

Union Calendar No. 105

103D CONGRESS
1ST SESSION

H. R. 2667

[Report No. 103-184]

A BILL

Making emergency supplemental appropriations for relief from the major, widespread flooding in the Midwest for the fiscal year ending September 30, 1993, and for other purposes.

JULY 20, 1993

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JULY 20, 1993

Mr. NATCHER, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making emergency supplemental appropriations for relief from the major, widespread flooding in the Midwest for the fiscal year ending September 30, 1993, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, to pro-
5 vide emergency supplemental appropriations for relief

1 from the major, widespread flooding in the Midwest for
2 the fiscal year ending September 30, 1993, and for other
3 purposes, namely:

4 CHAPTER I

5 DEPARTMENT OF AGRICULTURE, RURAL DE-
6 VELOPMENT, FOOD AND DRUG ADMINIS-
7 TRATION, AND RELATED AGENCIES

8 DEPARTMENT OF AGRICULTURE

9 COMMODITY CREDIT CORPORATION

10 COMMODITY CREDIT CORPORATION FUND

11 For an additional amount for the “Commodity Credit
12 Corporation Fund” to cover 1993 crop losses resulting
13 from excessive rainfall, hail, and floods associated with the
14 Midwest floods of 1993, other 1993 natural disasters oc-
15 ccurring prior to August 1, 1993, and natural disasters as
16 declared by the President occurring in calendar year 1993,
17 \$850,000,000, and in addition \$300,000,000, which shall
18 be available only to the extent an official budget request
19 for a specific dollar amount, that includes designation of
20 the entire amount of the request as an emergency require-
21 ment as defined in the Balanced Budget and Emergency
22 Deficit Control Act of 1985, as amended, is transmitted
23 by the President to Congress, the total to remain available
24 until June 30, 1994: *Provided*, That from funds previously
25 made available in Public Law 102–368 by Presidential

1 declaration, \$100,000,000 to remain available until March
2 31, 1994, shall be for 1993 crop losses only: *Provided fur-*
3 *ther*, That if prior to April 1, 1994, the President deter-
4 mines that extraordinary circumstances exist that warrant
5 further assistance, the Secretary of Agriculture shall use
6 such funds of the Commodity Credit Corporation as are
7 necessary to make payments in an amount equal to 50.04
8 percent of each eligible claim as determined under title
9 XXII of Public Law 101-624 and to make payments for
10 catastrophic losses where the deficiency in production of
11 the crop exceeds 75 percent: *Provided further*, That all ad-
12 ditional amounts made available herein are subject to the
13 terms and conditions in Public Law 101-624: *Provided*
14 *further*, That no payments to producers under this Act
15 shall be at a rate greater than 50.04 percent of each eligi-
16 ble claim, except that for the deficiency in production of
17 the crop in excess of 75 percent, the rate of payment shall
18 be 90 percent: *Provided further*, That Congress hereby
19 designates the entire amount provided herein as an emer-
20 gency requirement pursuant to section 251(b)(2)(D)(i) of
21 the Balanced Budget and Emergency Deficit Control Act
22 of 1985, as amended: *Provided further*, That notwith-
23 standing any provision of Public Law 103-50, funds pro-
24 vided by such Act shall not be expended for 1993 crop
25 losses resulting from 1993 natural disasters, and claims

1 for assistance from funds provided by that Act by produc-
2 ers with 1990, 1991, and 1992 crop losses shall be paid
3 only to the extent such claims are filed by September 17,
4 1993.

5 SOIL CONSERVATION SERVICE

6 WATERSHED AND FLOOD PREVENTION OPERATIONS

7 For an additional amount to repair damages to the
8 waterways and watersheds resulting from the Midwest
9 floods and other natural disasters of 1993, \$25,000,000,
10 to remain available until June 30, 1994 to carry out the
11 Emergency Watershed Protection Program of the Soil
12 Conservation Service: *Provided*, That the entire amount
13 is designated by Congress as an emergency requirement
14 pursuant to section 251(b)(2)(D)(i) of the Balanced
15 Budget and Emergency Deficit Control Act of 1985, as
16 amended.

17 AGRICULTURAL STABILIZATION AND CONSERVATION

18 SERVICE

19 EMERGENCY CONSERVATION PROGRAM

20 For an additional amount for emergency expenses re-
21 sulting from the Midwest floods and other natural disas-
22 ters of 1993, \$20,000,000, to remain available until June
23 30, 1994: *Provided*, That the entire amount is designated
24 by Congress as an emergency requirement pursuant to

1 section 251(b)(2)(D)(i) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985, as amended.

3

CHAPTER II

4 DEPARTMENTS OF COMMERCE, JUSTICE, AND
5 STATE, THE JUDICIARY, AND RELATED
6 AGENCIES

7

DEPARTMENT OF COMMERCE

8

ECONOMIC DEVELOPMENT ADMINISTRATION

9

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

10 For an additional amount for emergency expenses re-
11 sulting from the Midwest floods of 1993 and other disas-
12 ters, \$100,000,000, to remain available until expended, for
13 disaster assistance grants pursuant to the Public Works
14 and Economic Development Act of 1965, as amended:
15 *Provided*, That the entire amount shall be available only
16 to the extent an official budget request for a specific dollar
17 amount, that includes designation of the entire amount of
18 the request as an emergency requirement as defined in
19 the Balanced Budget and Emergency Deficit Control Act
20 of 1985, as amended, is transmitted by the President to
21 Congress: *Provided further*, That the entire amount is des-
22 igned by Congress as an emergency requirement pursu-
23 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985, as amended.

1 NATIONAL OCEANIC AND ATMOSPHERIC
2 ADMINISTRATION
3 OPERATIONS, RESEARCH, AND FACILITIES

4 For an additional amount for emergency expenses re-
5 sulting from the Midwest floods of 1993 and other disas-
6 ters, \$1,000,000, to remain available until expended: *Pro-*
7 *vided*, That the entire amount is designated by Congress
8 as an emergency requirement pursuant to section
9 251(b)(2)(D)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985, as amended.

11 RELATED AGENCIES

12 LEGAL SERVICES CORPORATION

13 PAYMENT TO THE LEGAL SERVICES CORPORATION

14 For an additional amount for “Payment to the Legal
15 Services Corporation” for emergency assistance to Legal
16 Services Corporation basic field programs in areas af-
17 fected by the Midwest floods of 1993 and other disasters,
18 \$300,000, to remain available until expended: *Provided*,
19 That the entire amount is designated by Congress as
20 an emergency requirement pursuant to section
21 251(b)(2)(D)(i) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985, as amended, contingent upon
23 the President designating the entire amount as an emer-
24 gency requirement pursuant to the Balanced Budget and
25 Emergency Deficit Control Act of 1985, as amended.

1 SMALL BUSINESS ADMINISTRATION

2 DISASTER LOANS PROGRAM ACCOUNT

3 For an additional amount for “Disaster Loans Pro-
4 gram Account” for the cost of direct loans for the Midwest
5 floods and other disasters, \$60,000,000, to remain avail-
6 able until expended; and in addition, for associated admin-
7 istrative expenses to carry out the disaster loan program,
8 an additional \$10,000,000, to remain available until ex-
9 pended, which may be transferred to and merged with the
10 appropriations for “Salaries and expenses”: *Provided,*
11 That the entire amount is designated by Congress as
12 an emergency requirement pursuant to section
13 251(b)(2)(D)(i) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985, as amended.

15 CHAPTER III

16 ENERGY AND WATER DEVELOPMENT

17 DEPARTMENT OF DEFENSE—CIVIL

18 DEPARTMENT OF THE ARMY

19 CORPS OF ENGINEERS—CIVIL

20 FLOOD CONTROL AND COASTAL EMERGENCIES

21 For an additional amount for “Flood Control and
22 Coastal Emergencies”, \$100,000,000, for the Midwest
23 floods and other disasters, and in addition \$20,000,000,
24 which shall be available only to the extent an official budg-
25 et request for a specific dollar amount, that includes des-

1 ignition of the entire amount of the request as an emer-
2 gency requirement as defined in the Balanced Budget and
3 Emergency Deficit Control Act of 1985, as amended, is
4 transmitted by the President to Congress, to remain avail-
5 able until expended: *Provided*, That the entire amount is
6 designated by Congress as an emergency requirement pur-
7 suant to section 251(b)(2)(D)(i) of the Balanced Budget
8 and Emergency Deficit Control Act of 1985, as amended.

9 OPERATION AND MAINTENANCE, GENERAL

10 For an additional amount for “Operation and Main-
11 tenance, General”, \$30,000,000, to remain available until
12 expended: *Provided*, That the entire amount is designated
13 by Congress as an emergency requirement pursuant to
14 section 251(b)(2)(D)(i) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985, as amended.

16 CHAPTER IV

17 DEPARTMENTS OF LABOR, HEALTH AND
18 HUMAN SERVICES, EDUCATION, AND RE-
19 LATED AGENCIES

20 DEPARTMENT OF LABOR

21 EMPLOYMENT AND TRAINING ADMINISTRATION

22 TRAINING AND EMPLOYMENT SERVICES

23 For an additional amount for disaster relief for the
24 Midwest flood for activities authorized by part B of title
25 III of the Job Training Partnership Act, \$43,500,000, to

1 be available for obligation for the period July 1, 1993,
2 through June 30, 1994, which shall be available only to
3 the extent an official budget request for a specific dollar
4 amount, that includes designation of the entire amount of
5 the request as an emergency requirement as defined in
6 the Balanced Budget and Emergency Deficit Control Act
7 of 1985, as amended, is transmitted by the President to
8 the Congress: *Provided*, That the entire amount is des-
9 ignated by Congress as an emergency requirement, pursu-
10 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985, as amended.

12 DEPARTMENT OF HEALTH AND HUMAN
13 SERVICES

14 ASSISTANT SECRETARY FOR HEALTH

15 PUBLIC HEALTH EMERGENCY FUND

16 For an additional amount for disaster relief for the
17 Midwest floods of 1993, \$54,000,000, to remain available
18 until expended, which shall be available only to the extent
19 an official budget request for a specific dollar amount,
20 that includes designation of the entire amount of the re-
21 quest as an emergency requirement as defined in the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985,
23 as amended, is transmitted by the President to the Con-
24 gress: *Provided*, That the entire amount is designated by
25 Congress as an emergency requirement pursuant to sec-

1 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985, as amended.

3 CHAPTER V

4 DEPARTMENT OF TRANSPORTATION AND
5 RELATED AGENCIES

6 DEPARTMENT OF TRANSPORTATION

7 UNITED STATES COAST GUARD

8 OPERATING EXPENSES

9 For an additional amount for emergency expenses re-
10 sulting from the Midwest floods of 1993, \$10,000,000, to
11 remain available until March 31, 1994, which shall be
12 available only to the extent an official budget request for
13 a specific dollar amount, that includes designation of the
14 entire request as an emergency requirement as defined in
15 the Balanced Budget and Emergency Deficit Control Act
16 of 1985, as amended, is transmitted by the President to
17 the Congress: *Provided*, That the entire amount is des-
18 ignated by Congress as an emergency requirement pursu-
19 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
20 Emergency Deficit Control Act of 1985, as amended.

21 FEDERAL HIGHWAY ADMINISTRATION

22 FEDERAL-AID HIGHWAYS

23 (HIGHWAY TRUST FUND)

24 For an additional amount for emergency expenses re-
25 sulting from the Midwest floods of 1993 and other disas-

1 ters, as authorized by 23 U.S.C. 125, \$75,000,000, and
2 in addition \$25,000,000, which shall be available only to
3 the extent an official budget request for a specific dollar
4 amount, that includes designation of the entire amount of
5 the request as an emergency requirement as defined in
6 the Balanced Budget and Emergency Deficit Control Act
7 of 1985, as amended, is transmitted by the President to
8 the Congress, all to be derived from the Highway Trust
9 Fund and to remain available until September 30, 1996:
10 *Provided*, That the entire amount is designated by Con-
11 gress as an emergency requirement pursuant to section
12 251(b)(2)(D)(i) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985, as amended.

14 FEDERAL RAILROAD ADMINISTRATION

15 LOCAL RAIL FREIGHT ASSISTANCE

16 For additional expenses pursuant to section 5 of the
17 Department of Transportation Act (49 U.S.C. app. 1654),
18 to repair and rebuild rail lines of other than class I rail-
19 roads as defined by the Interstate Commerce Commission
20 or railroads owned or controlled by a class I railroad, hav-
21 ing carried 5 million gross ton miles or less per mile dur-
22 ing the prior year, and damaged as a result of the Midwest
23 floods of 1993, *\$11,000,000, and in addition, notwith-*
24 *standing any other provision of law, \$10,000,000 to repair*
25 *and rebuild rail lines of any railroad subject to the discre-*

1 *tion of the Secretary of Transportation on a case by case*
2 *basis: Provided, That for the purposes of administering*
3 *this emergency relief, the Secretary of Transportation*
4 *shall have authority to make funds available notwithstand-*
5 *ing subsections (a), (b) (1) and (3), (c), (e)–(h) and (o)*
6 *of 49 U.S.C. app. 1654 as the Secretary deems appro-*
7 *priate and shall consider the extent to which the State*
8 *has available unexpended local rail freight assistance*
9 *funds or available repaid loan funds: Provided further,*
10 *That, notwithstanding 49 U.S.C. app. 1654(f), the Sec-*
11 *retary may prescribe the form and time for applications*
12 *for assistance made available herein: Provided further,*
13 *That these funds shall be available only to the extent an*
14 *official budget request, for a specific dollar amount, that*
15 *includes designation of the entire amount of the request*
16 *as an emergency requirement as defined in the Balanced*
17 *Budget and Emergency Deficit Control Act of 1985, as*
18 *amended, is transmitted by the President to the Congress:*
19 *Provided further, That the entire amount is designated by*
20 *Congress as an emergency requirement pursuant to sec-*
21 *tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-*
22 *gency Deficit Control Act of 1985, as amended: Provided*
23 *further, That all funds made available under this head are*
24 *to remain available until expended.*

1 CHAPTER VI
2 DEPARTMENTS OF VETERANS AFFAIRS AND
3 HOUSING AND URBAN DEVELOPMENT, AND
4 INDEPENDENT AGENCIES
5 DEPARTMENT OF HOUSING AND URBAN
6 DEVELOPMENT
7 HOUSING PROGRAMS
8 HOME INVESTMENT PARTNERSHIPS PROGRAM

9 For an additional amount for the “HOME invest-
10 ment partnerships program”, as authorized under title II
11 of the Cranston-Gonzalez National Affordable Housing
12 Act, for use only in areas affected by flooding in the Mid-
13 west, \$100,000,000, to remain available until September
14 30, 1994: *Provided*, That in administering these funds, the
15 Secretary may waive any provision of any statute or regu-
16 lation that the Secretary administers, except for provisions
17 requiring nondiscrimination, in connection with the obliga-
18 tion by the Secretary or any use by the recipient of these
19 funds upon finding that such waiver is required to facili-
20 tate the obligation and use of such funds and would not
21 be in conflict with the overall purpose of the statute or
22 regulation: *Provided further*, That the entire amount is
23 designated by Congress as an emergency requirement pur-
24 suant to section 251(b)(2)(D)(i) of the Balanced Budget
25 and Emergency Deficit Control Act of 1985, as amended.

1 COMMUNITY PLANNING AND DEVELOPMENT

2 COMMUNITY DEVELOPMENT GRANTS

3 For an additional amount for “Community develop-
4 ment grants”, as authorized under title I of the Housing
5 and Community Development Act of 1974, for authorized
6 community development activities only in areas affected
7 by flooding in the Midwest, \$53,000,000, to remain avail-
8 able until September 30, 1994: *Provided*, That in admin-
9 istering these funds, the Secretary may waive entirely, or
10 in any part, any requirement set forth in title I of such
11 Act, except for requirements relating to fair housing and
12 nondiscrimination, the environment, and labor standards,
13 if the Secretary finds that such waiver will further the
14 purposes for which these funds are appropriated: *Provided*
15 *further*, That the entire amount is designated by Congress
16 as an emergency requirement pursuant to section
17 251(b)(2)(D)(i) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985, as amended: *Provided further*,
19 That all of the funds provided under this head in this Act
20 shall be used only to repair, replace, or restore facilities
21 damaged or to continue services interrupted by flooding
22 that are essential to public health or safety as defined by
23 the Secretary.

1 INDEPENDENT AGENCIES
2 FEDERAL EMERGENCY MANAGEMENT AGENCY
3 DISASTER RELIEF

4 For an additional amount for “Disaster relief”,
5 \$815,000,000, to remain available until expended, for the
6 Midwest floods and other disasters: *Provided*, That the en-
7 tire amount is designated by Congress as an emergency
8 requirement pursuant to section 251(b)(2)(D)(i) of the
9 Balanced Budget and Emergency Deficit Control Act of
10 1985, as amended.

11 COMMISSION ON NATIONAL AND COMMUNITY
12 SERVICE
13 PROGRAMS AND ACTIVITIES

14 For use in carrying out Federal disaster relief pro-
15 grams, activities, and initiatives under subtitles C, E, F,
16 and G of the National and Community Service Act of 1990
17 (Public Law 101–610), as the Board determines necessary
18 to carry out programs related to the floods in the Midwest,
19 \$2,000,000, to remain available until September 30, 1994:
20 *Provided*, That the entire amount is designated by Con-
21 gress as an emergency requirement pursuant to section
22 251(b)(2)(D)(i) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985, as amended.

1 CHAPTER VII
2 DEPARTMENT OF THE INTERIOR AND
3 RELATED AGENCIES

4 DEPARTMENT OF THE INTERIOR
5 UNITED STATES FISH AND WILDLIFE SERVICE
6 CONSTRUCTION AND ANADROMOUS FISH

7 For an additional amount for “Construction and
8 Anadromous Fish”, \$26,354,000, for the Midwest floods,
9 to remain available until expended: *Provided*, That the en-
10 tire amount is designated by Congress as an emergency
11 requirement pursuant to section 251(b)(2)(D)(i) of the
12 Balanced Budget and Emergency Deficit Control Act of
13 1985 as amended.

14 NATIONAL PARK SERVICE
15 CONSTRUCTION

16 For an additional amount for “Construction”,
17 \$850,000, for the Midwest floods, to remain available until
18 expended: *Provided*, That the entire amount is designated
19 by Congress as an emergency requirement pursuant to
20 section 251(b)(2)(D)(i) of the Balanced Budget and
21 Emergency Deficit Control Act of 1985, as amended.

22 UNITED STATES GEOLOGICAL SURVEY
23 SURVEYS, INVESTIGATIONS AND RESEARCH

24 For an additional amount for “Surveys, investiga-
25 tions and research”, \$851,000, for the Midwest floods, to

1 remain available until expended: *Provided*, That the entire
2 amount is designated by Congress as an emergency re-
3 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
4 anced Budget and Emergency Deficit Control Act of 1985,
5 as amended.

6 CHAPTER VIII

7 GENERAL PROVISIONS

8 SEC. 701. No part of any appropriation contained in
9 this Act shall remain available for obligation beyond the
10 current fiscal year unless expressly so provided herein.

11 This Act may be cited as the “Emergency Supple-
12 mental Appropriations for Relief From the Major, Wide-
13 spread Flooding in the Midwest Act of 1993”.

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