PUBLIC SAFETY AND JUSTICE

For an additional amount for public safety, \$8,800,000, which shall be deposited into an escrow account of the District of Columbia Financial Responsibility and Management Assistance Authority, pursuant to section 205 of Public Law 104-8 (109 Stat. 131), and shall be disbursed from such escrow account pursuant to the instructions of the Authority, and in accordance with a plan approved by the Authority: Provided, That \$8,800,000 shall be used for pay raises within the Metropolitan Police Department.

CAPITAL OUTLAY

For an additional amount for capital outlay for the fiscal year ending September 30, 1997, \$22,350,000, which shall be deposited into an escrow account of the District of Columbia Financial Responsibility and Management Assistance Authority, pursuant to section 205 of Public Law 104-8 (109 Stat. 131), and shall be disbursed from such escrow account pursuant to the instructions of the Authority, and in accordance with a plan approved by the Authority: Provided, That this amount shall be used to carry out a program of school facility emergency repair of public schools located in the District of Columbia.

GENERAL PROVISION

Funds provided under this chapter shall be deemed to be grants for the purposes of Section 141 of Public Law 104-194 (110 Stat. 2374), the District of Columbia Appropriations Act, 1997.

CHAPTER 4

SUBCOMMITTEE ON INTERIOR AND
RELATED AGENCIES

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

CONSTRUCTION

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.

CHAPTER 5

SUBCOMMITTEE ON THE LEGISLATIVE
BRANCH
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.

CHAPTER 6

SUBCOMMITTEE ON TRANSPORTATION
AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$6,473,000, 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", \$4,200,000.

FEDERAL AVIATION ADMINISTRATION

GRANTS-IN-AID FOR AIRPORTS

For an additional amount for "Grants-in-aid for Airports", \$15,520,000: Provided, That, the President may make available funds for making grants to reimburse State and local agencies for unanticipated disaster costs associated with recovery, investigation, security, forensic and medical examination of evidence, air support, and logistical support efforts directly related to the 1996 TWA Flight 800 and ValuJet Flight 592 tragedies: Provided further, That not to exceed \$12,420,000 shall be available under this provision for reimbursement to State and local agencies for the TWA Flight 800 tragedy: Provided further, That not to exceed \$3,100,000 shall be available under this provision for reimbursement to State and local agencies for the ValuJet Flight 592 tragedy.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The limitation under this heading in Public Law 104-50 and in Public Law 104-205 is increased by \$933,193,000: Provided, That such additional authority shall remain available during fiscal year 1997: Provided further, That notwithstanding any other provision of law, such additional authority shall be distributed to ensure that States receive amounts that 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; and that notwithstanding any other provision of law, an amount of obligational authority in addition to the amount distributed above, shall be made available by this Act and shall be distributed to assure that States receive obligational 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 such additional authority shall be distributed to ensure that no State shall receive an amount in fiscal year 1997 that is less than the amount a State received in fiscal year 1996: Provided further, That \$3,600,000 of the additional allocation for Utah shall be utilized on planning, preliminary engineering and design for projects critical to the 2002 Winter Olympics: Provided further, That \$450,000 of the additional allocation for

the State of New Mexico shall be provided to continue the Santa Teresa border technologies project: Provided further, That the additional amounts made available to the State of Alabama shall be utilized for right-of-way acquisition and construction of the Warrior Loop project: Provided further, That \$12,600,000 of the additional allocation for the State of Kentucky shall be utilized to complete the William H. Natcher Bridge in Maceo, Kentucky: Provided further, That the additional amounts made available to the State of California may be provided for a project to repair or reconstruct any portion of a federal aid primary route in San Mateo, California, which was destroyed as a result of a combination of storms and a mountain slide in the winter of 1982-1983: Provided further, That the additional amounts made available in this paragraph for the State of South Carolina shall be provided for the Highway 17 Cooper River Bridges replacement project, Charleston, South Carolina: Provided further, That \$100,000 of the additional allocation for the State of Iowa shall be provided for planning and environmental work on the 86th Street Highway Project in Polk County: Provided further, That \$400,000 of the additional allocation for the State of Illinois shall be provided for costs associated with the replacement of Gaumer's Bridge in Vermilion County, Illinois.

CHAPTER 7

SUBCOMMITTEE ON TREASURY AND
GENERAL GOVERNMENT

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.

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.

CHAPTER 8

SUBCOMMITTEE ON VA, HUD, AND
INDEPENDENT AGENCIES

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

For an additional amount for "Compensation and pensions", for unanticipated costs incurred for the current fiscal year, \$753,000,000, 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.

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 Habitat for Humanity and Youthbuild participate under this section: Provided further, That at least \$10,000,000 of the funding under this head be used in rural areas, including tribal areas.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

Of the funds appropriated under this head in Public Law 104-204, the Secretary of Housing and Urban Development shall make a grant of \$1,500,000 to the National Academy of Public Administration no later than June 15, 1997 for an evaluation of the Department of Housing and Urban Development: Provided, That the \$1,500,000 shall be from salaries and expenses designated for non-career Senior Executive Service and other non-career personnel.

CHAPTER 9

SUBCOMMITTEE ON LABOR, HEALTH AND
HUMAN SERVICES, AND EDUCATION,
AND RELATED AGENCIESDEPARTMENT OF HEALTH AND HUMAN
SERVICESHEALTH 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

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 (I) to which each State is entitled)",.

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".

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, \$198,176,000, of which \$153,253,000 shall be for Basic Grants and

\$44,923,000 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 would otherwise 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 the allocations they would have received had the allocations under that Appropriations Act been calculated entirely on the basis of the 1990 census data: 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 October 1, 1997 and shall remain available through September 30, 1998, for academic year 1997-98: 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.

Public Law 104-208, under the heading titled "Education For the Disadvantaged" is amended by striking "\$1,298,386,000" and inserting "\$713,386,000" in lieu thereof.

CHAPTER 10 GENERAL PROVISIONS

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

SEC. 302. 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. 303. None of the funds made available in any appropriations Act for fiscal year 1997 may be used by the Department of Commerce to make irreversible plans or preparation for the use of sampling or any other statistical method (including any statistical adjustment) in taking the 2000 decennial census of population for purposes of the apportionment of Representatives in Congress among the States.

SEC. 304. Section 5803 of Public Law 104-208 (110 Stat. 3009-522) is hereby repealed.

SEC. 305. DELAWARE RIVER BASIN COMMISSION; SUSQUEHANNA RIVER BASIN COMMISSION.—The Secretary of the Interior or his designee shall serve as the alternate member of the Susquehanna River Basin Commission appointed under the Susquehanna River Basin Compact (Public Law 91-575) and the alternate member of the Delaware River Basin Commission appointed under the Delaware River Basin Compact (Public Law 87-328).

SEC. 306. 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 "at the pleasure of the President".

SEC. 307. 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. 308. 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. 309. No funds provided by this Act, an Act making Appropriations for the Department of Defense for Fiscal Year 1997 (Public Law 104-208), any other Act making appropriations for any agency of the Federal Government for Fiscal Year 1997, or any other Act hereafter enacted may be used by any agency of the Federal Government to promulgate or implement any rule, regulation, policy, statement, or directive issued after October 1, 1993 regarding the recognition, validity, or management of any right of way established pursuant to Revised Statutes 2477 (43 U.S.C. 932).

SEC. 310. COMPLIANCE WITH THE ENDANGERED SPECIES ACT OF 1973 IN CONNECTION WITH FLOOD CONTROL PROJECTS.

(a) CONSULTATION AND CONFERENCING.—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.

SEC. 311. 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 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 Department of Education. This special waiver authority applies only to funds awarded for fiscal years 1995, 1996 and 1997.

SEC. 312. 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 said 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, 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 year 1997-1998.

SEC. 313. 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. 314. 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. 315. (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. 316. 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. 317. 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. 318. 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. 319. Section 45301(a)(1) of title 49, United States Code, is amended by striking "that neither take off from, nor land in, the United States." and inserting in lieu thereof: "or general aviation aircraft that neither take off from, nor land in, the United States except that such fees shall not be imposed on overflights operated by citizens of a country contiguous to the United States if (A) both the origin and destination

of such flights are within that other contiguous country and (B) that same country exempts similar categories of flights operated by citizens of the United States."

SEC. 320. 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. 321. RESTRICTION ON FUNDS USED TO ENFORCE ELECTRONIC FUNDS TAX TRANSFER SYSTEM.—None of the funds made available by this Act or any other Act may be used to impose or collect any penalty under the Internal Revenue Code of 1986 which is imposed solely by reason of a failure to use the electronic fund transfer system established under section 6302(h) of such Code if such failure—

(1) is by a person which is first required to use such system by reason of clause (i)(IV) or (ii)(IV) of section 6302(h)(2)(C) of such Code, and

(2) occurs during the period beginning on July 1, 1997, and ending on December 31, 1997.

SEC. 322. Section 1555 of the Federal Acquisition Streamlining Act of 1994, Public Law 103-355, is repealed effective the date of the enactment of this Act.

SEC. 323. PUBLIC NOTICE OF CONTRACTING BY HUD.—The Secretary shall publish quarterly in the Federal Register a list of all contracts and task orders issued under such contracts in excess of \$250,000 which were entered into during the quarter 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. 324. SECTION 8 NOTICE PROVISION.—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 the following: "Not less than 120 days prior to terminating any contract".

SEC. 325. The Secretary of Health and Human Services shall—

(1) make available under section 2604(g) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(g)), \$45,000,000 in assistance described in such Act to victims of flooding and other natural disasters for the fiscal year 1997; and

(2) make the assistance available from funds appropriated to carry out such Act prior to the date of enactment of this section.

SEC. 326. The funds appropriated in Public Law 104-204 to the Environmental Protection Agency under the State and Tribal Assistance Grants Account 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.

SEC. 327. After the period for filing claims pursuant to the Uniform Relocation Act is closed, and from amounts previously appropriated for the Center for Ecology Research and Training (CERT), the Environmental Protection Agency (EPA) shall obligate the maximum amount of funds necessary to settle all outstanding CERT-related claims against it. To the extent that unobligated balances remain from such amounts previously appropriated, EPA is authorized beginning in fiscal year 1997 to make grants of such funds 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.

SEC. 328. None of the funds made available in the Foreign Operations, Export Financing, and Related Programs, 1997 (as contained in Public Law 104-208) may be made available for assistance to Uruguay unless the Secretary of State certifies to the Committees on Appropriations that all cases involving seizure of United States business assets have been resolved.

SEC. 329. 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. 330. 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.

SEC. 331. 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. 332. Section 45301(b)(1)(A) of title 49, United States Code, is amended by inserting before the semicolon "and at least \$50,000,000 in fiscal year 1998 and every year thereafter".

SEC. 333. MICHAEL GILICK CHILDHOOD CANCER RESEARCH.

(a) FINDINGS.—Congress finds that—

(1) during the period from 1980 to 1988, Ocean County, New Jersey, had a significantly higher rate of childhood cancer than the rest of the United States, including a rate of brain and central nervous system cancer that was nearly 70 percent above the rate of other States;

(2) during the period from 1979 to 1991—

(A) there were 230 cases of childhood cancer in Ocean County, of which 56 cases were in Dover Township, and of those 14 were in Toms River alone;

(B) the rate of brain and central nervous system cancer of children under 20 in Toms River was 3 times higher than expected, and among children under 5 was 7 times higher than expected; and

(C) Dover Township, which would have had a nearly normal cancer rate if Toms River was excluded, had a 49 percent higher cancer rate

than the rest of the State and an 80 percent higher leukemia rate than the rest of the State; and

(3)(A) according to New Jersey State averages, a population the size of Toms River should have 1.6 children under age 19 with cancer; and

(B) Toms River currently has 5 children under the age of 19 with cancer.

(b) STUDY.—

(1) IN GENERAL.—The Administrator of the Agency for Toxic Substances and Disease Registry shall conduct dose-reconstruction modeling and an epidemiological study of childhood cancer in Dover Township, New Jersey, which may also include the high incidence of neuroblastomas in Ocean County, New Jersey.

(2) GRANT TO NEW JERSEY.—The Administrator may make 1 or more grants to the State of New Jersey to carry out paragraph (1).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act \$6,000,000 for fiscal years 1998 through 2000.

SEC. 334. 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. 335. EMERGENCY USE OF CHILD CARE FUNDS.

(a) IN GENERAL.—Notwithstanding any other provision of law, during the period beginning on April 30, 1997, an 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.) and under part A of title IV of the Social Security Act (42 U.S.C. 601 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, notwithstanding 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).

SEC. 336. RELIEF TO AGRICULTURAL PRODUCERS FOR FLOODING LOSS CAUSED BY DAM ON LAKE REDROCK, IOWA.

(a) **ELIGIBILITY.**—To be eligible for assistance under this section, an agricultural producer must—

(1)(A) be an owner or operator of land who granted an easement to the Federal Government for flooding losses to the land caused by water retention at the dam site at Lake Redrock, Iowa; or

(B) have been an owner or operator of land that was condemned by the Federal Government because of flooding of the land caused by water retention at the dam site at Lake Redrock, Iowa; and

(2) have incurred losses that exceed the estimates of the Secretary of the Army provided to the producer as part of the granting of the easement or as part of the condemnation.

(b) **COMPENSATION.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary of the Army shall compensate an eligible producer described in subsection (a) for flooding losses to the land of the producer described in subsection (a)(2) in an amount determined by the Federal Crop Insurance Corporation.

(2) **REDUCTION.**—If the Secretary maintains a water retention rate at the dam site at Lake Redrock, Iowa, of—

(A) less than 769 feet, the amount of compensation provided to a producer under paragraph (1) shall be reduced by 10 percent;

(B) not less than 769 feet and not more than 772 feet, the amount of compensation provided to a producer under paragraph (1) shall be reduced by 7 percent; and

(C) more than 772 feet, the amount of compensation provided to a producer under paragraph (1) shall be reduced by 3 percent.

(c) **CROP YEARS.**—This section shall apply to flooding losses to the land of a producer described in subsection (a)(2) that are incurred during the 1997 and subsequent crop years.

TITLE IV—DEPARTMENT OF DEFENSE OFFSETS

DEPARTMENT OF DEFENSE—MILITARY MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

(RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$46,000,000 are rescinded.

MILITARY PERSONNEL, NAVY

(RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$11,000,000 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, \$15,000,000 are rescinded.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(RESCISSION)

Of the funds made available under this heading in Public Law 104-208, \$174,000,000 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, \$17,000,000 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.

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 104-208, \$8,000,000 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, \$71,000,000 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 104-208, \$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, \$14,000,000 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, \$28,000,000 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

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$812,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$4,000,000 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 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

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$1,207,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$4,000,000 are rescinded.

AIRCRAFT PROCUREMENT, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$33,650,000 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, \$7,195,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$186,000,000 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, \$7,000,000 are rescinded.

PROCUREMENT, DEFENSE-WIDE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$4,860,000 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
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$5,029,000 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, \$10,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY
(RESCISSIONS)

Of the funds made available under this heading in Public Law 104-61, \$14,978,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$21,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 104-61, \$28,396,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$122,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE
(RESCISSIONS)

Of the funds made available under this heading in Public Law 104-61, \$81,090,000 are rescinded.

Of the funds made available under this heading in Public Law 104-208, \$95,000,000 are rescinded.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE
(RESCISSION)

Of the funds made available under this heading in Public Law 104-61, \$890,000 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, \$35,000,000 are rescinded.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

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
(RESCISSIONS)

SEC. 401. 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 Force Reserve", \$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;

"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;

"Military Construction, Defense-wide", \$49,000,000.

SEC. 402. Notwithstanding 31 U.S.C. 1502(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. 403. 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. 404. Funds obligated by the National Aeronautics and Space Administration (NASA) in the amount of \$76,900,000 during fiscal years 1994 and 1995, and in the amount of \$61,300,000 during fiscal year 1996, pursuant to the "Memorandum 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 Attachment 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 years 1994, 1995 and 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.

(RESCISSION)

SEC. 405. Of the funds appropriated for "Military Construction, Navy" under Public Law 103-307, \$6,480,000 is hereby rescinded.

TITLE V—OTHER OFFSETS

CHAPTER 1

SUBCOMMITTEE ON COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the available unobligated balances under this heading, \$6,400,000 are rescinded.

CHAPTER 2

SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES

DEPARTMENT OF ENERGY

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: Provided, 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.

CHAPTER 3

SUBCOMMITTEE ON TRANSPORTATION AND RELATED AGENCIES

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 section 14 of Public Law 91-258 as amended, \$778,000,000 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, \$10,600,000 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.

CHAPTER 4

SUBCOMMITTEE ON TREASURY AND GENERAL GOVERNMENT

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.

CHAPTER 5

SUBCOMMITTEE ON VA, HUD, AND
INDEPENDENT AGENCIESDEPARTMENT 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 Comptroller General of the United States shall conduct an audit of all accounts of the Department of Housing and Urban Development to determine the amount of any and all program funds administered by the Department and report on this audit no later than May 1, 1998.

FEDERAL HOUSING ADMINISTRATION

FHA—GENERAL AND SPECIAL RISK PROGRAM
ACCOUNT

(RESCISSION)

Of the amounts of negative credit subsidy from the sale of mortgage notes provided for under the fourth proviso under this head in Public Law 104-134, \$85,000,000 is rescinded.

INDEPENDENT AGENCIES

FEDERAL EMERGENCY MANAGEMENT AGENCY
SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 102-368, \$5,000,000 are rescinded.

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATIONNATIONAL 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.

CHAPTER 6

SUBCOMMITTEE ON AGRICULTURE,
RURAL DEVELOPMENT, AND RELATED
AGENCIES

DEPARTMENT OF AGRICULTURE

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 employees of the Department of Agriculture 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 \$50,000,000.

CHAPTER 7

SUBCOMMITTEE ON ENERGY AND WATER
DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION, GENERAL

Of the amounts provided under this heading, including amounts provided to specific projects, in Public Law 104-206, and any other available balances under this heading, \$30,000,000 are permanently canceled.

TITLE VI—SUPPLEMENTAL SECURITY
INCOME AMENDMENTSEC. 601. EXTENSION OF SSI REDETERMINATION
PROVISIONS.

(a) IN GENERAL.—Section 402(a)(2)(D) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(D)) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking "the date which is 1 year after such date of enactment" and inserting in lieu thereof "September 30, 1997"; and

(B) in subclause (III), by striking "the date of the redetermination with respect to such individual" and inserting in lieu thereof "September 30, 1997".

(b) EFFECTIVE DATE.—Subsection (a) takes effect as if included in the enactment of section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612).

TITLE VII—GOVERNMENT SHUTDOWN
PREVENTION ACT

SEC. 701. SHORT TITLE.

This title may be cited as the "Government Shutdown Prevention Act".

SEC. 702. 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. 703. TERMS AND CONDITIONS.

(a) IN GENERAL.—An appropriation of funds made available, or authority granted, for a pro-

gram, 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. 704. 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. 705. 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. 706. 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. 707. 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. 708. 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.

TITLE VIII—DEPOSITORY INSTITUTION
DISASTER RELIEF

SEC. 801. SHORT TITLE.

This title may be cited as the "Depository Institution Disaster Relief Act of 1997".

SEC. 802. TRUTH IN LENDING ACT; EXPEDITED
FUNDS AVAILABILITY ACT.

(a) TRUTH IN LENDING ACT.—During the 180-day period beginning on the date of enactment

of this Act, the Board may make exceptions to the Truth in Lending Act (15 U.S.C. 1601 et seq.) for transactions within an 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 et seq.), 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 the 1997 flooding of the Red River of the North and its tributaries, 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 180-day period beginning on the date of enactment of this Act, the Board may make exceptions to the Expedited Funds Availability Act (12 U.S.C. 4001 et seq.) for depository institution offices located within any area referred to in subsection (a) 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 the earlier of—

(1) 1 year after the date of enactment of this Act; or

(2) 1 year after the date of any determination referred to in subsection (a).

(d) **PUBLICATION REQUIRED.**—Not later than 60 days after the date of a determination under subsection (a), the Board shall publish in the Federal Register a statement that—

(1) describes the 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. 803. DEPOSIT OF INSURANCE PROCEEDS.

The appropriate Federal banking agency may, by order, permit an insured depository institution, during the 18-month period beginning on the date of enactment of this Act, 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 (12 U.S.C. 1831o), 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 Disaster Relief and Emergency Assistance Act, 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 the 1997 flooding of the Red River of the North and its tributaries, 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 (12 U.S.C. 1831o)) 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 (12 U.S.C. 1831o).

SEC. 804. BANKING AGENCY PUBLICATION REQUIREMENTS.

(a) **IN GENERAL.**—During the 180-day period beginning on the date of enactment of this Act, 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 re-

spect 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 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 and its tributaries, if the agency determines that the action would facilitate recovery from the major disaster:

(1) **PROCEDURE.**—Exercise 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.**—Make 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.**—Not later than 90 days after the date of an action under this section, a qualifying regulatory agency shall publish in the Federal Register a statement that—

(1) describes the 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;

(2) the Office of the Comptroller of the Currency;

(3) the Office of Thrift Supervision;

(4) the Federal Deposit Insurance Corporation;

(5) the Federal 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.

SEC. 805. SENSE OF THE CONGRESS.

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. 806. OTHER AUTHORITY NOT AFFECTED.

Nothing in this title limits the authority of any department or agency under any other provision of law.

SEC. 807. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(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 (12 U.S.C. 1813).

(2) **BOARD.**—The term "Board" means the Board of Governors of the Federal Reserve System.

(3) **FEDERAL FINANCIAL INSTITUTIONS REGULATORY AGENCY.**—The term "Federal financial institutions regulatory agency" has the same meaning as in section 1121 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3350).

(4) **INSURED DEPOSITORY INSTITUTION.**—The term "insured depository institution" has the same meaning as in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(5) **LEVERAGE LIMIT.**—The term "leverage limit" has the same meaning as in section 38 of the Federal Deposit Insurance Act (12 U.S.C. 1831o).

(6) **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 section 803(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.

TITLE IX—TECHNICAL AMENDMENTS WITH RESPECT TO EDUCATION

SEC. 901. 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. 902. 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. 903. 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. 904. 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. 905. 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.

TITLE X—FOOD STAMP PROGRAM

STATE OPTION TO ISSUE FOOD STAMP BENEFITS TO CERTAIN INDIVIDUALS MADE INELIGIBLE BY WELFARE REFORM

SEC. 1001. Section 7 of the Food Stamp Act of 1977 (7 U.S.C. 2016) is amended by—

(1) inserting in subsection (a) after “necessary, and”, “except as provided in subsection (j)”, and

(2) inserting a new subsection (j) as follows:

“(j) (1) A State agency may, with the concurrence of the Secretary, issue coupons to individuals who are ineligible to participate in the food stamp program solely because of the provisions of section 6(o)(2) of this Act or sections 402 and 403 of the Personal Responsibility and Work Opportunity Act of 1996. A State agency that issues coupons under this subsection shall pay the Secretary the face value of the coupons issued under this subsection and the cost of printing, shipping, and redeeming the coupons, as well as any other Federal costs involved, as determined by the Secretary. A State agency shall pay the Secretary for coupons issued under this subsection and for the associated Federal costs issued under this subsection no later than the time the State agency issues such coupons to recipients. In making payments, the State agency shall comply with procedures developed by the Secretary. Notwithstanding section 3302(b) of title 31, United States Code, payments received by the Secretary for such coupons and for the associated Federal costs shall be credited to the food stamp program appropriation account or the account from which such associated costs were drawn, as appropriate, for the fiscal year in which the payment is received. The State agency shall comply with reporting requirements established by the Secretary.

“(2) A State agency that issues coupons under this subsection shall submit a plan, subject to the approval of the Secretary, describing the conditions under which coupons will be issued, including, but not limited to, eligibility standards, benefit levels, and the methodology the State will use to determine amounts owed the Secretary.

“(3) A State agency shall not issue benefits under this subsection—

“(A) to individuals who have been made ineligible under any provision of section 6 of this Act other than section 6(o)(2); or

“(B) in any area of the State where an electronic benefit transfer system has been implemented.

“(4) The value of coupons provided under this subsection shall not be considered income or resources for any purpose under any Federal laws, including, but not limited to, laws relating to taxation, welfare, and public assistance programs.

“(5) Any sanction, disqualification, fine or other penalty prescribed in Federal law, including, but not limited to, sections 12 and 15 of this Act, shall apply to violations in connection with any coupon or coupons issued pursuant to this subsection.

“(6) Administrative and other costs associated with the provision of coupons under this subsection shall not be eligible for reimbursement or any other form of Federal funding under section 16 or any other provision of this Act.

“(7) That portion of a household’s allotment issued pursuant to this subsection shall be excluded from any sample taken for purposes of making any determination under the system of enhanced payment accuracy established in section 16(c).”.

CONFORMING AMENDMENT

SEC. 1002. Section 17(b)(1)(B)(iv) of the Food Stamp Act of 1977 is amended by—

(1) striking “or” in subclause (V);

(2) striking the period at the end of subclause (VI) and inserting “; or”; and

(3) inserting a new subclause (VII) as follows—

“(VII) waives a provision of section 7(j).”.

This Act may be cited as the “Supplemental Appropriations and Rescissions Act of 1997”.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment, requests a conference with the House and the Chair is authorized to appoint conferees.

The Presiding Officer appointed Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. GORTON, Mr. MCCONNELL, Mr. BURNS, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CAMPBELL, Mr. CRAIG, Mr. FAIRCLOTH, Mrs. HUTCHISON, Mr. BYRD, Mr. INOUE, Mr. HOLLINGS, Mr. LEAHY, Mr. BUMPERS, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mr. MURRAY, Mr. DORGAN, and Mrs. BOXER conferees on the part of the Senate.

Mr. ASHCROFT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. ASHCROFT. Mr. President, I ask unanimous consent that my legislative assistant, Annie Billings, be given privilege of the floor today, and during the pendency of the debate on the Family Friendly Workplace Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ASHCROFT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAMILY FRIENDLY WORKPLACE ACT

Mr. MCCONNELL. Mr. President, the American workplace has changed drastically since the enactment of the Fair Labor Standards Act—nearly 60 years ago. In those days, for example, a small percentage of working mothers toiled in the fields, factories, and general stores. Today, nearly 70 percent of mothers with children under the age of 6 are now working.

The constant refrain of both mothers and fathers in the nineties is: “There’s just not enough hours in the day.”

Well, the U.S. Senate can’t put more hours in a day, but we can give workers more choices on how to spend those hours each day.

The time has come to amend the Fair Labor Standards Act of 1938. I am proud to be a cosponsor of S. 4, the Family Friendly Workplace Act.

Taking a look at this bill that Senator ASHCROFT has so skillfully put to-

gether and advocated. I think that the Family Friendly Workplace Act is one of the best opportunities we’ve had in a long time to make a substantial contribution to America’s working families. This bill is based on the comments and experiences of men and women who know the difficulty of balancing work and family.

Recently, a good friend of mine, Bill Stone, from Louisville, KY, my hometown, testified in support of S. 4 at a hearing before the Employment and Training Subcommittee of the Labor Committee upon which I serve. Bill runs the Louisville Plate Glass Co. Approximately three-fourths of this company’s Louisville work force is paid on an hourly basis and would be directly impacted by S. 4.

As Bill explained to our subcommittee, he said, “S. 4 will give a new and greatly needed measure of flexibility to our employees who are trying to meet the demands of raising children in single-parent or two-worker families. It will also,” Bill stated, “be a huge benefit to our employees who are pursuing training or educational activities.”

Now, let us take a look, Mr. President, at the compensatory time off provided for under the bill. If an employee at the Louisville Plate Glass Co. has to work overtime, then compensatory time off allows him to choose if he wants to be compensated with time-and-a-half pay or time-and-a-half time off.

A recent poll by Money magazine found that 66 percent of the American people would rather have their overtime in the form of time off than in hourly wages. And an astonishing 82 percent of people support legislation to allow workers to have this type of choice and flexibility.

The findings of this survey point to one conclusion, as explained by Ann Reilly Dowd of Money magazine. She put it this way. She said, “People are considering time much more precious than money right now.” And that is an enormous change in our society, Mr. President. Moreover, as Ms. Dowd concluded, “it seems that people are working so hard and being so torn between the mounting demands of their job and their family life that they really, really want more free time and they, particularly, want more flexible schedules.”

The Senate has a responsibility to respond to this overwhelming national need for choice and flexibility in the workplace.

Passing comptime legislation is just the first step in our response. Unfortunately, comptime alone is not enough. A bill that only includes comptime provisions will only include a small percentage of workers who actually work overtime.

S. 4 also includes two important provisions for workers who typically do not get the opportunity to work overtime. In most cases these workers are women.

For example, nearly three out of four workers reporting overtime pay are