

In the Senate of the United States,

March 31, 1998.

Resolved, That the bill from the House of Representatives (H.R. 3579) entitled “An Act making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

- 1 *That the following sums are appropriated, out of any*
- 2 *money in the Treasury not otherwise appropriated, for re-*
- 3 *covery from natural disasters, and for overseas peacekeeping*
- 4 *efforts, for the fiscal year ending September 30, 1998, and*
- 5 *for other purposes, namely:*

1 *TITLE I—EMERGENCY SUPPLEMENTAL APPRO-*
2 *PRIATIONS FOR RECOVERY FROM NATURAL*
3 *DISASTERS, AND FOR OVERSEAS PEACE-*
4 *KEEPING EFFORTS, FOR THE FISCAL YEAR*
5 *ENDING SEPTEMBER 30, 1998, AND FOR*
6 *OTHER PURPOSES*

7 *CHAPTER 1*

8 *SUBCOMMITTEE ON AGRICULTURE, RURAL*
9 *DEVELOPMENT, AND RELATED AGENCIES*

10 *DEPARTMENT OF AGRICULTURE*

11 *DEPARTMENTAL ADMINISTRATION*

12 *For an additional amount for “Departmental Admin-*
13 *istration”, \$2,000,000.*

14 *OFFICE OF THE GENERAL COUNSEL*

15 *For an additional amount for the “Office of the Gen-*
16 *eral Counsel”, \$235,000.*

17 *FARM SERVICE AGENCY*

18 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

19 *ACCOUNT*

20 *For an additional amount for the “Agricultural Credit*
21 *Insurance Fund Program Account”, for the cost of direct*
22 *and guaranteed loans authorized by 7 U.S.C. 1928–1929,*
23 *including the cost of modifying such loans as defined in*
24 *section 502 of the Congressional Budget Act of 1974, as fol-*
25 *lows: farm ownership loans, \$3,574,197, of which \$966,197*

1 *shall be for guaranteed loans; direct operating loans,*
2 *\$3,162,000; and for boll weevil eradication program loans*
3 *as authorized by 7 U.S.C. 1989, \$222,000.*

4 *For an additional amount for the “Agricultural Credit*
5 *Insurance Fund Program Account” for the cost of direct*
6 *and guaranteed loans authorized by 7 U.S.C. 1928–29, in-*
7 *cluding the cost of modifying such loans as defined in sec-*
8 *tion 502 of the Congressional Budget Act of 1974, for losses*
9 *resulting from ice storms, flooding, tornadoes and other nat-*
10 *ural disasters as follows: operating loans, \$8,600,000, of*
11 *which \$5,400,000 shall be for subsidized guaranteed loans;*
12 *emergency insured loans, \$21,000,000, to remain available*
13 *until expended: Provided, That the entire amounts shall be*
14 *available only to the extent that an official budget request*
15 *for \$29,600,000, that includes designation of the entire*
16 *amount of the request as an emergency requirement as de-*
17 *finied in the Balanced Budget and Emergency Deficit Con-*
18 *trol Act of 1985, as amended, is transmitted by the Presi-*
19 *dent to the Congress: Provided further, That the entire*
20 *amount is designated by the Congress as an emergency re-*
21 *quirement pursuant to section 251(b)(2)(A) of such Act.*

22 *EMERGENCY CONSERVATION PROGRAM*

23 *For an additional amount for the “Emergency Con-*
24 *servaion Program” for expenses resulting from ice storms,*
25 *flooding, tornadoes and other natural disasters,*
26 *\$60,000,000, to remain available until expended: Provided,*

1 *That the entire amount shall be available only to the extent*
2 *that an official budget request for \$60,000,000, that includes*
3 *designation of the entire amount of the request as an emer-*
4 *gency requirement as defined in the Balanced Budget and*
5 *Emergency Deficit Control Act of 1985, as amended, is*
6 *transmitted by the President to the Congress: Provided fur-*
7 *ther, That the entire amount is designated by the Congress*
8 *as an emergency requirement pursuant to section*
9 *251(b)(2)(A) of such Act.*

10 *For necessary expenses to carry out the emergency con-*
11 *servation program authorized under sections 401, 402, and*
12 *404 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201,*
13 *2202, 2204) to provide cost-sharing assistance to maple pro-*
14 *ducers to replace taps and tubing that were damaged by*
15 *ice storms in northeastern States in 1998, \$4,480,000, to*
16 *remain available until expended: Provided, That the entire*
17 *amount shall be available only to the extent that an official*
18 *budget request for \$4,480,000, that includes designation of*
19 *the entire amount of the request as an emergency require-*
20 *ment as defined in the Balanced Budget and Emergency*
21 *Deficit Control Act of 1985, as amended, is transmitted by*
22 *the President to the Congress: Provided further, That the*
23 *entire amount is designated by the Congress as an emer-*
24 *gency requirement pursuant to section 251(b)(2)(A) of such*
25 *Act.*

1 *TREE ASSISTANCE PROGRAM*

2 *An amount of \$8,700,000 is provided for assistance to*
3 *replace or rehabilitate trees and vineyards damaged by nat-*
4 *ural disasters: Provided, That the entire amount is avail-*
5 *able only to the extent that an official budget request for*
6 *\$8,700,000, that includes designation of the entire amount*
7 *of the request as an emergency requirement as defined in*
8 *the Balanced Budget and Emergency Deficit Control Act*
9 *of 1985, as amended, is transmitted by the President to the*
10 *Congress: Provided further, That the entire amount is des-*
11 *ignated by the Congress as an emergency requirement pur-*
12 *suant to section 251(b)(2)(A) of such Act.*

13 *COMMODITY CREDIT CORPORATION FUND*14 *LIVESTOCK DISASTER ASSISTANCE PROGRAM*

15 *Effective only for losses incurred beginning on Novem-*
16 *ber 27, 1997, through the date of enactment of this Act,*
17 *\$4,000,000 to implement a livestock indemnity program to*
18 *compensate producers for losses of livestock due to natural*
19 *disasters designated pursuant to a Presidential or Secretar-*
20 *ial declaration requested during such a period in a manner*
21 *similar to catastrophic loss coverage available for other*
22 *commodities under 7 U.S.C. 1508(b): Provided, That in es-*
23 *tablishing a program described in the preceding sentence,*
24 *the Secretary shall, to the extent practicable, utilize gross*
25 *income and payment limitations conditions established for*

1 *the Disaster Reserve Assistance Program for the 1996 crop*
2 *year: Provided further, That the entire amount shall be*
3 *available only to the extent that an official budget request*
4 *for \$4,000,000, that includes designation of the entire*
5 *amount of the request as an emergency requirement as de-*
6 *finied in the Balanced Budget and Emergency Deficit Con-*
7 *trol Act of 1985, as amended, is transmitted by the Presi-*
8 *dent to the Congress: Provided further, That the entire*
9 *amount is designated by the Congress as an emergency re-*
10 *quirement pursuant to section 251(b)(2)(A) of such Act.*

11 *DAIRY PRODUCTION DISASTER ASSISTANCE PROGRAM*

12 *Effective only for natural disasters beginning on No-*
13 *vember 27, 1997, through the date of enactment of this Act,*
14 *\$10,000,000 to implement a dairy production indemnity*
15 *program to compensate producers for losses of milk that had*
16 *been produced but not marketed or for diminished produc-*
17 *tion (including diminished future production due to masti-*
18 *tis) due to natural disasters designated pursuant to a Presi-*
19 *dential or Secretarial declaration requested during such pe-*
20 *riod: Provided, That payments for diminished production*
21 *shall be determined on a per head basis derived from a com-*
22 *parison to a like production period from the previous year,*
23 *the disaster period is 180 days starting with the date of*
24 *the disasters and the payment rate shall be \$4.00 per hun-*
25 *dredweight of milk: Provided further, That in establishing*
26 *this program, the Secretary shall, to the extent practicable,*

1 *utilize gross income and payment limitations established*
2 *for the Disaster Reserve Assistance Program for the 1996*
3 *crop year: Provided further, That the entire amount is*
4 *available only to the extent that an official budget request*
5 *for \$10,000,000, that includes designation of the entire*
6 *amount of the request as an emergency requirement as de-*
7 *finied in the Balanced Budget and Emergency Deficit Con-*
8 *trol Act of 1985, as amended, is transmitted by the Presi-*
9 *dent to the Congress: Provided further, That the entire*
10 *amount is designated by the Congress as an emergency re-*
11 *quirement pursuant to section 251(b)(2)(A) of such Act.*

12 *NATURAL RESOURCES CONSERVATION SERVICE*

13 *WATERSHED AND FLOOD PREVENTION OPERATIONS*

14 *For an additional amount for “Watershed and Flood*
15 *Prevention Operations” to repair damages to the waterways*
16 *and watersheds resulting from ice storms, flooding, torna-*
17 *does and other natural disasters, \$100,000,000, to remain*
18 *available until expended: Provided, That the entire amount*
19 *shall be available only to the extent that an official budget*
20 *request for \$100,000,000, that includes designation of the*
21 *entire amount of the request as an emergency requirement*
22 *as defined in the Balanced Budget and Emergency Deficit*
23 *Control Act of 1985, as amended, is transmitted by the*
24 *President to the Congress: Provided further, That the entire*

1 *amount is designated by the Congress as an emergency re-*
2 *quirement pursuant to section 251(b)(2)(A) of such Act.*

3 *FOOD STAMP PROGRAM*

4 *Of the amounts made available under this head in*
5 *Public Law 105–86, funds for employment and training*
6 *shall remain available until expended as authorized by sec-*
7 *tion 16(h)(1) of the Food Stamp Act.*

8 *DEPARTMENT OF HEALTH AND HUMAN*
9 *SERVICES*

10 *FOOD AND DRUG ADMINISTRATION*

11 *SALARIES AND EXPENSES*

12 *For an additional amount for “Salaries and expenses”*
13 *from fees collected pursuant to section 736 of the Federal*
14 *Food, Drug, and Cosmetic Act, not to exceed \$25,918,000,*
15 *to remain available until expended.*

16 *GENERAL PROVISION, CHAPTER 1*

17 *SEC. 101. Notwithstanding any other provision of law,*
18 *permanent employees of county committees employed dur-*
19 *ing fiscal year 1998 pursuant to 8(b) of the Soil Conserva-*
20 *tion and Domestic Allotment Act (16 U.S.C. 590h(b)) shall*
21 *be considered as having Federal Civil Service status only*
22 *for the purpose of applying for United States Department*
23 *of Agriculture Civil Service vacancies.*

1 *designated by the Congress as an emergency requirement*
2 *pursuant to section 251(b)(2)(A) of the Balanced Budget*
3 *and Emergency Deficit Control Act of 1985, as amended.*

4 *RESERVE PERSONNEL, NAVY*

5 *For an additional amount for “Reserve Personnel,*
6 *Navy”, \$4,100,000: Provided, That such amount is des-*
7 *ignated by the Congress as an emergency requirement pur-*
8 *suant to section 251(b)(2)(A) of the Balanced Budget and*
9 *Emergency Deficit Control Act of 1985, as amended.*

10 *OPERATION AND MAINTENANCE*

11 *OPERATION AND MAINTENANCE, ARMY*

12 *For an additional amount for “Operation and Mainte-*
13 *nance, Army”, \$1,886,000: Provided, That such amount is*
14 *designated by the Congress as an emergency requirement*
15 *pursuant to section 251(b)(2)(A) of the Balanced Budget*
16 *and Emergency Deficit Control Act of 1985, as amended.*

17 *OPERATION AND MAINTENANCE, NAVY*

18 *For an additional amount for “Operation and Mainte-*
19 *nance, Navy”, \$33,272,000: Provided, That such amount is*
20 *designated by the Congress as an emergency requirement*
21 *pursuant to section 251(b)(2)(A) of the Balanced Budget*
22 *and Emergency Deficit Control Act of 1985, as amended.*

23 *OPERATION AND MAINTENANCE, AIR FORCE*

24 *For an additional amount for “Operation and Mainte-*
25 *nance, Air Force”, \$21,509,000: Provided, That such*

1 amount is designated by the Congress as an emergency re-
2 quirement pursuant to section 251(b)(2)(A) of the Balanced
3 Budget and Emergency Deficit Control Act of 1985, as
4 amended.

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE
6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for “Operation and Mainte-
8 nance, Defense-wide”, \$1,390,000: Provided, That such
9 amount is designated by the Congress as an emergency re-
10 quirement pursuant to section 251(b)(2)(A) of the Balanced
11 Budget and Emergency Deficit Control Act of 1985, as
12 amended.

13 For an additional amount for “Operation and Mainte-
14 nance, Defense-wide”, \$44,000,000, for emergency expenses
15 resulting from natural disasters in the United States: Pro-
16 vided, That the entire amount shall be available only to
17 the extent that an official budget request for \$44,000,000,
18 that includes designation of the entire amount of the request
19 as an emergency requirement as defined in the Balanced
20 Budget and Emergency Deficit Control Act of 1985, as
21 amended, is transmitted by the President to the Congress:
22 Provided further, That the entire amount is designated by
23 the Congress as an emergency requirement pursuant to sec-
24 tion 251(b)(2)(A) of such Act: Provided further, That the
25 Secretary of Defense may transfer these funds to current

1 *applicable operation and maintenance appropriations, to*
2 *be merged with and available for the same purposes and*
3 *for the same time period as the appropriation to which*
4 *transferred: Provided further, That the transfer authority*
5 *provided in this provision is in addition to any transfer*
6 *authority available to the Department.*

7 *OPERATION AND MAINTENANCE, ARMY RESERVE*

8 *For an additional amount for “Operation and Mainte-*
9 *nance, Army Reserve”, \$650,000: Provided, That such*
10 *amount is designated by the Congress as an emergency re-*
11 *quirement pursuant to section 251(b)(2)(A) of the Balanced*
12 *Budget and Emergency Deficit Control Act of 1985, as*
13 *amended.*

14 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

15 *For an additional amount for “Operation and Mainte-*
16 *nance, Air Force Reserve”, \$229,000: Provided, That such*
17 *amount is designated by the Congress as an emergency re-*
18 *quirement pursuant to section 251(b)(2)(A) of the Balanced*
19 *Budget and Emergency Deficit Control Act of 1985, as*
20 *amended.*

21 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

22 *For an additional amount for “Operation and Mainte-*
23 *nance, Army National Guard”, \$175,000: Provided, That*
24 *such amount is designated by the Congress as an emergency*
25 *requirement pursuant to section 251(b)(2)(A) of the Bal-*

1 *anced Budget and Emergency Deficit Control Act of 1985,*
2 *as amended.*

3 *OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND*
4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For an additional amount for “Overseas Contingency*
6 *Operations Transfer Fund”, \$1,556,000,000, to remain*
7 *available until expended, of which \$46,000,000 shall be*
8 *available for classified programs: Provided, That such*
9 *amount is designated by the Congress as an emergency re-*
10 *quirement pursuant to section 251(b)(2)(A) of the Balanced*
11 *Budget and Emergency Deficit Control Act of 1985, as*
12 *amended: Provided further, That the Secretary of Defense*
13 *may transfer these funds to fiscal year 1998 appropriations*
14 *for operation and maintenance, working capital funds, and*
15 *the Defense Health Program: Provided further, That the*
16 *funds transferred shall be merged with and shall be avail-*
17 *able for the same purposes and for the same time period*
18 *as the appropriation to which transferred: Provided further,*
19 *That funds appropriated under this heading, or made*
20 *available by transfer of such funds, to any intelligence agen-*
21 *cy or activity of the United States Government shall be*
22 *deemed to be specifically authorized by the Congress for pur-*
23 *poses of section 504 of the National Security Act of 1947*
24 *(50 U.S.C. 414): Provided further, That the transfer author-*

1 *ity provided under this heading is in addition to any other*
2 *transfer authority contained in Public Law 105–56.*

3 **REVOLVING AND MANAGEMENT FUNDS**

4 **NAVY WORKING CAPITAL FUND**

5 *For an additional amount for “Navy Working Capital*
6 *Fund”, \$23,017,000: Provided, That such amount is des-*
7 *ignated by the Congress as an emergency requirement pur-*
8 *suant to section 251(b)(2)(A) of the Balanced Budget and*
9 *Emergency Deficit Control Act of 1985, as amended.*

10 **DEFENSE-WIDE WORKING CAPITAL FUND**

11 *For an additional amount for “Defense-wide Working*
12 *Capital Fund”, \$1,000,000: Provided, That such amount*
13 *is designated by the Congress as an emergency requirement*
14 *pursuant to section 251(b)(2)(A) of the Balanced Budget*
15 *and Emergency Deficit Control Act of 1985, as amended.*

16 **OTHER DEPARTMENT OF DEFENSE PROGRAMS**

17 **DEFENSE HEALTH PROGRAM**

18 *For an additional amount for the “Defense Health*
19 *Program”, \$1,900,000: Provided, That such amount is des-*
20 *ignated by the Congress as an emergency requirement pur-*
21 *suant to section 251(b)(2)(A) of the Balanced Budget and*
22 *Emergency Deficit Control Act of 1985, as amended.*

23 **GENERAL PROVISIONS, CHAPTER 2**

24 *SEC. 201. In addition to the amounts provided in Pub-*
25 *lic Law 105–56, \$36,500,000 is appropriated under the*

1 heading “Overseas Humanitarian, Disaster, and Civic
2 Aid”: Provided, That from the funds made available under
3 that heading, the Secretary of Defense shall make a grant
4 in the amount of \$16,500,000 to the American Red Cross
5 for Armed Forces emergency services: Provided further,
6 That from the funds made available under that heading,
7 the Secretary of Defense shall make a grant in the amount
8 of \$20,000,000 to the American Red Cross for reimburse-
9 ment for disaster relief and recovery expenditures at over-
10 seas locations: Provided further, That the entire amount
11 shall be available only to the extent that an official budget
12 request for \$36,500,000, that includes designation of the en-
13 tire amount of the request as an emergency requirement as
14 defined in the Balanced Budget and Emergency Deficit
15 Control Act of 1985, as amended, is transmitted by the
16 President to the Congress: Provided further, That the entire
17 amount is designated by the Congress as an emergency re-
18 quirement pursuant to section 251(b)(2)(A) of such Act.

19 SEC. 202. The Secretary of the Army shall comply with
20 the memorandum of agreement entitled “Yakima Training
21 Center Proposed Land Acquisition: Recreational Mitigation
22 Requirements” that was entered into between the Washing-
23 ton State Parks and Recreation Commission and the De-
24 partment of the Army (with the Commanding General of

1 nance, \$40,000,000 shall be transferred to “Operation and
2 Maintenance, Defense-Wide”.

3 SEC. 205. Notwithstanding any other provision of law,
4 the Department of the Army is hereby prohibited from mov-
5 ing forward with civilian personnel reductions at all Army
6 Test Ranges resulting from proposed reductions in their fis-
7 cal year 1999 budget, until such time as the Congress has
8 the opportunity to consider the merits of such action during
9 the fiscal year 1999 defense appropriations process. Where
10 civilian personnel are concerned, the Army is required to
11 offer such Voluntary Separation Incentive Pay (VSIP) and
12 Voluntary Early Retirement Authority benefits as are cur-
13 rently being offered, should such benefits be necessary at a
14 future date.

15 SEC. 206. (a) Congress urges the President to enter
16 into an agreement with the North Atlantic Treaty Organi-
17 zation (NATO) that sets forth—

18 (1) the benchmarks that are detailed in the re-
19 port accompanying the certification that was made
20 by the President to Congress on March 3, 1998;

21 (2) a schedule for achieving the benchmarks; and

22 (3) a process for NATO to carry out a formal re-
23 view of each failure, if any, to achieve any such
24 benchmark on schedule.

25 (b) The President shall submit to Congress—

1 (1) not later than June 30, 1998, a report on the
2 results of the efforts to obtain an agreement described
3 in subsection (a); and

4 (2) semiannually after that report, a report on
5 the progress made toward achieving the benchmarks
6 referred to in subsection (a)(1), including a discussion
7 of each achievement of a benchmark referred to in
8 that subsection, each failure to achieve a benchmark
9 on schedule, and the results of NATO's formal review
10 of each such failure.

11 (c) The enactment of this section does not reflect ap-
12 proval or disapproval of the benchmarks submitted by the
13 President in the certification to Congress transmitted on
14 March 3, 1998.

15 SEC. 207. Notwithstanding any other provision of law,
16 in the case of a person who is selected for training in a
17 State program conducted under the National Guard Chal-
18 lenge Program and who obtains a general education di-
19 ploma in connection with such training, the general edu-
20 cation diploma shall be treated as equivalent to a high
21 school diploma for purposes of determining the eligibility
22 of the person for enlistment in the Armed Forces.

23 SEC. 208. In addition to the amounts provided in Pub-
24 lic Law 105-56, \$151,000,000 is appropriated under the
25 heading "Research, Development, Test and Evaluation, De-

1 *fense-Wide”*: *Provided, That the additional amount shall be*
2 *made available for enhancements to selected theater missile*
3 *defense programs to counter enhanced ballistic missile*
4 *threats: Provided further, That of the additional amount*
5 *appropriated, \$45,000,000 shall be made available only for*
6 *the procurement of items and equipment required for a*
7 *third Arrow missile defense battery: Provided further, That*
8 *the entire amount shall be available only to the extent that*
9 *an official budget request for \$151,000,000, that includes*
10 *designation of the entire amount of the request as an emer-*
11 *gency requirement as defined in the Balanced Budget and*
12 *Emergency Deficit Control Act of 1985, as amended, is*
13 *transmitted by the President to the Congress: Provided fur-*
14 *ther, That the entire amount is designated by the Congress*
15 *as an emergency requirement pursuant to section*
16 *251(b)(2)(A) of such Act.*

17 *SEC. 209. (a)(1) The Secretary of Defense may enter*
18 *into a lease or acquire any other interest in the parcels of*
19 *land described in paragraph (2). The parcels consist in ag-*
20 *gregate of approximately 90 acres.*

21 *(2) The parcels of land referred to in paragraph (1)*
22 *are the following land used for the commercial production*
23 *of cranberries:*

1 (A) *The parcels known as the Mashpee bogs, lo-*
2 *cated on the Quashnet River adjacent to the Massa-*
3 *chusetts Military Reservation, Massachusetts.*

4 (B) *The parcels known as the Falmouth bogs, lo-*
5 *cated on the Coonamessett River adjacent to the Mas-*
6 *sachusetts Military Reservation, Massachusetts.*

7 (3) *The term of any lease or other interest acquired*
8 *under paragraph (1) may not exceed two years.*

9 (4) *Any lease or other real property interest acquired*
10 *under paragraph (1) shall be subject to such other terms*
11 *and conditions as are agreed upon jointly by the Secretary*
12 *and the person or entity entering into the lease or extending*
13 *the interest.*

14 (b) *Of the amounts appropriated or otherwise made*
15 *available for the Department of Defense for fiscal year 1998,*
16 *up to \$2,000,000 may be available to acquire interest under*
17 *subsection (a).*

18 SEC. 210. (a) *Section 924(j) of Public Law 104–201*
19 *(110 Stat. 2628) is amended to read as follows:*

20 “(j) *DURATION OF PANEL.—The Panel shall exist until*
21 *September 30, 1998, and shall terminate at the end of the*
22 *day on such date.”.*

23 (b) *The National Defense Panel established under sec-*
24 *tion 924 of Public Law 104–201 shall be deemed to have*
25 *continued in existence after the Panel submitted its report*

1 *under subsection (e) of such section until the Panel termi-*
2 *nates under subsection (j) of such section as amended by*
3 *subsection (a).*

4 *SEC. 211. In addition to the amounts provided in Pub-*
5 *lic Law 105–56, \$272,500,000 is appropriated under the*
6 *heading “Aircraft Procurement, Navy”: Provided, That the*
7 *additional amount shall be made available only for the pro-*
8 *curement of eight F/A–18 aircraft for the United States Ma-*
9 *rine Corps: Provided further, That the entire amount shall*
10 *be available only to the extent that an official budget request*
11 *for \$272,500,000, that includes designation of the entire*
12 *amount of the request as an emergency requirement as de-*
13 *finied in the Balanced Budget and Emergency Deficit Con-*
14 *trol Act of 1985, as amended, is transmitted by the Presi-*
15 *dent to the Congress: Provided further, That the entire*
16 *amount is designated by the Congress as an emergency re-*
17 *quirement pursuant to section 251(b)(2)(A) of such Act.*

1 budget request for \$8,000,000, that includes designation of
2 the entire amount of the request as an emergency require-
3 ment as defined in the *Balanced Budget and Emergency*
4 *Deficit Control Act of 1985*, as amended: *Provided further,*
5 *That the entire amount is designated by the Congress as*
6 *an emergency requirement pursuant to section 251(b)(2)(A)*
7 *of the Balanced Budget and Emergency Deficit Control Act*
8 *of 1985, as amended.*

9 *An additional amount for emergency levee and water-*
10 *way repairs at Elba and Geneva, Alabama, \$25,000,000,*
11 *to remain available until expended: Provided, That the Sec-*
12 *retary of the Army is authorized and directed to obligate*
13 *and expend the funds appropriated for the Elba and Gene-*
14 *va, Alabama levees and waterway repair to proceed with*
15 *engineering and design and reconstruction if the Secretary*
16 *of the Army certifies that such work is necessary to provide*
17 *flood control benefits in the vicinity of Elba and Geneva,*
18 *Alabama: Provided further, That the Corps of Engineers*
19 *shall not be responsible for the future costs of operation,*
20 *repair, replacement or rehabilitation of the project: Pro-*
21 *vided further, That the entire amount shall be available*
22 *only to the extent an official budget request of \$25,000,000,*
23 *that includes designation of the entire amount of the request*
24 *as an emergency requirement as defined in the *Balanced**
25 *Budget and Emergency Deficit Control Act of 1985, as*

1 *amended, is transmitted by the President to the Congress:*
2 *Provided further, That the entire amount is designated by*
3 *the Congress as an emergency requirement pursuant to sec-*
4 *tion 251(b)(2)(A) of such Act.*

5 *An additional amount for emergency river and shore-*
6 *line repairs along the Missouri River in South Dakota to*
7 *be conducted at full Federal expense, \$2,500,000, to remain*
8 *available until expended: Provided, That the Secretary of*
9 *the Army is authorized and directed to obligate and expend*
10 *the funds appropriated for South Dakota emergency river*
11 *and shoreline repair if the Secretary of the Army certifies*
12 *that such work is necessary to provide flood-related benefits:*
13 *Provided further, That the Corps of Engineers shall not be*
14 *responsible for the future costs of operation, repair, replace-*
15 *ment or rehabilitation of the project: Provided further, That*
16 *the entire amount shall be available only to the extent an*
17 *official budget request of \$2,500,000, that includes designa-*
18 *tion of the entire amount of the request as an emergency*
19 *requirement as defined in the Balanced Budget and Emer-*
20 *gency Deficit Control Act of 1985, as amended, is transmit-*
21 *ted by the President to the Congress: Provided further, That*
22 *the entire amount is designated by the Congress as an emer-*
23 *gency requirement pursuant to section 251(b)(2)(A) of such*
24 *Act.*

1 *An additional amount for emergency levee repairs at*
2 *Suisun Marsh, California to be conducted at full Federal*
3 *expense, \$1,100,000, to remain available until expended:*
4 *Provided, That the Secretary of the Army is authorized and*
5 *directed to obligate and expend the funds appropriated for*
6 *the Suisun Marsh, California levee repair to proceed with*
7 *engineering and design and reconstruction if the Secretary*
8 *of the Army certifies that such work is necessary to provide*
9 *flood control benefits in the vicinity of Suisun Marsh, Cali-*
10 *ornia: Provided further, That the Corps of Engineers shall*
11 *not be responsible for the future costs of operation, repair,*
12 *replacement or rehabilitation of the project: Provided fur-*
13 *ther, That the entire amount shall be available only to the*
14 *extent an official budget request of \$1,100,000, that includes*
15 *designation of the entire amount of the request as an emer-*
16 *gency requirement as defined in the Balanced Budget and*
17 *Emergency Deficit Control Act of 1985, as amended, is*
18 *transmitted by the President to the Congress: Provided fur-*
19 *ther, That the entire amount is designated by the Congress*
20 *as an emergency requirement pursuant to section*
21 *251(b)(2)(A) of such Act.*

22 *An additional amount for emergency maintenance*
23 *dredging at Apra Harbor, Guam to be conducted at full*
24 *Federal expense, \$1,400,000, to remain available until ex-*
25 *pended: Provided, That the Secretary of the Army is author-*

1 ized and directed to obligate and expend the funds appro-
2 priated for the Apra Harbor, Guam emergency mainte-
3 nance dredging if the Secretary of the Army certifies that
4 such work is in the national interest: Provided further, That
5 the Corps of Engineers shall not be responsible for the future
6 costs of operation, repair, replacement or rehabilitation of
7 the project: Provided further, That the entire amount shall
8 be available only to the extent an official budget request
9 of \$1,400,000, that includes designation of the entire
10 amount of the request as an emergency requirement as de-
11 fined in the Balanced Budget and Emergency Deficit Con-
12 trol Act of 1985, as amended, is transmitted by the Presi-
13 dent to the Congress: Provided further, That the entire
14 amount is designated by the Congress as an emergency re-
15 quirement pursuant to section 251(b)(2)(A) of such Act.

16 An additional amount for emergency construction to
17 repair the Mackville Dam in Hardwick, Vermont, \$500,000,
18 to remain available until expended: Provided, That the Sec-
19 retary of the Army may obligate and expend the funds ap-
20 propriated for repair of the Mackville Dam if the Secretary
21 of the Army certifies that the repair is necessary to provide
22 flood control benefits: Provided further, That the Corps of
23 Engineers shall not be responsible for the future costs of op-
24 eration, repair, replacement or rehabilitation of the project:
25 Provided further, That the entire amount shall be available

1 *only to the extent that an official budget request of \$500,000*
2 *that includes designation of the entire amount of the request*
3 *as an emergency requirement pursuant to section*
4 *251(b)(2)(A) of the Balanced Budget and Emergency Defi-*
5 *cit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)) is transmit-*
6 *ted by the President to Congress: Provided further, That the*
7 *entire amount is designated by Congress as an emergency*
8 *requirement pursuant to section 251(b)(2)(A) of that Act.*

9 *OPERATION AND MAINTENANCE, GENERAL*

10 *For emergency repairs due to flooding and other natu-*
11 *ral disasters, \$30,000,000, to remain available until ex-*
12 *pended, of which such amounts for eligible navigation*
13 *projects which may be derived from the Harbor Mainte-*
14 *nance Trust Fund pursuant to Public Law 99–662, shall*
15 *be derived from that Fund, and the remainder shall be de-*
16 *rived by transfer from the “Flood Control and Coastal*
17 *Emergencies” account: Provided, That the entire amount*
18 *shall be available only to the extent an official budget re-*
19 *quest for \$30,000,000, that includes designation of the en-*
20 *tire amount of the request as an emergency requirement as*
21 *defined in the Balanced Budget and Emergency Deficit*
22 *Control Act of 1985, as amended, is transmitted by the*
23 *President to the Congress: Provided further, That the entire*
24 *amount is designated by the Congress as an emergency re-*
25 *quirement pursuant to section 251(b)(2)(A) of the Balanced*

1 *Budget and Emergency Deficit Control Act of 1985, as*
2 *amended.*

3 *DEPARTMENT OF ENERGY*

4 *ATOMIC ENERGY DEFENSE ACTIVITIES*

5 *WEAPONS ACTIVITIES*

6 *(TRANSFER OF FUNDS)*

7 *For an additional amount for atomic energy defense*
8 *weapons activities, including the purchase, construction,*
9 *and acquisition of plant and capitol equipment, and other*
10 *necessary expenses, \$4,000,000, to remain available until*
11 *expended, to be derived from funds appropriated in the En-*
12 *ergy and Water Development Appropriations Act, 1998, or*
13 *prior year Acts, as follows: \$4,000,000 from “Other Defense*
14 *Activities”.*

15 *DEPARTMENTAL ADMINISTRATION*

16 *Such additional amounts as necessary, not to exceed*
17 *\$5,408,000, to cover increases in the estimated amount of*
18 *cost of Work For Others notwithstanding the provisions of*
19 *the Anti-Deficiency Act (31 U.S.C. 1511, et seq.): Provided,*
20 *That such increases in cost of Work For Others are offset*
21 *by revenue increases of the same or greater amount derived*
22 *from fees authorized by sections 31 and 33 of the Atomic*
23 *Energy Act of 1954 (42 U.S.C. 2051 and 2053), to remain*
24 *available until expended.*

1 *GENERAL PROVISIONS, CHAPTER 3*

2 *SEC. 301. Section 303 of the Energy and Water Devel-*
3 *opment Appropriations Act, 1998 (Public Law 105–62),*
4 *does not apply to the worker transition plan for the Pinellas*
5 *Plant site.*

6 *SEC. 302. Section 2 of the Emergency Drought Relief*
7 *Act of 1996 (Public Law 104–318; 110 Stat. 3862) is*
8 *amended by adding at the end the following new section:*

9 “(c) *EXTENSION OF PERIODS FOR REPAYMENT.—Not-*
10 *withstanding any provision of the Reclamation Project Act*
11 *of 1939 (43 U.S.C. 485 et seq.), the Secretary of the Inte-*
12 *rior—*

13 “(1) *shall extend the period for repayment by the*
14 *City of Corpus Christi, Texas, and the Nueces River*
15 *Authority under contract No. 6–07–01–x0675, relat-*
16 *ing to the Nueces River reclamation project, Texas,*
17 *until—*

18 “(A) *August 1, 2029 for repayment pursu-*
19 *ant to the municipal and industrial water sup-*
20 *ply benefits portion of the contract; and*

21 “(B) *until August 1, 2044 for repayment*
22 *pursuant to the fish and wildlife and recreation*
23 *benefits portion of the contract, and*

24 “(2) *shall extend the period for repayment by the*
25 *Canadian River Municipal Water Authority under*

1 *that includes designation of the entire amount of the request*
2 *as an emergency requirement as defined in the Balanced*
3 *Budget and Emergency Deficit Control Act of 1985, as*
4 *amended, is transmitted by the President to the Congress:*
5 *Provided further, That the entire amount is designated by*
6 *the Congress as an emergency requirement pursuant to sec-*
7 *tion 251(b)(2)(A) of the Balanced Budget and Emergency*
8 *Deficit Control Act of 1985, as amended.*

9 *UNITED STATES FISH AND WILDLIFE SERVICE*

10 *CONSTRUCTION*

11 *For an additional amount for “Construction”,*
12 *\$32,818,000, to remain available until expended, to repair*
13 *damage caused by floods and other natural disasters: Pro-*
14 *vided, That the entire amount shall be available only to*
15 *the extent that an official budget request for \$32,818,000,*
16 *that includes designation of the entire amount of the request*
17 *as an emergency requirement as defined in the Balanced*
18 *Budget and Emergency Deficit Control Act of 1985, as*
19 *amended, is transmitted by the President to the Congress:*
20 *Provided further, That the entire amount is designated by*
21 *the Congress as an emergency requirement pursuant to sec-*
22 *tion 251(b)(2)(A) of the Balanced Budget and Emergency*
23 *Deficit Control Act of 1985, as amended.*

1 *NATIONAL PARK SERVICE*2 *CONSTRUCTION*

3 *For an additional amount for “Construction” to re-*
4 *pair damage caused by floods and other natural disasters,*
5 *\$9,506,000, to remain available until expended: Provided,*
6 *That the entire amount shall be available only to the extent*
7 *that an official budget request for \$9,506,000, that includes*
8 *designation of the entire amount of the request as an emer-*
9 *gency requirement as defined in the Balanced Budget and*
10 *Emergency Deficit Control Act of 1985, as amended, is*
11 *transmitted by the President to the Congress: Provided fur-*
12 *ther, That the entire amount is designated by the Congress*
13 *as an emergency requirement pursuant to section*
14 *251(b)(2)(A) of such Act.*

15 *UNITED STATES GEOLOGICAL SURVEY*16 *SURVEYS, INVESTIGATIONS, AND RESEARCH*

17 *For an additional amount for “Surveys, Investiga-*
18 *tions, and Research” for emergency expenses resulting from*
19 *floods and other natural disasters, \$1,198,000, to remain*
20 *available until expended: Provided, That the entire amount*
21 *shall be available only to the extent that an official budget*
22 *request for \$1,198,000, that includes designation of the en-*
23 *tire amount of the request as an emergency requirement as*
24 *defined in the Balanced Budget and Emergency Deficit*
25 *Control Act of 1985, as amended, is transmitted by the*

1 *President to the Congress: Provided further, That the entire*
2 *amount is designated by the Congress as an emergency re-*
3 *quirement pursuant to section 251(b)(2)(A) of such Act.*

4 *MINERALS MANAGEMENT SERVICE*

5 *ROYALTY AND OFFSHORE MINERALS MANAGEMENT*

6 *For an additional amount for “Royalty and Offshore*
7 *Minerals Management” to meet increased demand and*
8 *workload requirements stemming from higher than antici-*
9 *pated leasing activity in the Gulf of Mexico, \$6,675,000,*
10 *to remain available until expended, to be derived from in-*
11 *creased receipts resulting from increases to rates in effect*
12 *on August 5, 1993, from rate increases to fee collections for*
13 *Outer Continental Shelf administrative activities per-*
14 *formed by the Minerals Management Service over and above*
15 *the rates in effect on September 30, 1993, and from addi-*
16 *tional fees for Outer Continental Shelf administrative ac-*
17 *tivities established after September 30, 1993.*

18 *OFFICE OF SURFACE MINING RECLAMATION AND*

19 *ENFORCEMENT*

20 *ABANDONED MINE RECLAMATION FUND*

21 *(TRANSFER OF FUNDS)*

22 *For an additional amount for the “Abandoned Mine*
23 *Reclamation Fund”, \$3,163,000, to be derived by transfer*
24 *from amounts available in Public Law 105–83 under the*
25 *heading, “Regulation and Technology”, and to be subject*

1 *to the same terms and conditions of the account to which*
2 *transferred.*

3 *BUREAU OF INDIAN AFFAIRS*

4 *OPERATION OF INDIAN PROGRAMS*

5 *For an additional amount for “Operation of Indian*
6 *Programs”, \$1,050,000, to remain available until expended,*
7 *for the cost of document collection and production, includ-*
8 *ing electronic imaging, required to support litigation in-*
9 *volving individual Indian trust fund accounts.*

10 *BUREAU OF INDIAN AFFAIRS*

11 *CONSTRUCTION*

12 *For an additional amount for “Construction”,*
13 *\$700,000, to remain available until expended, to repair*
14 *damage caused by floods and other natural disasters: Pro-*
15 *vided, That the entire amount shall be available only to*
16 *the extent that an official budget request for \$700,000, that*
17 *includes designation of the entire amount of the request as*
18 *an emergency requirement as defined in the Balanced*
19 *Budget and Emergency Deficit Control Act of 1985, as*
20 *amended, is transmitted by the President to the Congress:*
21 *Provided further, That the entire amount is designated by*
22 *the Congress as an emergency requirement pursuant to sec-*
23 *tion 251(b)(2)(A) of the Balanced Budget and Emergency*
24 *Deficit Control Act of 1985, as amended.*

1 *DEPARTMENT OF AGRICULTURE*
2 *FOREST SERVICE*
3 *STATE AND PRIVATE FORESTRY*

4 *For an additional amount for “State and Private For-*
5 *estry” for emergency expenses resulting from damages from*
6 *ice storms, tornadoes and other natural disasters,*
7 *\$48,000,000, to remain available until expended: Provided,*
8 *That the entire amount shall be available only to the extent*
9 *that an official budget request for \$48,000,000, that includes*
10 *designation of the entire amount of the request as an emer-*
11 *gency requirement as defined in the Balanced Budget and*
12 *Emergency Deficit Control Act of 1985, as amended, is*
13 *transmitted by the President to the Congress: Provided fur-*
14 *ther, That the entire amount is designated by the Congress*
15 *as an emergency requirement pursuant to section*
16 *251(b)(2)(A) of the Balanced Budget and Emergency Defi-*
17 *cit Control Act of 1985, as amended.*

18 *NATIONAL FOREST SYSTEM*

19 *For an additional amount for the “National Forest*
20 *System” for emergency expenses resulting from damages*
21 *from ice storms, tornadoes and other natural disasters,*
22 *\$10,000,000, to remain available until expended: Provided,*
23 *That the entire amount shall be available only to the extent*
24 *that an official budget request for \$10,000,000, that includes*
25 *designation of the entire amount of the request as an emer-*
26 *gency requirement as defined in the Balanced Budget and*

1 *Emergency Deficit Control Act of 1985, as amended, is*
2 *transmitted by the President to the Congress: Provided fur-*
3 *ther, That the entire amount is designated by the Congress*
4 *as an emergency requirement pursuant to section*
5 *251(b)(2)(A) of the Balanced Budget and Emergency Defi-*
6 *cit Control Act of 1985, as amended.*

7 *For an additional amount for the “National Forest*
8 *System” for expenses associated with payments to states as*
9 *specified in subsection (b)(2) of section 405 of this chapter*
10 *of this Act, \$2,000,000, to remain available until expended.*

11 *WILDLAND FIRE MANAGEMENT*

12 *For an additional amount for “Wildland and Fire*
13 *Management” for wildland and fire management oper-*
14 *ations to be carried out to rectify damages caused by the*
15 *windstorms in Texas on February 10, 1998, \$2,000,000, to*
16 *remain available until expended: Provided, That the entire*
17 *amount shall be available only at the discretion of the Chief*
18 *of the National Forest Service: Provided further, That the*
19 *entire amount shall be available only to the extent that an*
20 *official budget request for \$2,000,000 that includes designa-*
21 *tion of the entire amount of the request as an emergency*
22 *requirement as defined in the Balanced Budget and Emer-*
23 *gency Deficit Control Act of 1985, as amended, is transmit-*
24 *ted by the President to the Congress: Provided further, That*
25 *the entire amount is designated by the Congress as an emer-*
26 *gency requirement pursuant to section 251(b)(2)(A) of the*

1 *Balanced Budget and Emergency Deficit Control Act of*
2 *1985, as amended.*

3 *DEPARTMENT OF ENERGY*

4 *STRATEGIC PETROLEUM RESERVE*

5 *For necessary expenses for Strategic Petroleum Reserve*
6 *facility development and operations and program manage-*
7 *ment activities pursuant to the Energy Policy and Con-*
8 *servation Act of 1975, as amended (42 U.S.C. 6201 et seq.),*
9 *\$207,500,000, to remain available until expended, and the*
10 *sale of oil from the Strategic Petroleum Reserve required*
11 *by Public Law 105–83 shall be prohibited: Provided, That*
12 *the entire amount shall be available and the oil sale prohib-*
13 *ited only to the extent that an official budget request for*
14 *\$207,500,000, that includes designation of the entire*
15 *amount of the request as an emergency requirement as de-*
16 *finied in the Balanced Budget and Emergency Deficit Con-*
17 *trol Act of 1985, as amended, is transmitted by the Presi-*
18 *dent to the Congress: Provided further, That the entire*
19 *amount is designated by the Congress as an emergency re-*
20 *quirement pursuant to section 251(b)(2)(A) of such Act.*

1 *The alignment of the relocated pipeline shall be considered*
2 *neither more nor less within the scope of any prior grants*
3 *than the alignment of the pipeline existing prior to the*
4 *issuance of such easement.*

5 *SEC. 403. Notwithstanding any other provision of law,*
6 *the Secretary of the Interior, through the Bureau of Indian*
7 *Affairs, may hereafter directly transfer to Indian tribes in*
8 *North and South Dakota portable housing units at the*
9 *Grand Forks Air Force Base in North Dakota that have*
10 *been declared excess by the Department of Defense and re-*
11 *quested for transfer by the Department of the Interior.*

12 *SEC. 404. PETROGLYPH NATIONAL MONUMENT. (a)*
13 *SHORT TITLE.—This section may be cited as the*
14 *“Petroglyph National Monument Boundary Adjustment*
15 *Act”.*

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

17 *(1) the purposes for which Petroglyph National*
18 *Monument (referred to in this section as “the monu-*
19 *ment”) was established continue to be valid;*

20 *(2) it is of mutual benefit to the trustee institu-*
21 *tions of the New Mexico State Trust lands and the*
22 *National Park Service for land exchange negotiations*
23 *to be completed with all due diligence, resulting in the*
24 *transfer of all State Trust lands within the bound-*

1 *aries of the monument to the United States in accord-*
2 *ance with State and Federal law;*

3 *(3) because the city of Albuquerque, New Mexico,*
4 *has acquired substantial acreage within the monu-*
5 *ment boundaries, purchased with State and municipi-*
6 *pal funds, the consolidation of land ownership and*
7 *jurisdiction under the National Park Service will re-*
8 *quire the consent of the city of Albuquerque, and op-*
9 *tions for National Park Service acquisition that are*
10 *not currently available;*

11 *(4) corridors for the development of Paseo del*
12 *Norte and Unser Boulevard are depicted on the map*
13 *referred to in section 102(a) of the Petroglyph Na-*
14 *tional Monument Establishment Act of 1990 (Public*
15 *Law 101–313; 16 U.S.C. 431 note), and the align-*
16 *ment of the roadways was anticipated by Congress be-*
17 *fore the date of enactment of the Act;*

18 *(5) it was the expectation of the principal pro-*
19 *ponents of the monument, including the cities of Albu-*
20 *querque and Rio Rancho, New Mexico, and the Na-*
21 *tional Park Service, that passage of the Petroglyph*
22 *National Monument Establishment Act of 1990 (Pub-*
23 *lic Law 101–313; 16 U.S.C. 431 note) would allow*
24 *the city of Albuquerque—*

1 (A) to utilize the Paseo del Norte and Unser
2 Boulevard corridors through the monument; and

3 (B) to design and construct infrastructure
4 within the corridors with the cultural and natu-
5 ral resources of the monument in mind;

6 (6) the city of Albuquerque has not provided for
7 the establishment of rights-of-way for the Paseo del
8 Norte and Unser Boulevard corridors under the Joint
9 Powers Agreement (JPANO 78-521.81-277A), which
10 expanded the boundary of the monument to include
11 the Piedras Marcadas and Boca Negra units, pursu-
12 ant to section 104 of the Petroglyph National Monu-
13 ment Establishment Act of 1990 (Public Law 101-
14 313; 16 U.S.C. 431 note);

15 (7) the National Park Service has identified the
16 realignment of Unser Boulevard, depicted on the map
17 referred to in section 102(a) of the Petroglyph Na-
18 tional Monument Establishment Act of 1990 (Public
19 Law 101-313; 16 U.S.C. 431 note), as serving a park
20 purpose in the General Management Plan/Develop-
21 ment Concept Plan for Petroglyph National Monu-
22 ment;

23 (8) the establishment of a citizens' advisory com-
24 mittee prior to construction of the Unser Boulevard
25 South project, which runs along the eastern boundary

1 *of the Atrisco Unit of the monument, allowed the citi-*
2 *zens of Albuquerque and the National Park Service to*
3 *provide significant and meaningful input into the*
4 *parkway design of the road, and that similar proceed-*
5 *ings should occur prior to construction within the*
6 *Paseo del Norte corridor;*

7 *(9) parkway standards approved by the city of*
8 *Albuquerque for the construction of Unser Boulevard*
9 *South along the eastern boundary of the Atrisco Unit*
10 *of the monument would be appropriate for a road*
11 *passing through the Paseo del Norte corridor;*

12 *(10) adequate planning and cooperation between*
13 *the city of Albuquerque and the National Park Serv-*
14 *ice is essential to avoid resource degradation within*
15 *the monument resulting from storm water runoff, and*
16 *drainage conveyances through the monument should*
17 *be designed and located to provide sufficient capacity*
18 *for effective runoff management; and*

19 *(11) the monument will best be managed for the*
20 *benefit and enjoyment of present and future genera-*
21 *tions with cooperation between the city of Albuquer-*
22 *que, the State of New Mexico, and the National Park*
23 *Service.*

24 *(c) PLANNING AUTHORITY.—*

1 (1) *STORM WATER DRAINAGE.*—Not later than
2 180 days after the date of enactment of this Act, the
3 Secretary of the Interior, acting through the Director
4 of the National Park Service (referred to in this sec-
5 tion as the “Secretary”), and the city of Albuquerque,
6 New Mexico, shall enter into negotiations to provide
7 for the management of storm water runoff and drain-
8 age within the monument, including the design and
9 construction of any storm water corridors, convey-
10 ances, and easements within the monument bound-
11 aries.

12 (2) *ROAD DESIGN.*—

13 (A) If the city of Albuquerque decides to
14 proceed with the construction of a roadway with-
15 in the area excluded from the monument by the
16 amendment made by subsection (d), the design
17 criteria shall be similar to those provided for the
18 Unser Boulevard South project along the eastern
19 boundary of the Atrisco Unit, taking into ac-
20 count topographic differences and the lane, speed
21 and noise requirements of the heavier traffic load
22 that is anticipated for Paseo del Norte, as ref-
23 erenced in section A–2 of the Unser Middle
24 Transportation Corridor Record of Decision pre-

1 *pared by the city of Albuquerque dated December*
2 *1993.*

3 *(B) At least 180 days before the initiation*
4 *of any road construction within the area ex-*
5 *cluded from the monument by the amendment*
6 *made by subsection (d), the city of Albuquerque*
7 *shall notify the Director of the National Park*
8 *Service (hereinafter “the Director”), who may*
9 *submit suggested modifications to the design*
10 *specifications of the road construction project*
11 *within the area excluded from the monument by*
12 *the amendment made by subsection (d).*

13 *(C) If after 180 days, an agreement on the*
14 *design specifications is not reached by the city of*
15 *Albuquerque and the Director, the city may con-*
16 *tract with the head of the Department of Civil*
17 *Engineering at the University of New Mexico, to*
18 *design a road to meet the design criteria referred*
19 *to in subparagraph (A). The design specifica-*
20 *tions developed by the Department of Civil Engi-*
21 *neering shall be deemed to have met the require-*
22 *ments of this paragraph, and the city may pro-*
23 *ceed with the construction project, in accordance*
24 *with those design specifications.*

1 (d) *ACQUISITION AUTHORITY; BOUNDARY ADJUST-*
2 *MENT; ADMINISTRATION AND MANAGEMENT OF THE MONU-*
3 *MENT.—*

4 (1) *ACQUISITION AUTHORITY.—Section 103(a) of*
5 *the Petroglyph National Monument Establishment Act*
6 *of 1990 (Public Law 101–313, 16 U.S.C. 431 note) is*
7 *amended—*

8 (A) *by striking “(a) The Secretary” and in-*
9 *serting the following:*

10 “(a) *AUTHORITY.—*

11 “(1) *IN GENERAL.—Subject to paragraph (2), the*
12 *Secretary”;*

13 (B) *by striking “, except that lands or in-*
14 *terests therein owned by the State or a political*
15 *subdivision thereof may be acquired only by do-*
16 *nation or exchange”;* and

17 (C) *by adding at the end the following:*

18 “(2) *LAND OWNED BY THE STATE OR A POLITI-*
19 *CAL SUBDIVISION.—No land or interest in land owned*
20 *by the State or a political subdivision of the State*
21 *may be acquired by purchase before—*

22 “(A) *the State or political subdivision hold-*
23 *ing title to the land or interest in land identifies*
24 *the land or interest in land for disposal; and*

1 “(B)(i) all private land within the monu-
2 ment boundary for which there is a willing seller
3 is acquired; or

4 “(ii) 2 years have elapsed after the
5 date on which the Secretary has made a
6 final offer (for which funds are available) to
7 acquire all remaining private land at fair
8 market value.”.

9 (2) *BOUNDARY ADJUSTMENT.*—Section 104(a) of
10 the Petroglyph National Monument Establishment Act
11 of 1990 (Public Law 101–313; 16 U.S.C. 431 note) is
12 amended—

13 (A) by redesignating paragraphs (1) and
14 (2) as subparagraphs (A) and (B), respectively,
15 and indenting appropriately;

16 (B) by inserting “(1)” after “(a)”; and

17 (C) by adding at the end the following:

18 “(2)(A) Notwithstanding paragraph (1), effective as of
19 the date of enactment of this subparagraph—

20 “(i) the boundary of the monument is adjusted
21 to exclude the Paseo Del Norte corridor in the Piedras
22 Marcadas Unit described in Exhibit B of the docu-
23 ment described in subparagraph (B); and

24 “(ii) the inclusion of the Paseo Del Norte cor-
25 ridor within the boundary of the monument before the

1 *date of enactment of this paragraph shall have no ef-*
2 *fect on any future ownership, use, or management of*
3 *the corridor.*

4 *“(B) The document described in this subparagraph is*
5 *the document entitled ‘Petroglyph National Monument*
6 *Roadway/Utility Corridors’, dated October 30, 1997, on file*
7 *with the Secretary of the Interior and the mayor of the city*
8 *of Albuquerque, New Mexico.”.*

9 *(e) ADMINISTRATION AND MANAGEMENT OF THE MONU-*
10 *MENT.—Section 105 of the Petroglyph National Monument*
11 *Establishment Act of 1990 (Public Law 101–313, 16 U.S.C.*
12 *431 note) is amended by adding at the end the following:*

13 *“(f) BOCA NEGRA AND PIEDRAS MARCADAS UNITS.—*
14 *If the binding agreement providing for the expansion of the*
15 *monument pursuant to section 104 is amended, in accord-*
16 *ance with the terms of the agreement, to transfer to the Na-*
17 *tional Park Service responsibility for operation, mainte-*
18 *nance, and repair of any or all property within the Boca*
19 *Negra or Piedras Marcadas unit of the monument, the Sec-*
20 *retary may employ, at a comparable grade and salary*
21 *within the National Park Service, any willing employees*
22 *of the city assigned to the unit.”.*

23 *(f) DOUBLE EAGLE II AIRPORT ACCESS ROAD.—The*
24 *Administrator of the Federal Aviation Administration shall*
25 *allow the use of the access road to the Double Eagle II Air-*

1 port in existence on the date of enactment of this Act for
2 visitor access to the monument.

3 SEC. 405. *TRANSPORTATION SYSTEM MORATORIUM.*

4 (a)(1) *The Chief of the Forest Service, Department of Agri-*
5 *culture, in his sole discretion, may offer any timber sales*
6 *that were previously scheduled to be offered in fiscal year*
7 *1998 or fiscal year 1999 even if such sales would have been*
8 *delayed or halted as a result of any moratorium on con-*
9 *struction of roads in roadless areas within the National*
10 *Forest System adopted as policy or by regulation that*
11 *would otherwise be applicable to such sales.*

12 (2) *Any sales authorized pursuant to subsection (a)(1)*
13 *shall—*

14 (A) *comply with all applicable laws and regula-*
15 *tions and be consistent with applicable land and re-*
16 *source management plans, except any regulations or*
17 *plan amendments which establish or implement the*
18 *moratorium referred to in subsection (a)(1); and*

19 (B) *be subject to administrative appeals pursu-*
20 *ant to part 215 of title 36 of the Code of Federal Reg-*
21 *ulations and to judicial review.*

22 (b)(1) *For any previously scheduled sales that are not*
23 *offered pursuant to subsection (a)(1), the Chief may, to the*
24 *extent practicable, offer substitute sales within the same*
25 *State in fiscal year 1998 or fiscal year 1999. Such sub-*

1 *stitute sales shall be subject to the requirements of subsection*
2 *(a)(2).*

3 *(2)(A) The Chief shall pay as soon as practicable after*
4 *fiscal year 1998 and fiscal year 1999 to any State in which*
5 *sales previously scheduled to be offered that are referred to*
6 *in, but not offered pursuant to, subsection (a)(1) would have*
7 *occurred, 25 percentum of any receipts from such sales*
8 *that—*

9 *(i) were anticipated from fiscal year 1998 or fis-*
10 *cal year 1999 sales in the absence of any moratorium*
11 *referred to in subsection (a)(1); and*

12 *(ii) are not offset by revenues received in such*
13 *fiscal years from substitute projects authorized pursu-*
14 *ant to subsection (b)(1).*

15 *(B) After reporting the amount of funds required to*
16 *make any payments required by subsection (b)(2)(A), and*
17 *the source from which such funds are to be derived, to the*
18 *Committees on Appropriations of the House of Representa-*
19 *tives and the Senate, the Chief shall make any payments*
20 *required by subsection (b)(2)(A) from—*

21 *(i) the \$2,000,000 appropriated for the purposes*
22 *of this section in chapter 4 of this Act; or*

23 *(ii) in the event that the amount referred to in*
24 *subsection (b)(2)(B)(i) is not sufficient to cover the*
25 *payments required under subsection (b)(2), from any*

1 *funds appropriated to the Forest Service in fiscal*
2 *year 1998 or fiscal year 1999, as the case may be,*
3 *that are not specifically earmarked for another pur-*
4 *pose by the applicable appropriation Act or a com-*
5 *mittee or conference report thereon.*

6 *(C) Any State which receives payments required by*
7 *subsection (b)(2)(A) shall expend such funds only in the*
8 *manner, and for the purposes, prescribed in section 500 of*
9 *title 16 of the United States Code.*

10 *(c)(1) During the term of the moratorium referred to*
11 *in subsection (a)(1), the Chief shall prepare, and submit*
12 *to the Committees on Appropriations of the House of Rep-*
13 *resentatives and the Senate a report on, each of the follow-*
14 *ing—*

15 *(A) a study of whether standards and guidelines*
16 *in existing land and resource management plans com-*
17 *pel or encourage entry into roadless areas within the*
18 *National Forest System for the purpose of construct-*
19 *ing roads or undertaking any other ground-disturbing*
20 *activities;*

21 *(B) an inventory of all roads within the Na-*
22 *tional Forest System and the uses which they serve,*
23 *in a format that will inform and facilitate the devel-*
24 *opment of a long-term Forest Service transportation*
25 *policy; and*

1 (C) a comprehensive and detailed analysis of the
2 economic and social effects of the moratorium referred
3 to in subsection (a)(1) on county, State, and regional
4 levels.

5 (2) The Chief shall fund the study, inventory and anal-
6 ysis required by subsection (c)(1) in fiscal year 1998 from
7 funds appropriated for Forest Research in such fiscal year
8 that are not specifically earmarked for another purpose in
9 the applicable appropriation Act or a committee or con-
10 ference report thereon.

11 SEC. 406. PROVISION OF CERTAIN HEALTH CARE
12 SERVICES FOR ALASKA NATIVES. Section 203(a) of the
13 Michigan Indian Land Claims Settlement Act (Public Law
14 105–143; 111 Stat. 2666) is amended—

15 (1) by inserting “other than community based
16 alcohol services,” after “Ketchikan Gateway Bor-
17 ough,”; and

18 (2) by inserting at the end the following new sen-
19 tence: “Notwithstanding any other provision of law,
20 such contract or compact shall provide services to all
21 Indian and Alaska Native beneficiaries of the Indian
22 Health Service in the Ketchikan Gateway Borough
23 without the need for resolutions of support from any
24 Indian tribe as defined in the Indian Self-Determina-

1 *tion and Education Assistance Act (25 U.S.C.*
2 *450b(e)).”.*

3 *SEC. 407. Section 326(a) of the Act making Appro-*
4 *priations for the Department of the Interior and related*
5 *agencies for the fiscal year ending September 30, 1998 and*
6 *for other purposes (Public Law 105–83; 111 Stat. 1543)*
7 *is amended by striking “with any Alaska Native village or*
8 *Alaska Native village corporation” and inserting “to any*
9 *Indian tribe as defined in the Indian Self-Determination*
10 *and Education Assistance Act (25 U.S.C. 450b(e))”.*

11 *SEC. 408. The Secretary of Transportation and the*
12 *Secretary of the Interior shall report to the House and Sen-*
13 *ate Committees on Appropriations and the Senate Commit-*
14 *tee on Commerce, Science, and Transportation and the*
15 *House Committee on Transportation and Infrastructure not*
16 *later than April 20, 1998, on the proposed use by the New*
17 *York City Police Department for air and sea rescue and*
18 *public safety purposes of the facility that is to be vacated*
19 *by the United States Coast Guard at Floyd Bennett Field*
20 *located in the city of New York.*

21 *SEC. 409. PROHIBITION. Notwithstanding section*
22 *11(d)(7)(B)(vii) of the Indian Gaming Regulatory Act (25*
23 *U.S.C. 2710(d)(7)(B)(vii)), the Secretary of the Interior*
24 *shall not—*

1 *shall be available only to the extent that an official budget*
2 *request for \$9,000,000, that includes designation of the en-*
3 *tire amount of the request as an emergency requirement as*
4 *defined in the Balanced Budget and Emergency Deficit*
5 *Control Act of 1985, as amended, is transmitted by the*
6 *President to the Congress: Provided further, That the entire*
7 *amount is designated by the Congress as an emergency re-*
8 *quirement pursuant to section 251(b)(2)(A) of such Act.*

9 *GENERAL PROVISION, CHAPTER 5*

10 *SEC. 501. SCHOOL SECURITY. (a) SHORT TITLE.—*
11 *This section may be cited as the “Safe Schools Security Act*
12 *of 1998”.*

13 *(b) PURPOSE.—The purpose of this section is to pro-*
14 *vide for school security training and technology, and for*
15 *local school security programs.*

16 *(c) SCHOOL SECURITY TECHNOLOGY CENTER.—*

17 *(1) ESTABLISHMENT.—The Attorney General,*
18 *the Secretary of Education, and the Secretary of En-*
19 *ergy shall enter into an agreement for the establish-*
20 *ment at the Sandia National Laboratories in part-*
21 *nership with the National Law Enforcement And*
22 *Corrections Technology Center—Southeast of a center*
23 *to be known as the “School Security Technology Cen-*
24 *ter”. The School Security Technology Center shall be*
25 *administered by the Attorney General.*

1 (2) *FUNCTIONS.*—*The School Security Tech-*
2 *nology Center shall be a resource to local educational*
3 *agencies for school security assessments, security tech-*
4 *nology development, technology availability and im-*
5 *plementation, and technical assistance relating to im-*
6 *proving school security.*

7 (3) *AUTHORIZATION OF APPROPRIATIONS.*—
8 *There is authorized to be appropriated to carry out*
9 *this subsection \$2,250,000 for each of the fiscal years*
10 *1999, 2000, and 2001.*

11 (d) *LOCAL SCHOOL SECURITY PROGRAMS.*—*Subpart*
12 *1 of part A of title IV of the Elementary and Secondary*
13 *Education Act of 1965 (20 U.S.C. 7111 et seq.) is amended*
14 *by adding at the end the following:*

15 **“§4119. Local School Security Programs**

16 “(a) *IN GENERAL.*—*From amounts appropriated*
17 *under subsection (c), the Secretary of Education shall*
18 *award grants on a competitive basis to local educational*
19 *agencies to enable the agencies to acquire security tech-*
20 *nology, or carry out activities related to improving security*
21 *at the middle and high schools served by the agencies, in-*
22 *cluding obtaining school security assessments, and technical*
23 *assistance for the development of a comprehensive school se-*
24 *curity plan from the School Security Technology Center.*
25 *The Secretary shall give priority to local educational agen-*

1 *shall be available for obligation without regard to section*
2 *3709 of the Revised Statutes, as amended.*

3 *CAPITOL GROUNDS*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For necessary expenses for the design, installation and*
6 *maintenance of the Capitol Square Perimeter Security*
7 *Plan, \$20,000,000, of which \$4,000,000 shall be transferred*
8 *to the Capitol Police Board “General Expenses” for phys-*
9 *ical security measures associated with the Capitol Square*
10 *Perimeter Security Plan, to remain available until ex-*
11 *pendent, subject to the review and approval by the appro-*
12 *priate House and Senate authorities: Provided, That this*
13 *additional amount shall be available for obligation without*
14 *regard to section 3709 of the Revised Statutes, as amended.*

15 *CHAPTER 7*

16 *SUBCOMMITTEE ON MILITARY CONSTRUCTION*

17 *DEPARTMENT OF DEFENSE*

18 *MILITARY CONSTRUCTION, NAVY*

19 *For an additional amount for “Military Construction,*
20 *Navy”, \$17,428,000: Provided, That the entire amount shall*
21 *be available only to the extent that an official budget request*
22 *for \$17,428,000, that includes designation of the entire*
23 *amount of the request as an emergency requirement as de-*
24 *finied in the Balanced Budget and Emergency Deficit Con-*
25 *trol Act of 1985, as amended, is transmitted by the Presi-*
26 *dent to the Congress: Provided further, That the entire*

1 amount is designated by the Congress as an emergency re-
2 quirement pursuant to section 251(b)(2)(A) of such Act.

3 *MILITARY CONSTRUCTION, AIR FORCE*

4 *For an additional amount for “Military Construc-*
5 *tion”, \$5,891,000: Provided, That the entire amount shall*
6 *be available only to the extent that an official budget request*
7 *for \$5,891,000, that includes designation of the entire*
8 *amount of the request as an emergency requirement as de-*
9 *fin ed in the Balanced Budget and Emergency Deficit Con-*
10 *trol Act of 1985, as amended, is transmitted by the Presi-*
11 *dent to the Congress: Provided further, That the entire*
12 *amount is designated by the Congress as an emergency re-*
13 *quirement pursuant to section 251(b)(2)(A) of such Act.*

14 *FAMILY HOUSING, NAVY AND MARINE CORPS*

15 *For an additional amount for “Family Housing, Navy*
16 *and Marine Corps”, \$18,100,000: Provided, That the entire*
17 *amount shall be available only to the extent that an official*
18 *budget request for \$18,100,000, that includes designation of*
19 *the entire amount of the request as an emergency require-*
20 *ment as defined in the Balanced Budget and Emergency*
21 *Deficit Control Act of 1985, as amended, is transmitted by*
22 *the President to the Congress: Provided further, That such*
23 *amount is designated by the Congress as an emergency re-*
24 *quirement pursuant to section 251(b)(2)(A) of the Balanced*

1 *Budget and Emergency Deficit Control Act of 1985, as*
2 *amended.*

3 *FAMILY HOUSING, AIR FORCE*

4 *For an additional amount for “Family Housing, Air*
5 *Force”, \$2,400,000: Provided, That the entire amount shall*
6 *be available only to the extent that an official budget request*
7 *for \$2,400,000, that includes designation of the entire*
8 *amount of the request as an emergency requirement as de-*
9 *finied in the Balanced Budget and Emergency Deficit Con-*
10 *trol Act of 1985, as amended, is transmitted by the Presi-*
11 *dent to the Congress: Provided further, That such amount*
12 *is designated by the Congress as an emergency requirement*
13 *pursuant to section 251(b)(2)(A) of the Balanced Budget*
14 *and Emergency Deficit Control Act of 1985, as amended.*

15 *CHAPTER 8*

16 *SUBCOMMITTEE ON TRANSPORTATION AND*

17 *RELATED AGENCIES*

18 *DEPARTMENT OF TRANSPORTATION*

19 *OFFICE OF THE SECRETARY*

20 *TRANSPORTATION PLANNING, RESEARCH, AND*

21 *DEVELOPMENT*

22 *For an additional amount for transportation plan-*
23 *ning, research, and development activities and grants,*
24 *\$6,900,000, to remain available until expended.*

1 *FEDERAL AVIATION ADMINISTRATION*
2 *OPERATIONS*
3 *(AIRPORT AND AIRWAYS TRUST FUND)*

4 *For an additional amount for Operations for expenses*
5 *relating to the Year 2000 computer hardware and software*
6 *problems, \$47,200,000.*

7 *FACILITIES AND EQUIPMENT*
8 *(AIRPORT AND AIRWAYS TRUST FUND)*

9 *For an additional amount for Facilities and Equip-*
10 *ment for expenses relating to the Year 2000 computer hard-*
11 *ware and software problems, \$108,800,000.*

12 *FEDERAL HIGHWAY ADMINISTRATION*
13 *FEDERAL-AID HIGHWAYS*
14 *EMERGENCY RELIEF PROGRAM*
15 *(HIGHWAY TRUST FUND)*

16 *For an additional amount for the Emergency Relief*
17 *Program for emergency expenses resulting from flooding*
18 *and other natural disasters, as authorized by 23 U.S.C. 125,*
19 *\$259,000,000, to be derived from the Highway Trust Fund*
20 *and to remain available until expended: Provided, That the*
21 *entire amount shall be available only to the extent an offi-*
22 *cial budget request for \$259,000,000, that includes designa-*
23 *tion of the entire amount as an emergency requirement as*
24 *defined in the Balanced Budget and Emergency Deficit*
25 *Control Act of 1985, as amended is transmitted by the*
26 *President to the Congress: Provided further, That the entire*

1 amount is designated by the Congress as an emergency re-
2 quirement pursuant to section 251(b)(2)(A) of the Balanced
3 Budget and Emergency Deficit Control Act of 1985, as
4 amended: Provided further, That any obligations for the
5 Emergency Relief Program shall not be subject to the prohi-
6 bition against obligations in section 2(e)(3) (A) and (D)
7 of the Surface Transportation Extension Act of 1997: Pro-
8 vided further, That no announcement of any allocation of
9 funds provided under this section shall be made prior to
10 15 days after the notification of the House and Senate Com-
11 mittees on Appropriations, the House and Senate Trans-
12 portation Appropriations Subcommittees, the Senate Envi-
13 ronment and Public Works Committee, and the House
14 Transportation and Infrastructure Committee: Provided
15 further, That if sufficient carryover balances for the nec-
16 essary expenses for administration, operation (including
17 motor carrier safety program operations), and research of
18 the Federal Highway Administration are not available, and
19 pending the reauthorization of the Federal-aid highway
20 program, the Secretary of Transportation may borrow such
21 sums as may be necessary for such expenses from the unobli-
22 gated balances of discretionary allocations for the Federal-
23 aid highway program made available by this Act: Provided
24 further, That 23 U.S.C. 125(b)(1) shall not apply to projects

1 *resulting from the Fall 1997 and Winter 1998 flooding in*
2 *the western States.*

3 *FEDERAL RAILROAD ADMINISTRATION*

4 *EMERGENCY RAILROAD REHABILITATION AND REPAIR*

5 *For necessary expenses to repair and rebuild freight*
6 *rail lines of regional and short line railroads or a State*
7 *entity damaged by floods, \$10,600,000, to be awarded sub-*
8 *ject to the discretion of the Secretary on a case-by-case basis:*
9 *Provided, That not to exceed \$5,250,000 shall be solely for*
10 *damage incurred in the Northern Plains States in March*
11 *and April 1997 and in California in January 1997 and*
12 *in West Virginia in September 1996: Provided further, That*
13 *not less than \$5,350,000 shall be solely for damage incurred*
14 *in Fall 1997 and Winter 1998 storms: Provided further,*
15 *That funds provided under this head shall be available for*
16 *rehabilitation of railroad rights-of-way, bridges, and other*
17 *facilities which are part of the general railroad system of*
18 *transportation, and primarily used by railroads to move*
19 *freight traffic: Provided further, That railroad rights-of-*
20 *way, bridges, and other facilities owned by class I railroads*
21 *are not eligible for funding under this head unless the*
22 *rights-of-way, bridges, or other facilities are under contract*
23 *lease to a class II or class III railroad under which the*
24 *lessee is responsible for all maintenance costs of the line:*
25 *Provided further, That railroad rights-of-way, bridges, and*

1 *other facilities owned by passenger railroads, or by tourist,*
2 *scenic, or historic railroads are not eligible for funding*
3 *under this head: Provided further, That these funds shall*
4 *be available only to the extent an official budget request,*
5 *for a specific dollar amount, that includes designation of*
6 *the entire amount as an emergency requirement as defined*
7 *in the Balanced Budget and Emergency Deficit Control Act*
8 *of 1985, as amended, is transmitted by the President to the*
9 *Congress: Provided further, That the entire amount is des-*
10 *ignated by Congress as an emergency requirement pursuant*
11 *to section 251(b)(2)(A) of the Balanced Budget and Emer-*
12 *gency Deficit Control Act of 1985, as amended: Provided*
13 *further, That all funds made available under this head are*
14 *to remain available until September 30, 1998: Provided fur-*
15 *ther, That the Secretary of Transportation shall report to*
16 *the House and Senate Appropriations Committees not later*
17 *than December 31, 1998, with recommendations on how fu-*
18 *ture emergency railroad repair costs should be borne by the*
19 *railroad industry and their underwriters.*

20 *RELATED AGENCY*

21 *NATIONAL TRANSPORTATION SAFETY BOARD*

22 *SALARIES AND EXPENSES*

23 *For an additional amount for “Salaries and Ex-*
24 *penses” for necessary expenses resulting from the crash of*
25 *TWA Flight 800, \$5,400,000: Provided, That the entire*

1 amount is available only for costs associated with rental
2 of the Calverton facility, of which not to exceed \$500,000
3 is for security expenses: Provided further, That no funds
4 or unobligated balances are available to provide for or per-
5 mit flight operations at the Calverton airstrip.

6 GENERAL PROVISION, CHAPTER 8

7 SEC. 801. EXEMPTION AUTHORITY FOR AIR SERVICE
8 TO SLOT-CONTROLLED AIRPORTS. (a) IN GENERAL.—Sec-
9 tion 41714(i) of title 49, United States Code, is amended
10 by—

- 11 (1) striking “CERTAIN” in the caption;
12 (2) striking “120” and inserting “90”; and
13 (3) striking “(a)(2) to improve air service be-
14 tween a nonhub airport (as defined in section
15 41731(a)(4)) and a high density airport subject to the
16 exemption authority under subsection (a),” and in-
17 serting “(a) or (c),”.

18 (b) EFFECTIVE DATE.—

19 (1) IN GENERAL.—The amendments made by
20 subsection (a) apply to applications for slot exemp-
21 tions pending at the Department of Transportation
22 under section 41714 of title 49, United States Code,
23 on the date of enactment of this Act or filed thereafter.

24 (2) APPLICATION TO PENDING REQUESTS.—For
25 the purpose of applying the amendments made by

1 *UNITED STATES CUSTOMS SERVICE*
2 *CUSTOMS FACILITIES, CONSTRUCTION, IMPROVEMENTS*
3 *In addition to the amounts made available for the*
4 *United States Customs Service in Public Law 105-61,*
5 *\$5,512,000, to remain available until September 30, 2000:*
6 *Provided, That this amount may be made available for con-*
7 *struction of a P3-AEW hangar in Corpus Christi, Texas:*
8 *Provided further, That the funds appropriated under this*
9 *heading may only be obligated 30 days after the Commis-*
10 *sioner of the Customs Service certifies to the House and*
11 *Senate Committees on Appropriations that the construction*
12 *of this facility is necessary for the operation of the P-3 air-*
13 *craft for the counternarcotics mission.*

14 *CHAPTER 10*
15 *SUBCOMMITTEE ON VA, HUD, AND INDEPENDENT*
16 *AGENCIES*

17 *DEPARTMENT OF VETERANS AFFAIRS*

18 *VETERANS BENEFITS ADMINISTRATION*

19 *COMPENSATION AND PENSIONS*

20 *For an additional amount for “Compensation and*
21 *pensions”, \$550,000,000, to remain available until ex-*
22 *pendent.*

1 *DEPARTMENT OF HOUSING AND URBAN*
2 *DEVELOPMENT*

3 *COMMUNITY PLANNING AND DEVELOPMENT*

4 *COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS*

5 *For an additional amount for “Community develop-*
6 *ment block grants funds”, as authorized under title I of the*
7 *Housing and Community Development Act of 1974,*
8 *\$260,000,000, which shall remain available until September*
9 *30, 2001, for use only for disaster relief, long-term recovery,*
10 *and mitigation in communities affected by Presidentially-*
11 *declared natural disasters designated during fiscal year*
12 *1998, except for those activities reimbursable or for which*
13 *funds are made available by the Federal Emergency Man-*
14 *agement Agency, the Small Business Administration, or the*
15 *Army Corps of Engineers: Provided, That in administering*
16 *these amounts and except as provided in the next proviso,*
17 *the Secretary may waive or specify alternative require-*
18 *ments for, and provision of any statute or regulation that*
19 *the Secretary administers in connection with the obligation*
20 *by the Secretary or the use by the recipient of these funds,*
21 *except for statutory requirements related to civil rights, fair*
22 *housing and nondiscrimination, the environment, and labor*
23 *standards, upon a finding that such waiver is required to*
24 *facilitate the use of such funds and would not be inconsist-*
25 *ent with the overall purpose of the statute: Provided further,*

1 *That the Secretary may waive the requirements that activi-*
2 *ties benefit persons of low and moderate income, except that*
3 *at least 50 percent of the funds under this head must benefit*
4 *primarily persons of low and moderate income unless the*
5 *Secretary makes a finding of compelling need: Provided fur-*
6 *ther, That all funds under this head shall be allocated by*
7 *the Secretary to States to be administered by each State*
8 *in conjunction with its Federal Emergency Management*
9 *Agency program or its community development block grant*
10 *program: Provided further, That each State shall provide*
11 *not less than 25 percent in public or private matching funds*
12 *or its equivalent value (other than administrative costs) for*
13 *any funds allocated to the State under this head: Provided*
14 *further, That, in conjunction with the Director of the Fed-*
15 *eral Emergency Management Agency, the Secretary shall*
16 *allocate funds based on the unmet needs identified by the*
17 *Director as those which have not or will not be addressed*
18 *by other Federal disaster assistance programs: Provided*
19 *further, That, in conjunction with the Director, the Sec-*
20 *retary shall utilize annual disaster cost estimates in order*
21 *that the funds under this head shall be available, to the*
22 *maximum extent feasible, to assist States with all Presi-*
23 *dentially declared disasters designated during this fiscal*
24 *year: Provided further, That the Secretary shall publish a*
25 *notice in the Federal Register governing the allocation and*

1 *use of the community development block grants funds made*
2 *available under this head for disaster areas and publish a*
3 *quarterly list of all allocations of funds under this head by*
4 *State, locality and activity (including all uses of waivers*
5 *and the reasons therefore): Provided further, That the Sec-*
6 *retary and the Director shall submit quarterly reports to*
7 *the House and Senate Committees on Appropriations on*
8 *all allocations and use of funds under this head, including*
9 *a review of all unmet needs: Provided further, That the en-*
10 *tire amount shall be available only to the extent an official*
11 *budget request, that includes designation of the entire*
12 *amount of the request as an emergency requirement as de-*
13 *finied by the Balanced Budget and Emergency Deficit Con-*
14 *trol Act of 1985, as amended, is transmitted by the Presi-*
15 *dent to the Congress: Provided further, That the entire*
16 *amount is designated by the Congress as an emergency re-*
17 *quirement pursuant to section 251(b)(2)(A)(i) of the Bal-*
18 *anced Budget and Emergency Deficit Control Act of 1985,*
19 *as amended.*

20 *INDEPENDENT AGENCY*

21 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

22 *DISASTER RELIEF*

23 *For an additional amount for “Disaster relief”,*
24 *\$1,600,000,000, to remain available until expended: Pro-*
25 *vided, That these funds shall be available only to the extent*

1 *that an official budget request for a specific amount, that*
2 *includes designation of the entire amount of the request as*
3 *an emergency requirement as defined in the Balanced*
4 *Budget and Emergency Deficit Control Act of 1985, as*
5 *amended, is transmitted by the President to Congress: Pro-*
6 *vided further, That the entire amount appropriated herein*
7 *is designated by Congress as an emergency requirement*
8 *pursuant to section 251(b)(2)(A) of the Balanced Budget*
9 *and Emergency Deficit Control Act of 1985, as amended.*

10 **GENERAL PROVISIONS, CHAPTER 10**

11 *SEC. 1001. Section 206 of the Departments of Veterans*
12 *Affairs and Housing and Urban Development, and Inde-*
13 *pendent Agencies Appropriations Act, 1998 (Pub. L. 105-*
14 *65; October 27, 1997) is amended by inserting the following*
15 *before the period: “, and for loans and grants for economic*
16 *development in and around 18th and Vine”.*

17 *SEC. 1002. HOUSING OPPORTUNITIES FOR PERSONS*
18 *WITH AIDS. (a) Notwithstanding any other provision of*
19 *law, with respect to the amount allocated for fiscal year*
20 *1998, and the amounts that would otherwise be allocated*
21 *for fiscal year 1999 or any succeeding fiscal year, to the*
22 *City of Philadelphia, Pennsylvania on behalf of the Phila-*
23 *delphia, PA–NJ Primary Metropolitan Statistical Area (in*
24 *this section referred to as the “metropolitan area”), under*
25 *section 854(c) of the AIDS Housing Opportunity Act (42*

1 *U.S.C. 12903(c)), the Secretary of Housing and Urban De-*
 2 *velopment shall adjust such amounts by allocating to the*
 3 *State of New Jersey the proportion of the metropolitan*
 4 *area's amount that is based on the number of cases of AIDS*
 5 *reported in the portion of the metropolitan area that is lo-*
 6 *cated in New Jersey.*

7 *(b) The State of New Jersey shall use amounts allo-*
 8 *cated to the State under this section to carry out eligible*
 9 *activities under section 855 of the AIDS Housing Oppor-*
 10 *tunity Act (42 U.S.C. 12904) in the portion of the metro-*
 11 *politan area that is located in New Jersey.*

12 *CHAPTER 11*

13 *OFFSETS AND RESCISSIONS*

14 *DEPARTMENT OF AGRICULTURE*

15 *FOOD SAFETY AND INSPECTION SERVICE*

16 *(RESCISSION)*

17 *Of the funds made available under this heading in*
 18 *Public Law 105–86, \$502,000 are rescinded.*

19 *FARM SERVICE AGENCY*

20 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

21 *ACCOUNT*

22 *(RESCISSION)*

23 *Of the funds made available for the cost of the unsub-*
 24 *sidized guaranteed operating loans under this heading in*
 25 *Public Law 105–86, \$6,736,197 are rescinded.*

1 *RURAL HOUSING SERVICE*2 *SALARIES AND EXPENSES*3 *(RESCISSION)*4 *Of the funds made available under this heading in*5 *Public Law 105–86, \$846,000 are rescinded.*6 *DEPARTMENT OF THE INTERIOR*7 *BUREAU OF LAND MANAGEMENT*8 *MANAGEMENT OF LANDS AND RESOURCES*9 *(RESCISSION)*10 *Of the funds made available under this heading in*11 *Public Law 104–208, \$1,188,000 are rescinded.*12 *OREGON AND CALIFORNIA GRANT LANDS*13 *(RESCISSION)*14 *Of the funds made available under this heading in*15 *Public Law 104–208, \$2,500,000 are rescinded.*16 *UNITED STATES FISH AND WILDLIFE SERVICE*17 *RESOURCE MANAGEMENT*18 *(RESCISSION)*19 *Of the funds made available under this heading in*20 *Public Law 105–18, \$250,000 are rescinded.*21 *CONSTRUCTION*22 *(RESCISSION)*23 *Of the funds made available under this heading in*24 *Public Law 104–208, \$1,188,000 are rescinded.*

1 *NATIONAL PARK SERVICE*2 *CONSTRUCTION*3 *(RESCISSION)*

4 *Of the funds made available under this heading in*
5 *Public Law 104–208, \$1,638,000 are rescinded.*

6 *BUREAU OF MINES*7 *MINES AND MINERALS*8 *(RESCISSIONS)*

9 *The following amounts, totaling \$1,605,000, are re-*
10 *scinded from funds made available under this heading: in*
11 *Public Law 103–332, \$1,255,000; in Public Law 103–138,*
12 *\$60,000; in Public Law 102–381, \$173,000; and in Public*
13 *Law 102–154, \$117,000.*

14 *BUREAU OF INDIAN AFFAIRS*15 *CONSTRUCTION*16 *(RESCISSION)*

17 *Of the funds made available under this heading in*
18 *Public Law 104–208, \$837,000 are rescinded.*

19 *DEPARTMENT OF TRANSPORTATION*20 *OFFICE OF THE SECRETARY*21 *PAYMENTS TO AIR CARRIERS*22 *(RESCISSION)*

23 *Of the funds made available under this heading in*
24 *Public Law 101–516 and subsequently obligated,*
25 *\$2,499,000 shall be deobligated and are hereby rescinded.*

1 *PAYMENTS TO AIR CARRIERS*
2 *(AIRPORT AND AIRWAY TRUST FUND)*
3 *(RESCISSION)*

4 *Of the budgetary resources provided for “Small Com-*
5 *munity Air Service” by Public Law 101–508 for fiscal*
6 *years prior to fiscal year 1998, \$3,000,000 are rescinded.*

7 *FEDERAL AVIATION ADMINISTRATION*
8 *GRANTS-IN-AID FOR AIRPORTS*
9 *(AIRPORT AND AIRWAY TRUST FUND)*
10 *(RESCISSION OF CONTRACT AUTHORIZATION)*

11 *Of the unobligated balances authorized under 49*
12 *U.S.C. 48103 as amended, \$185,893,000 are rescinded.*

13 *FEDERAL RAILROAD ADMINISTRATION*
14 *CONRAIL LABOR PROTECTION*
15 *(RESCISSION)*

16 *Of the budgetary resources provided by direct appro-*
17 *priation and by transfer for “Conrail Labor Protection”,*
18 *unobligated balances of \$508,234 are rescinded.*

19 *DEPARTMENT OF THE TREASURY*
20 *UNITED STATES CUSTOMS SERVICE*
21 *SALARIES AND EXPENSES*
22 *(RESCISSION)*

23 *Of the funds made available under this heading in*
24 *Public Law 104–208, \$5,300,000, and in Public Law 104–*
25 *208, as amended by Public Law 105–18, \$6,000,000 are*
26 *rescinded.*

1 *CUSTOMS FACILITIES, CONSTRUCTION, IMPROVEMENTS*2 *(RESCISSION)*

3 *Of the funds made available under this heading in*
4 *Public Law 102–393, \$4,470,000 and Public Law 103–123,*
5 *\$1,041,754 are rescinded.*

6 *INTERNAL REVENUE SERVICE*7 *INFORMATION TECHNOLOGY INVESTMENTS*8 *(RESCISSION)*

9 *Of the funds made available under this heading in*
10 *Public Law 105–61, \$33,410,000 are rescinded.*

11 *TITLE II—GENERAL PROVISIONS—THIS ACT*

12 *SEC. 2001. No part of any appropriation contained*
13 *in this Act shall remain available for obligation beyond the*
14 *current fiscal year unless expressly so provided herein.*

15 *SEC. 2002. None of the funds appropriated or other-*
16 *wise made available in this or any other Act may be obli-*
17 *gated or expended by the Patent and Trademark Office to*
18 *plan for the construction or lease of new facilities until 30*
19 *days after the submission of a report, to be delivered not*
20 *later than May 1, 1998, to the Committees on Appropria-*
21 *tions analyzing the cost versus the benefit of relocating to*
22 *a new facility, and the cost associated with leasing versus*
23 *lease-purchase, or other alternatives for new space, and*
24 *shall only be made available in accordance with section 605*
25 *of Public Law 105–119.*

1 *SEC. 2003. Funds appropriated pursuant to Public*
2 *Law 105-78 to carry out Title XX of the Public Health*
3 *Service Act are available for use for prevention service dem-*
4 *onstration grants without application of the limitation of*
5 *section 2010(c) of that Title.*

6 *SEC. 2004. PROVISIONS RELATING TO UNIVERSAL*
7 *SERVICE SUPPORT FOR PUBLIC INSTITUTIONAL TELE-*
8 *COMMUNICATIONS USERS. (a) NO INFERENCE REGARDING*
9 *EXISTING UNIVERSAL SERVICE ADMINISTRATIVE MECHA-*
10 *NISM.—Nothing in this section may be considered as ex-*
11 *pressing the approval of the Congress of the action of the*
12 *Federal Communications Commission in establishing, or*
13 *causing to be established, one or more corporations to ad-*
14 *minister the schools and libraries program and the rural*
15 *health care provider program under section 254(h) of the*
16 *Communications Act of 1934 (47 U.S.C. 254(h)), or the ap-*
17 *proval of any provision of such programs.*

18 *(b) FCC TO REPORT TO THE CONGRESS.—*

19 *(1) REPORT DUE DATE.—Pursuant to the find-*
20 *ings of the General Accounting Office (B-278820)*
21 *dated February 10, 1998, the Federal Communica-*
22 *tions Commission shall, by May 8, 1998, submit a 2-*
23 *part report to the Congress under this section.*

24 *(2) REVISED STRUCTURE.—The report shall pro-*
25 *pose a revised structure for the administration of the*

1 *programs established under section 254(h) of the Com-*
2 *munications Act of 1934 (47 U.S.C. 254(h)). The re-*
3 *vised structure shall consist of a single entity.*

4 (A) *LIMITATION ON ADMINISTRATION OF*
5 *PROGRAMS.—The entity proposed by the Com-*
6 *mission to administer the programs—*

7 (i) *is limited to implementation of the*
8 *FCC rules for applications for discounts*
9 *and processing the applications necessary to*
10 *determine eligibility for discounts under*
11 *section 254(h) of the Communications Act of*
12 *1934 (47 U.S.C. 254(h)) as determined by*
13 *the Commission;*

14 (ii) *may not administer the programs*
15 *in any manner that requires that entity to*
16 *interpret the intent of the Congress in estab-*
17 *lishing the programs or interpret any rule*
18 *promulgated by the Commission in carrying*
19 *out the programs, without appropriate con-*
20 *sultation and guidance from the Commis-*
21 *sion.*

22 (B) *APA REQUIREMENTS WAIVED.—In pre-*
23 *paring the report required by this section, the*
24 *Commission shall find that good cause exists to*
25 *wave the requirements of section 553 of title 5,*

1 *United States Code, to the extent necessary to en-*
2 *able the Commission to submit the report to the*
3 *Congress by May 8, 1998.*

4 (3) *REPORT ON FUNDING OF SCHOOLS AND LI-*
5 *BRARIES PROGRAM AND RURAL HEALTH CARE PRO-*
6 *GRAM.—The report required by this section shall also*
7 *provide the following information about the contribu-*
8 *tions to, and requests for funding from, the schools*
9 *and libraries subsidy program:*

10 (A) *An estimate of the expected reductions*
11 *in interstate access charges anticipated on July*
12 *1, 1998.*

13 (B) *An accounting of the total contributions*
14 *to the universal service fund that are available*
15 *for use to support the schools and libraries pro-*
16 *gram under section 254(h) of the Communica-*
17 *tions Act of 1934 (47 U.S.C. 254(h)) for the sec-*
18 *ond quarter of 1998.*

19 (C) *An accounting of the amount of the con-*
20 *tribution described in subparagraph (B) that the*
21 *Commission expects to receive from—*

22 (i) *incumbent local exchange carriers;*

23 (ii) *interexchange carriers;*

24 (iii) *information service providers;*

1 (iv) commercial mobile radio service
2 providers; and

3 (v) any other provider.

4 (D) Based on the applications for funding
5 under section 254(h) of the Communications Act
6 of 1934 (47 U.S.C. 254(h)) received as of April
7 15, 1998, an estimate of the costs of providing
8 universal service support to schools and libraries
9 under that section disaggregated by eligible serv-
10 ices and facilities as set forth in the eligibility
11 list of the Schools and Libraries Corporation, in-
12 cluding—

13 (i) the amounts requested for costs as-
14 sociated with telecommunications services;

15 (ii) the amounts requested for costs de-
16 scribed in clause (i) plus the costs of inter-
17 nal connections under the program;

18 (iii) the amounts requested for the costs
19 described in clause (ii) plus the cost of
20 internet access; and

21 (iv) the amount requested by eligible
22 schools and libraries in each category and
23 discount level listed in the matrix appear-
24 ing at paragraph 520 of the Commission's
25 May 8, 1997 Order, calculated as dollar fig-

1 ures and as percentages of the total of all
2 requests—

3 (I) the amount requested by eligi-
4 ble schools and libraries in each such
5 category and discount level to provide
6 telecommunications services;

7 (II) the amount requested by eligi-
8 ble schools and libraries in each such
9 category and discount level to provide
10 internal connections; and

11 (III) the amount requested by eli-
12 gible schools and libraries in each such
13 category and discount level to provide
14 internet access.

15 (E) A justification for the amount, if any,
16 by which the total requested disbursements from
17 the fund described in subparagraph (D) exceeds
18 the amount of available contributions described
19 in subparagraph (B).

20 (F) Based on the amount described in sub-
21 paragraph (D), an estimate of the amount of
22 contributions that will be required for the schools
23 and libraries program in the third and fourth
24 quarters of 1998, and, to the extent these esti-
25 mated contributions for the third and fourth

1 quarter exceed the current second-quarter con-
2 tribution, the Commission shall provide an esti-
3 mate of the amount of support that will be need-
4 ed for each of the eligible services and facilities
5 as set forth in the eligibility list of the Schools
6 and Libraries Corporation, and disaggregated as
7 specified in subparagraph (D).

8 (G) An explanation of why restricting the
9 basis of telecommunications carriers' contribu-
10 tions to universal service under section 254(a)(3)
11 of the Communications Act of 1934 (47 U.S.C.
12 254(a)(3)) to interstate revenues, while requiring
13 that contributions to universal service under sec-
14 tion 254(h) of that Act (47 U.S.C. 254(h)) be
15 based on both interstate as well as intrastate rev-
16 enues, is consistent with the provisions of section
17 254(d) of that Act (47 U.S.C. 254(d)).

18 (H) An explanation as to whether access
19 charge reductions should be passed through on a
20 dollar-for-dollar basis to each customer class on
21 a proportionate basis.

22 (I) An explanation of the contribution
23 mechanisms established by the Commission
24 under the Commission's Report and Order (FCC

1 97–157), May 8, 1997, and whether any direct
2 end-user charges on consumers are appropriate.

3 (c) *IMPOSITION OF CAP ON COMPENSATION OF INDI-*
4 *VIDUALS EMPLOYED TO CARRY OUT THE PROGRAMS.*—No
5 *officer or employee of the entity to be proposed to be estab-*
6 *lished under subsection (b)(2) of this section may be com-*
7 *pensated at an annual rate of pay, including any nonregu-*
8 *lar, extraordinary, or unexpected payment based on specific*
9 *determinations of exceptionally meritorious service or other-*
10 *wise, bonuses, or any other compensation (either monetary*
11 *or in-kind), which exceeds the rate of basic pay in effect*
12 *from time to time for level I of the Executive Schedule under*
13 *section 5312 of title 5, United States Code.*

14 (d) *SECOND-HALF 1998 CONTRIBUTIONS.*—Before
15 *June 1, 1998, the Federal Communications Commission*
16 *may not—*

17 (1) *adjust the contribution factors for tele-*
18 *communications carriers under section 254; or*

19 (2) *collect any such contribution due for the*
20 *third or fourth quarter of calendar year 1998.*

21 *SEC. 2005. SUPPORT FOR DEMOCRATIC OPPOSITION IN*
22 *IRAQ.* In addition to the amounts appropriated to the Presi-
23 *dent under Public Law 105–118, there is hereby appro-*
24 *priated \$5,000,000 for the “Economic Support Fund”, to*
25 *remain available until September 30, 1999, for assistance*

1 *to the Iraqi democratic opposition for such activities as or-*
2 *ganization, training, disseminating information, develop-*
3 *ing and implementing agreements among opposition*
4 *groups, and for related purposes: Provided, That within 30*
5 *days of enactment into law of this Act the Secretary of State*
6 *shall submit a detailed report to the appropriate committees*
7 *of Congress on plans to establish a program to support the*
8 *democratic opposition in Iraq: Provided further, That such*
9 *amount is designated by Congress as an emergency require-*
10 *ment pursuant to section 251(b)(2)(A) of the Balanced*
11 *Budget and Emergency Deficit Control Act of 1985, as*
12 *amended: Provided further, That the entire amount shall*
13 *be available only to the extent that an official budget request*
14 *for a specific dollar amount, that includes designation of*
15 *the entire amount of the request as an emergency require-*
16 *ment as defined in the Balanced Budget and Emergency*
17 *Deficit Control Act of 1985, as amended, is transmitted by*
18 *the President to Congress.*

19 *SEC. 2006. ESTABLISHMENT OF RADIO FREE IRAQ. In*
20 *addition to the amounts appropriated to the United States*
21 *Information Agency under Public Law 105–119, there is*
22 *hereby appropriated \$5,000,000 for “International Broad-*
23 *casting Operations”, to remain available until September*
24 *30, 1999, for a grant to Radio Free Europe/Radio Liberty*
25 *for surrogate radio broadcasting to the Iraqi people: Pro-*

1 *vided, That such broadcasting shall be designated “Radio*
2 *Free Iraq”:* *Provided further, That within 30 days of enact-*
3 *ment into law of this Act the Broadcasting Board of Gov-*
4 *ernors shall submit a detailed report to the appropriate*
5 *committees of Congress on plans to establish a surrogate*
6 *broadcasting service to Iraq: Provided further, That such*
7 *amount is designated by Congress as an emergency require-*
8 *ment pursuant to section 251(b)(2)(A) of the Balanced*
9 *Budget and Emergency Deficit Control Act of 1985, as*
10 *amended: Provided further, That the entire amount shall*
11 *be available only to the extent that an official budget request*
12 *for a specific dollar amount, that includes designation of*
13 *the entire amount of the request as an emergency require-*
14 *ment as defined in the Balanced Budget and Emergency*
15 *Deficit Control Act of 1985, as amended, is transmitted by*
16 *the President to Congress.*

17 *SEC. 2007. Section 203 of the National Sea Grant Col-*
18 *lege Program Act (33 U.S.C. 1122) is amended by—*

19 *(1) striking paragraph (5) and redesignating*
20 *paragraphs (6) through (17) as paragraphs (5)*
21 *through (16);*

22 *(2) redesignating subparagraphs (C) through (F)*
23 *of paragraph (7), as redesignated, as subparagraphs*
24 *(D) through (G); and*

1 (3) inserting after subparagraph (B) of para-
2 graph (7), as redesignated, the following:

3 “(C) Lake Champlain (to the extent that
4 such resources have hydrological, biological,
5 physical, or geological characteristics and prob-
6 lems similar or related to those of the Great
7 Lakes);”.

8 SEC. 2008. Notwithstanding section 21(a)(4) of the
9 Small Business Act (15 U.S.C. 648(a)(4)) or any other pro-
10 vision of law, of the amount made available under the De-
11 partments of Commerce, Justice, and State, the Judiciary,
12 and Related Agencies Appropriations Act, 1998 (Public
13 Law 105–119) for the account for salaries and expenses of
14 the Small Business Administration, to fund grants for per-
15 formance in fiscal year 1998 or fiscal year 1999 as author-
16 ized by section 21 of the Small Business Act (15 U.S.C.
17 648), any funds obligated or expended for the conduct of
18 a pilot project for a study on the current state of commerce
19 on the Internet in Vermont shall not be subject to a non-
20 Federal matching requirement.

21 SEC. 2009. (a) Any agency listed in section 404(b) of
22 the Departments of Commerce, Justice, and State, the Judi-
23 ciary, and Related Agencies Appropriations Act, 1998,
24 Public Law 105–119, may transfer any amount to the De-
25 partment of State, subject to the limitations of subsection

1 *(b) of this section, for the purpose of making technical ad-*
2 *justments to the amounts transferred by section 404 of such*
3 *Act.*

4 *(b) Funds transferred pursuant to subsection (a) shall*
5 *not exceed \$12,000,000, of which not to exceed \$3,500,000*
6 *may be transferred from the United States Information*
7 *Agency, of which not to exceed \$3,600,000 may be trans-*
8 *ferred from the Defense Intelligence Agency, of which not*
9 *to exceed \$1,600,000 may be transferred from the Defense*
10 *Security Assistance Agency, of which not to exceed \$900,000*
11 *may be transferred from the Peace Corps, and of which not*
12 *to exceed \$500,000 may be transferred from any other single*
13 *agency listed in section 404(b) of Public Law 105–119.*

14 *(c) A transfer of funds pursuant to this section shall*
15 *not require any notification or certification to Congress or*
16 *any committee of Congress, notwithstanding any other pro-*
17 *vision of law.*

18 *SEC. 2010. UNITED STATES TAXPAYER SUPPORT TO-*
19 *WARDS INTERNATIONAL PEACE AND SECURITY. (a) FIND-*
20 *INGS.—Congress finds that—*

21 *(1) 8,500 men and women from the United*
22 *States Armed Forces are currently serving in and*
23 *around Bosnia, and 44,200 men and women from the*
24 *United States Armed Forces are currently serving in*
25 *and around the Persian Gulf;*

1 (2) *the Department of Defense has spent*
2 *\$2,200,000,000 in fiscal year 1995, \$3,300,000,000 in*
3 *fiscal year 1996, and \$2,973,000,000 in fiscal year*
4 *1997 for the incremental costs of implementing or*
5 *supporting United Nations Security Council resolu-*
6 *tions for which the United States received no credit*
7 *at the United Nations;*

8 (3) *as of March 1, 1998, the United States Fed-*
9 *eral debt totaled \$5,537,630,079,097;*

10 (4) *as of the date of enactment of this Act, the*
11 *United States, according to an audit by the General*
12 *Accounting Office, has spent more than*
13 *\$6,400,000,000 in incremental costs to the Depart-*
14 *ment of Defense in and around Bosnia for which the*
15 *United States received no credit at the United Na-*
16 *tions;*

17 (5) *the President is now requesting an addi-*
18 *tional \$486,900,000 for United States deployments in*
19 *and around Bosnia and \$1,361,400,000 for United*
20 *States deployments in and around the Persian Gulf*
21 *in “emergency fiscal year 1998 supplemental funds”;*

22 (6) *those funds are in addition to the President’s*
23 *request for \$1,020,000,000 in “arrears” for all as-*
24 *essed contributions to international organizations,*
25 *including a request for \$658,000,000 for United*

1 *States “arrears” for United Nations peacekeeping op-*
2 *erations;*

3 *(7) in response to spiraling United Nations*
4 *peacekeeping costs and excessively broad mandates,*
5 *the President on April 30, 1994, approved Public*
6 *Law 103–236, which in section 404 limits the pay-*
7 *ment of the United States assessed contribution for*
8 *any United Nations peacekeeping operation to 25 per-*
9 *cent of the total of all assessed contributions for that*
10 *operation;*

11 *(8) the United Nations continues to charge the*
12 *United States for 30.4 percent of the costs of United*
13 *Nations peacekeeping operations, despite Public Law*
14 *103–236;*

15 *(9) the United Nations continues to demand*
16 *payment from the United States of the difference be-*
17 *tween 25 percent and 30.4 percent of bills for United*
18 *Nations peacekeeping operations;*

19 *(10) United States law prohibits payment of*
20 *those amounts as arrears to the United Nations, and*
21 *the United States is not obligated to pay those*
22 *amounts.*

23 *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*
24 *ate that—*

1 (1) *United States taxpayers should be com-*
2 *mended for their generous and unparalleled support*
3 *in maintaining international peace and security*
4 *through these additional contributions in support of*
5 *United Nations Security Council resolutions, and*
6 *that the United Nations should acknowledge publicly*
7 *the financial and military support of the United*
8 *States in maintaining international peace and stabil-*
9 *ity; and*

10 (2) *the United Nations should immediately re-*
11 *duce the percentage that the United States is assessed*
12 *for United Nations peacekeeping operations to 25 per-*
13 *cent to reflect United States law that limits assess-*
14 *ments the United States will pay to support United*
15 *Nations peacekeeping operations.*

16 *(c) RECOGNITION OF UNITED STATES SUPPORT.—*

17 (1) *REPORT BY THE SECURITY COUNCIL.—The*
18 *President should direct the United States Ambassador*
19 *to the United Nations to introduce a resolution in the*
20 *United Nations Security Council, requiring that the*
21 *Security Council publicly report to all United Na-*
22 *tions member states on the amount of funds the*
23 *United States has spent since January 1, 1990, in*
24 *implementing or supporting United Nations Security*

1 *Council resolutions, as determined by the Department*
2 *of Defense.*

3 (2) *DEMARCHE TO SECURITY COUNCIL MEM-*
4 *BERS.—The Secretary of State should issue a de-*
5 *marche to all member countries of the United Nations*
6 *Security Council, informing them of the amount of*
7 *funds, both credited and uncredited, the Department*
8 *of Defense has spent since January 1, 1990, in sup-*
9 *port of United Nations Security Council resolutions.*

10 (d) *REPORT TO CONGRESS.—Not later than 45 days*
11 *after the date of enactment of this Act, the President shall*
12 *submit a report to the Committees on Appropriations and*
13 *International Relations of the House of Representatives and*
14 *the Committees on Appropriations and Foreign Relations*
15 *of the Senate with regard to actions taken to carry out the*
16 *provisions of subsection (c).*

17 *SEC. 2011. ELIGIBILITY FOR REFUGEE STATUS. Sec-*
18 *tion 584 of the Foreign Operations, Export Financing, and*
19 *Related Programs Appropriations Act, 1997 (Public Law*
20 *104–208; 110 Stat. 3009–171) is amended—*

21 (1) *in subsection (a)—*

22 (A) *by striking “For purposes” and insert-*
23 *ing “Notwithstanding any other provision of*
24 *law, for purposes”; and*

1 (B) by striking “fiscal year 1997” and in-
2 serting “fiscal years 1998 and 1999”; and

3 (2) by amending subsection (b) to read as fol-
4 lows:

5 “(b) *ALIENS COVERED.*—

6 “(1) *IN GENERAL.*— *An alien described in this*
7 *subsection is an alien who—*

8 “(A) *is the son or daughter of a qualified*
9 *national;*

10 “(B) *is 21 years of age or older; and*

11 “(C) *was unmarried as of the date of ac-*
12 *ceptance of the alien’s parent for resettlement*
13 *under the Orderly Departure Program.*

14 “(2) *QUALIFIED NATIONAL.*—*For purposes of*
15 *paragraph (1), the term ‘qualified national’ means a*
16 *national of Vietnam who—*

17 “(A)(i) *was formerly interned in a reeduca-*
18 *tion camp in Vietnam by the Government of the*
19 *Socialist Republic of Vietnam; or*

20 “(i) *is the widow or widower of an indi-*
21 *vidual described in clause (i); and*

22 “(B)(i) *qualified for refugee processing*
23 *under the reeducation camp internees subpro-*
24 *gram of the Orderly Departure Program; and*

1 “(ii) on or after April 1, 1995, is accept-
2 ed—

3 “(I) for resettlement as a refugee; or

4 “(II) for admission as an immigrant
5 under the Orderly Departure Program.”.

6 SEC. 2012. *ELIMINATION OF SECRECY IN INTER-*
7 *NATIONAL TRADE ORGANIZATIONS.* *The President shall in-*
8 *struct the United States Representatives to the World Trade*
9 *Organization to seek the adoption of procedures that will*
10 *ensure broader application of the principles of transparency*
11 *and openness in the activities of the organization, including*
12 *by urging the World Trade Organization General Council*
13 *to—*

14 (1) *permit appropriate meetings of the Council,*
15 *the Ministerial Conference, dispute settlement panels,*
16 *and the Appellate Body to be made open to the public;*
17 *and*

18 (2) *provide for timely public summaries of the*
19 *matters discussed and decisions made in any closed*
20 *meeting of the Conference or Council.*

21 SEC. 2013. *In addition to the amounts provided in*
22 *Public Law 105–56, \$35,000,000 is appropriated and shall*
23 *be available for deposit in the International Trust Fund*
24 *of the Republic of Slovenia for Demining, Mine Clearance,*
25 *and Assistance to Mine Victims in Bosnia and*

1 *Herzegovina: Provided, That such amount may be deposited*
2 *in that Fund only if the President determines that such*
3 *amount could be used effectively and for objectives consist-*
4 *ent with on-going multilateral efforts to remove landmines*
5 *in Bosnia and Herzegovina: Provided further, That such*
6 *amount may be deposited in that Fund only to the extent*
7 *of deposits of matching amounts in that Fund by other gov-*
8 *ernment, entities, or persons: Provided further, That the*
9 *amount of such amount deposited by the United States in*
10 *that Fund may be expended by the Republic of Slovenia*
11 *only in consultation with the United States Government:*
12 *Provided further, That the entire amount shall be available*
13 *only to the extent an official budget request, for a specific*
14 *dollar amount, that includes a designation of the entire*
15 *amount as an emergency requirement as defined in the Bal-*
16 *anced Budget and Emergency Deficit Control Act of 1985*
17 *is transmitted to Congress by the President: Provided fur-*
18 *ther, That the entire amount is designated by Congress as*
19 *an emergency requirement pursuant to section 251(b)(2)(A)*
20 *of such Act.*

21 *TITLE III—EMERGENCY TRADE DEFICIT REVIEW*

22 *COMMISSION*

23 *SEC. 3001. SHORT TITLE. This title may be cited as*
24 *the “Emergency Trade Deficit Review Commission Act”.*

1 *SEC. 3002. FINDINGS. Congress makes the following*
2 *findings:*

3 (1) *The United States continues to run substan-*
4 *tial merchandise trade and current account deficits.*

5 (2) *Economic forecasts anticipate continued*
6 *growth in such deficits in the next few years.*

7 (3) *The positive net international asset position*
8 *that the United States built up over many years was*
9 *eliminated in the 1980s. The United States today has*
10 *become the world's largest debtor nation.*

11 (4) *The United States merchandise trade deficit*
12 *is characterized by large bilateral trade imbalances*
13 *with a handful of countries.*

14 (5) *The United States has one of the most open*
15 *borders and economies in the world. The United*
16 *States faces significant tariff and nontariff trade bar-*
17 *riers with its trading partners. Current overall trade*
18 *balances do not reflect the actual competitiveness or*
19 *productivity of the United States economy.*

20 (6) *Since the last comprehensive review of na-*
21 *tional trade and investment policies was conducted by*
22 *a Presidential commission in 1970, there have been*
23 *massive worldwide economic and political changes*
24 *which have profoundly affected world trading rela-*
25 *tionships. Globalization, the increased mobility of*

1 *capital and technology, the role of transnational cor-*
2 *porations, and the outsourcing of production across*
3 *national boundaries, are reshaping both the compara-*
4 *tive and competitive trade advantages among nations.*

5 *(7) The United States is once again at a critical*
6 *juncture in trade policy development. The nature of*
7 *the United States trade deficit and its causes and*
8 *consequences must be analyzed and documented.*

9 SEC. 3003. *ESTABLISHMENT OF COMMISSION.* (a) *ES-*
10 *TABLISHMENT.—There is established a commission to be*
11 *known as the Emergency Trade Deficit Review Commission*
12 *(hereafter in this title referred to as the “Commission”).*

13 (b) *PURPOSE.—The purpose of the Commission is to*
14 *study the causes and consequences of the United States mer-*
15 *chandise trade and current account deficits and to develop*
16 *trade policy recommendations for the 21st century. The rec-*
17 *ommendations shall include strategies necessary to achieve*
18 *United States market access to foreign markets that fully*
19 *reflects the competitiveness and productivity of the United*
20 *States and also improves the standard of living of United*
21 *States citizens.*

22 (c) *MEMBERSHIP OF COMMISSION.—*

23 (1) *COMPOSITION.—The Commission shall be*
24 *composed of 12 members of whom—*

1 (A) 1 Senator and 2 other persons shall be
2 appointed by the President pro tempore of the
3 Senate upon the recommendation of the Majority
4 Leader of the Senate;

5 (B) 1 Senator and 2 other persons shall be
6 appointed by the President pro tempore of the
7 Senate upon the recommendation of the Minority
8 Leader of the Senate;

9 (C) 1 Member of the House of Representa-
10 tives and 2 other persons shall be appointed by
11 the Speaker of the House of Representatives; and

12 (D) 1 Member of the House of Representa-
13 tives and 2 other persons shall be appointed by
14 the Minority Leader of the House of Representa-
15 tives.

16 (2) QUALIFICATIONS OF MEMBERS.—

17 (A) APPOINTMENTS.—Persons who are ap-
18 pointed under paragraph (1), shall be persons
19 who—

20 (i) have expertise in economics, inter-
21 national trade, manufacturing, labor, envi-
22 ronment, business, or have other pertinent
23 qualifications or experience; and

24 (ii) are not officers or employees of the
25 United States.

1 (B) *OTHER CONSIDERATIONS.*—*In appoint-*
2 *ing Commission members, every effort shall be*
3 *made to ensure that the members—*

4 (i) *are representative of a broad cross-*
5 *section of economic and trade perspectives*
6 *within the United States; and*

7 (ii) *provide fresh insights to analyzing*
8 *the causes and consequences of United*
9 *States merchandise trade and current ac-*
10 *count deficits.*

11 (d) *PERIOD OF APPOINTMENT; VACANCIES.*—

12 (1) *IN GENERAL.*—*Members shall be appointed*
13 *not later than 60 days after the date of enactment of*
14 *this Act and the appointment shall be for the life of*
15 *the Commission.*

16 (2) *VACANCIES.*—*Any vacancy in the Commis-*
17 *sion shall not affect its powers, but shall be filled in*
18 *the same manner as the original appointment.*

19 (e) *INITIAL MEETING.*—*Not later than 30 days after*
20 *the date on which all members of the Commission have been*
21 *appointed, the Commission shall hold its first meeting.*

22 (f) *MEETINGS.*—*The Commission shall meet at the call*
23 *of the Chairperson.*

24 (g) *CHAIRPERSON AND VICE CHAIRPERSON.*—*The*
25 *members of the Commission shall elect a chairperson and*

1 *vice chairperson from among the members of the Commis-*
2 *sion.*

3 *(h) QUORUM.—A majority of the members of the Com-*
4 *mission shall constitute a quorum for the transaction of*
5 *business.*

6 *(i) VOTING.—Each member of the Commission shall be*
7 *entitled to 1 vote, which shall be equal to the vote of every*
8 *other member of the Commission.*

9 *SEC. 3004. DUTIES OF THE COMMISSION. (a) IN GEN-*
10 *ERAL.—The Commission shall be responsible for developing*
11 *trade policy recommendations, by examining the economic,*
12 *trade, tax, and investment policies and laws, and other in-*
13 *centives and restrictions that are relevant to addressing the*
14 *causes and consequences of the United States merchandise*
15 *trade and current account deficits.*

16 *(b) RECOMMENDATIONS.—The Commission shall ex-*
17 *amine and make recommendations to Congress and the*
18 *President on the following:*

19 *(1) The manner in which the Government of the*
20 *United States establishes and administers the Na-*
21 *tion's fundamental trade policies and objectives, in-*
22 *cluding—*

23 *(A) the relationship of the merchandise*
24 *trade and current account balances to the overall*
25 *well-being of the United States economy and any*

1 *impact the trade balance may have on wages*
2 *and employment in various sectors of the United*
3 *States economy;*

4 *(B) any effects the merchandise trade and*
5 *current account deficits may have on the areas*
6 *of manufacturing and technology and on defense*
7 *production and innovation capabilities of the*
8 *United States;*

9 *(C) the impact that United States monetary*
10 *and fiscal policies may have on United States*
11 *merchandise trade and current account deficits;*
12 *and*

13 *(D) the coordination, allocation, and ac-*
14 *countability of trade responsibilities among Fed-*
15 *eral agencies and the means for congressional*
16 *oversight of the trade policy process.*

17 *(2) The causes and consequences of the merchan-*
18 *dise trade and current account deficits and specific*
19 *bilateral trade deficits, including—*

20 *(A) identification and quantification of the*
21 *macroeconomic factors and bilateral trade bar-*
22 *riers contributing to the United States merchan-*
23 *dise trade and current account deficits;*

24 *(B) identification and quantification of any*
25 *impact of the merchandise trade and current ac-*

1 *count deficits on the domestic economy, indus-*
2 *trial base, manufacturing capacity, number and*
3 *quality of jobs, productivity, wages, and the*
4 *United States standard of living;*

5 *(C) identification and quantification of*
6 *trade deficits within individual industrial, man-*
7 *ufacturing, and production sectors, and any re-*
8 *lationship to intraindustry and intracompany*
9 *transactions;*

10 *(D) a review of the adequacy of the current*
11 *collection and reporting of import and export*
12 *data, and the identification and development of*
13 *additional data bases and economic measure-*
14 *ments that may be needed to properly quantify*
15 *the factors described in subparagraphs (A), (B),*
16 *and (C);*

17 *(E) the relationship that tariff and non-*
18 *tariff barriers may have to the merchandise*
19 *trade and current account deficits and the extent*
20 *to which such deficits have become structural;*

21 *(F) the extent to which there is reciprocal*
22 *market access substantially equivalent to that af-*
23 *forded by the United States in each country with*
24 *which the United States has a persistent and*
25 *substantial bilateral trade deficit; and*

1 (G) *the impact of transshipments on bilat-*
2 *eral trade.*

3 (3) *Any relationship of United States merchan-*
4 *dise trade and current account deficits to both com-*
5 *parative and competitive trade advantages within the*
6 *global economy, including—*

7 (A) *a systematic analysis of the United*
8 *States trade patterns with different trading*
9 *partners, to what extent the trade patterns are*
10 *based on comparative and competitive trade ad-*
11 *vantages, and how the trade advantages relate to*
12 *the goods that are exported to and imported from*
13 *various trading partners;*

14 (B) *the extent to which the increased mobil-*
15 *ity of capital and technology has changed both*
16 *comparative and competitive trade advantages;*

17 (C) *the extent to which differences in the*
18 *growth rates of the United States and its trading*
19 *partners may impact on United States merchan-*
20 *dise trade and current account deficits;*

21 (D) *any impact that labor, environmental,*
22 *or health and safety standards may have on*
23 *world trade;*

24 (E) *the impact that currency exchange rate*
25 *fluctuations and any manipulation of exchange*

1 *rates may have on United States merchandise*
2 *trade and current account deficits;*

3 *(F) the effect that offset and technology*
4 *transfer agreements have on the long-term com-*
5 *petitiveness of the United States manufacturing*
6 *sectors; and*

7 *(G) any effect that international trade,*
8 *labor, environmental, or other agreements may*
9 *have on United States competitiveness.*

10 *(4) The flow of investments both into and out of*
11 *the United States, including—*

12 *(A) any consequences for the United States*
13 *economy of the current status of the United*
14 *States as a debtor nation;*

15 *(B) any relationship between such invest-*
16 *ments and the United States merchandise trade*
17 *and current account deficits and living stand-*
18 *ards of United States workers;*

19 *(C) any impact such investments may have*
20 *on United States labor, community, environ-*
21 *mental, and health and safety standards, and*
22 *how such investment flows influence the location*
23 *of manufacturing facilities; and*

24 *(D) the effect of barriers to United States*
25 *foreign direct investment in developed and devel-*

1 *oping nations, particularly nations with which*
2 *the United States has a merchandise trade and*
3 *current account deficit.*

4 *SEC. 3005. FINAL REPORT; CONGRESSIONAL HEAR-*
5 *INGS. (a) FINAL REPORT.—*

6 *(1) IN GENERAL.—Not later than 18 months*
7 *after the date of enactment of this Act, the Commis-*
8 *sion shall submit to the President and Congress a*
9 *final report which contains—*

10 *(A) the findings and conclusions of the*
11 *Commission described in section 3004;*

12 *(B) recommendations for addressing the*
13 *problems identified as part of the Commission's*
14 *analysis; and*

15 *(C) any proposals for administrative and*
16 *legislative actions necessary to implement such*
17 *recommendations.*

18 *(2) SEPARATE VIEWS.—Any member of the Com-*
19 *mission may submit additional findings and rec-*
20 *ommendations as part of the final report.*

21 *(b) CONGRESSIONAL HEARINGS.—Not later than 6*
22 *months after the final report described in subsection (a) is*
23 *submitted, the Committee on Ways and Means of the House*
24 *of Representatives and the Committee on Finance of the*
25 *Senate shall hold hearings on the report. Other committees*

1 *of the House of Representatives and Senate with relevant*
2 *jurisdiction may also hold hearings on the report.*

3 *SEC. 3006. POWERS OF COMMISSION. (a) HEAR-*
4 *INGS.—The Commission may hold such hearings, sit and*
5 *act at such times and places, take such testimony, and re-*
6 *ceive such evidence as the Commission may find advisable*
7 *to fulfill the requirements of this title. The Commission shall*
8 *hold at least 1 or more hearings in Washington, D.C., and*
9 *4 in different regions of the United States.*

10 *(b) INFORMATION FROM FEDERAL AGENCIES.—The*
11 *Commission may secure directly from any Federal depart-*
12 *ment or agency such information as the Commission con-*
13 *siders necessary to carry out the provisions of this title.*
14 *Upon request of the Chairperson of the Commission, the*
15 *head of such department or agency shall furnish such infor-*
16 *mation to the Commission.*

17 *(c) POSTAL SERVICES.—The Commission may use the*
18 *United States mails in the same manner and under the*
19 *same conditions as other departments and agencies of the*
20 *Federal Government.*

21 *SEC. 3007. COMMISSION PERSONNEL MATTERS. (a)*
22 *COMPENSATION OF MEMBERS.—Each member of the Com-*
23 *mission who is not an officer or employee of the Federal*
24 *Government shall be compensated at a rate equal to the*
25 *daily equivalent of the annual rate of basic pay prescribed*

1 *for level IV of the Executive Schedule under section 5315*
2 *of title 5, United States Code, for each day (including travel*
3 *time) during which such member is engaged in the perform-*
4 *ance of the duties of the Commission. All members of the*
5 *Commission who are officers or employees of the United*
6 *States shall serve without compensation in addition to that*
7 *received for their services as officers or employees of the*
8 *United States.*

9 **(b) TRAVEL EXPENSES.**—*The members of the Commis-*
10 *sion shall be allowed travel expenses, including per diem*
11 *in lieu of subsistence, at rates authorized for employees of*
12 *agencies under subchapter I of chapter 57 of title 5, United*
13 *States Code, while away from their homes or regular places*
14 *of business in the performance of services for the Commis-*
15 *sion.*

16 **(c) STAFF.**—

17 **(1) IN GENERAL.**—*The Chairperson of the Com-*
18 *mission may, without regard to the civil service laws*
19 *and regulations, appoint and terminate an executive*
20 *director and such other additional personnel as may*
21 *be necessary to enable the Commission to perform its*
22 *duties. The employment of an executive director shall*
23 *be subject to confirmation by the Commission.*

24 **(2) COMPENSATION.**—*The Chairperson of the*
25 *Commission may fix the compensation of the execu-*

1 *tive director and other personnel without regard to*
2 *the provisions of chapter 51 and subchapter III of*
3 *chapter 53 of title 5, United States Code, relating to*
4 *classification of positions and General Schedule pay*
5 *rates, except that the rate of pay for the executive di-*
6 *rector and other personnel may not exceed the rate*
7 *payable for level V of the Executive Schedule under*
8 *section 5316 of such title.*

9 *(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Fed-*
10 *eral Government employee may be detailed to the Commis-*
11 *sion without reimbursement, and such detail shall be with-*
12 *out interruption or loss of civil service status or privilege.*

13 *(e) PROCUREMENT OF TEMPORARY AND INTERMIT-*
14 *TENT SERVICES.—The Chairperson of the Commission may*
15 *procure temporary and intermittent services under section*
16 *3109(b) of title 5, United States Code, at rates for individ-*
17 *uals which do not exceed the daily equivalent of the annual*
18 *rate of basic pay prescribed for level V of the Executive*
19 *Schedule under section 5316 of such title.*

20 *SEC. 3008. SUPPORT SERVICES. The Administrator of*
21 *the General Services Administration shall provide to the*
22 *Commission on a reimbursable basis such administrative*
23 *support services as the Commission may request.*

1 *SEC. 3009. APPROPRIATIONS. There are appropriated*
2 *\$2,000,000 to the Commission to carry out the provisions*
3 *of this title.*

4 *TITLE IV—AGRICULTURAL CREDIT PROGRAMS*

5 *SEC. 4001. SHORT TITLE. This title may be cited as*
6 *the “Agricultural Credit Restoration Act”.*

7 *SEC. 4002. AMENDMENTS TO THE CONSOLIDATED*
8 *FARM AND RURAL DEVELOPMENT ACT. (a) Section*
9 *343(a)(12)(B) of the Consolidated Farm and Rural Devel-*
10 *opment Act (7 U.S.C. 1991(a)(12)(B)) is amended to read*
11 *as follows:*

12 *“(B) EXCEPTIONS.—The term ‘debt forgive-*
13 *ness’ does not include—*

14 *“(i) consolidation, rescheduling, re-*
15 *amortization, or deferral of a loan;*

16 *“(ii) one debt forgiveness in the form of*
17 *a restructuring, write-down, or net recovery*
18 *buy-out during the lifetime of the borrower*
19 *that is due to a financial problem of the*
20 *borrower relating to a natural disaster or a*
21 *medical condition of the borrower or of a*
22 *member of the immediate family of the bor-*
23 *rower (or, in the case of a borrower that is*
24 *an entity, a principal owner of the borrower*

1 or a member of the immediate family of
2 such an owner); and

3 “(iii) any restructuring, write-down,
4 or net recovery buy-out provided as a part
5 of a resolution of a discrimination com-
6 plaint against the Secretary.”.

7 (b) Section 353(m) of such Act (7 U.S.C. 2001(m)) is
8 amended by striking all that precedes paragraph (2) and
9 inserting the following:

10 “(m) *LIMITATION ON NUMBER OF WRITE-DOWNS AND*
11 *NET RECOVERY BUY-OUTS PER BORROWER.*—

12 “(1) *IN GENERAL.*—The Secretary may provide
13 a write-down or net recovery buy-out under this sec-
14 tion on not more than 2 occasions per borrower with
15 respect to loans made after January 6, 1988.”.

16 (c) Section 353 of such Act (7 U.S.C. 2001) is amended
17 by striking subsection (o).

18 (d) Section 355(c)(2) of such Act (7 U.S.C. 2003(c)(2))
19 is amended to read as follows:

20 “(2) *RESERVATION AND ALLOCATION.*—

21 “(A) *IN GENERAL.*—The Secretary shall, to
22 the greatest extent practicable, reserve and allo-
23 cate the proportion of each State’s loan funds
24 made available under subtitle B that is equal to
25 that State’s target participation rate for use by

1 *the socially disadvantaged farmers or ranchers*
2 *in that State. The Secretary shall, to the extent*
3 *practicable, distribute the total so derived on a*
4 *county by county basis according to the number*
5 *of socially disadvantaged farmers or ranchers in*
6 *the county.*

7 “(B) *REALLOCATION OF UNUSED FUNDS.—*
8 *The Secretary may pool any funds reserved and*
9 *allocated under this paragraph with respect to a*
10 *State that are not used as described in subpara-*
11 *graph (A) in a State in the first 10 months of*
12 *a fiscal year with the funds similarly not so used*
13 *in other States, and may reallocate such pooled*
14 *funds in the discretion of the Secretary for use*
15 *by socially disadvantaged farmers and ranchers*
16 *in other States.”.*

17 *(e) Section 373(b)(1) of such Act (7 U.S.C.*
18 *2008h(b)(1)) is amended to read as follows:*

19 “(1) *IN GENERAL.—Except as provided in para-*
20 *graph (2), the Secretary may not make or guarantee*
21 *a loan under subtitle A or B to a borrower who on,*
22 *2 or more occasions, received debt forgiveness on a*
23 *loan made or guaranteed under this title.”.*

24 *(f) Section 373(c) of such Act (7 U.S.C. 2008h(c)) is*
25 *amended to read as follows:*

1 “(c) NO MORE THAN 2 DEBT FORGIVENESSES PER
 2 BORROWER ON DIRECT LOANS.—The Secretary may not,
 3 on 2 or more occasions, provide debt forgiveness to a bor-
 4 rower on a direct loan made under this title.”.

5 SEC. 4003. REGULATIONS. Not later than 90 days after
 6 the date of the enactment of this title, the Secretary of Agri-
 7 culture shall promulgate regulations necessary to carry out
 8 the amendments made by this title, without regard to—

9 (1) the notice and comment provisions of section
 10 553 of title 5, United States Code; and

11 (2) the statement of policy of the Secretary of
 12 Agriculture relating to notices of proposed rulemaking
 13 and public participation in rulemaking that became
 14 effective on July 24, 1971 (36 Fed. Reg. 13804).

15 TITLE V—INTERNATIONAL MONETARY FUND

16 That the following sums are appropriated, out of any
 17 money in the Treasury not otherwise appropriated, for the
 18 International Monetary Fund for the fiscal year ending
 19 September 30, 1998, and for other purposes, namely:

20 MULTILATERAL ECONOMIC ASSISTANCE

21 FUNDS APPROPRIATED TO THE PRESIDENT

22 LOANS TO INTERNATIONAL MONETARY FUND

23 NEW ARRANGEMENTS TO BORROW

24 For loans to the International Monetary Fund (Fund)
 25 under the New Arrangements to Borrow, the dollar equiva-
 26 lent of 2,462,000,000 Special Drawing Rights, to remain

1 *available until expended; in addition, up to the dollar*
2 *equivalent of 4,250,000,000 Special Drawing Rights pre-*
3 *viously appropriated by the Act of November 30, 1983 (Pub-*
4 *lic Law 98–181), and the Act of October 23, 1962 (Public*
5 *Law 87–872), for the General Arrangements to Borrow,*
6 *may also be used for the New Arrangements to Borrow.*

7 *UNITED STATES QUOTA*

8 *For an increase in the United States quota in the*
9 *International Monetary Fund, the dollar equivalent of*
10 *10,622,500,000 Special Drawing Rights, to remain avail-*
11 *able until expended.*

12 *GENERAL PROVISIONS*

13 *SEC. 5001. CONDITIONS FOR THE USE OF QUOTA RE-*
14 *SOURCES. (a) None of the funds appropriated in this Act*
15 *under the heading “United States Quota, International*
16 *Monetary Fund” may be obligated, transferred or made*
17 *available to the International Monetary Fund until 30 days*
18 *after the Secretary of the Treasury certifies that the major*
19 *shareholders of the International Monetary Fund, including*
20 *the United States, Japan, the Federal Republic of Ger-*
21 *many, France, Italy, the United Kingdom, and Canada*
22 *have publicly agreed to, and will seek to implement in the*
23 *Fund, policies that provide for conditions in stand-by*
24 *agreements or other arrangements regarding the use of*
25 *Fund resources, requiring that the recipient country—*

1 (1) *liberalize restrictions on trade in goods and*
2 *services and on investment, at a minimum consistent*
3 *with the terms of all international trade obligations*
4 *and agreements; and*

5 (2) *to eliminate the practice or policy of govern-*
6 *ment directed lending on non-commercial terms or*
7 *provision of market distorting subsidies to favored in-*
8 *dustries, enterprises, parties, or institutions.*

9 (b) *Subsequent to the certification provided in sub-*
10 *section (a), in conjunction with the annual submission of*
11 *the President's budget, the Secretary of the Treasury shall*
12 *report to the appropriate committees on the implementation*
13 *and enforcement of the provisions in subsection (a).*

14 (c) *The United States shall exert its influence with the*
15 *Fund and its members to encourage the Fund to include*
16 *as part of its conditions of stand-by agreements or other*
17 *uses of the Fund's resources that the recipient country take*
18 *action to remove discriminatory treatment between foreign*
19 *and domestic creditors in its debt resolution proceedings.*
20 *The Secretary of the Treasury shall report back to the Con-*
21 *gress six months after the enactment of this Act, and annu-*
22 *ally thereafter, on the progress in achieving this require-*
23 *ment.*

24 (d) *BANKRUPTCY LAW REFORM.—The United States*
25 *shall exert its influence with the International Monetary*

1 *Fund and its members to encourage the International Mon-*
2 *etary Fund to include as part of its conditions of assistance*
3 *that the recipient country take action to adopt, as soon as*
4 *possible, modern insolvency laws that—*

5 (1) *emphasize reorganization of business enter-*
6 *prises rather than liquidation whenever possible;*

7 (2) *provide for a high degree of flexibility of ac-*
8 *tion, in place of rigid requirements of form or sub-*
9 *stance, together with appropriate review and ap-*
10 *proval by a court and a majority of the creditors in-*
11 *volved;*

12 (3) *include provisions to ensure that assets gath-*
13 *ered in insolvency proceedings are accounted for and*
14 *put back into the market stream as quickly as possible*
15 *in order to maximize the number of businesses that*
16 *can be kept productive and increase the number of*
17 *jobs that can be saved; and*

18 (4) *promote international cooperation in insol-*
19 *vency matters by including—*

20 (A) *provisions set forth in the Model Law*
21 *on Cross-Border Insolvency approved by the*
22 *United Nations Commission on International*
23 *Trade Law, including removal of discriminatory*
24 *treatment between foreign and domestic creditors*
25 *in debt resolution proceedings; and*

1 (B) other provisions appropriate for pro-
2 moting such cooperation.

3 *The Secretary of the Treasury shall report back to Congress*
4 *six months after the enactment of this Act, and annually,*
5 *thereafter, on the progress in achieving this requirement.*

6 (e) Nothing in this section shall be construed to create
7 any private right of action with respect to the enforcement
8 of its terms.

9 SEC. 5002. TRANSPARENCY AND OVERSIGHT. (a) Not
10 later than 30 days after enactment of this Act, the Secretary
11 of the Treasury shall certify to the appropriate committees
12 that the Board of Executive Directors of the International
13 Monetary Fund has agreed to provide timely access by the
14 Comptroller General to information and documents relating
15 to the Fund's operations, program and policy reviews and
16 decisions regarding stand-by agreements and other uses of
17 the Fund's resources.

18 (b) The Secretary of the Treasury shall direct, and the
19 U.S. Executive Director to the International Monetary
20 Fund shall agree to—

21 (1) provide any documents or information avail-
22 able to the Director that are requested by the Comp-
23 troller General;

24 (2) request from the Fund any documents or ma-
25 terial requested by the Comptroller General; and

1 (3) use all necessary means to ensure all possible
2 access by the Comptroller General to the staff and op-
3 erations of the Fund for the purposes of conducting fi-
4 nancial and program audits.

5 (c) The Secretary of the Treasury, in consultation with
6 the Comptroller General and the U.S. Executive Director
7 of the Fund, shall develop and implement a plan to obtain
8 timely public access to information and documents relating
9 to the Fund's operations, programs and policy reviews and
10 decisions regarding stand-by agreements and other uses of
11 the Fund's resources.

12 (d) No later than July 1, 1998 and, not later than
13 March 1 of each year thereafter, the Secretary of the Treas-
14 ury shall submit a report to the appropriate committees on
15 the status of timely publication of Letters of Intent and Ar-
16 ticle IV consultation documents and the availability of in-
17 formation referred to in (c).

18 SEC. 5003. ADVISORY COMMISSION. (a) The President
19 shall establish an International Financial Institution Advi-
20 sory Commission (hereafter "Commission").

21 (b) The Commission shall include at least five former
22 United States Secretaries of the Treasury.

23 (c) Within 180 days, the Commission shall report to
24 the appropriate committees on the future role and respon-
25 sibilities, if any, of the International Monetary Fund and

1 *the merit, costs and related implications of consolidation*
2 *of the organization, management, and activities of the*
3 *International Monetary Fund, the International Bank for*
4 *Reconstruction and Development and the World Trade Or-*
5 *ganization.*

6 *SEC. 5004. BRETTON WOODS CONFERENCE. Not later*
7 *than 180 days after the Commission reports to the appro-*
8 *priate committees, the President shall call for a conference*
9 *of representatives of the governments of the member coun-*
10 *tries of the International Monetary Fund, the International*
11 *Bank for Reconstruction and Development and the World*
12 *Trade Organization to consider the structure, management*
13 *and activities of the institutions, their possible merger and*
14 *their capacity to contribute to exchange rate stability and*
15 *economic growth and to respond effectively to financial cri-*
16 *ses.*

17 *SEC. 5005. REPORTS. (a) Following the extension of*
18 *a stand-by agreement or other uses of the resources by the*
19 *International Monetary Fund, the Secretary of the Treas-*
20 *ury, in consultation with the U.S. Executive Director of*
21 *the Fund, shall submit a report to the appropriate commit-*
22 *tees providing the following information—*

23 *(1) the borrower's rules and regulations dealing*
24 *with capitalization ratios, reserves, deposit insurance*
25 *system and initiatives to improve transparency of in-*

1 *formation on the financial institutions and banks*
2 *which may benefit from the use of the Fund's re-*
3 *sources;*

4 *(2) the burden shared by private sector investors*
5 *and creditors, including commercial banks in the*
6 *Group of Seven Nations, in the losses which have*
7 *prompted the use of the Fund's resources;*

8 *(3) the Fund's strategy, plan and timetable for*
9 *completing the borrower's pay back of the Fund's re-*
10 *sources including a date by which the borrower will*
11 *be free from all international institutional debt obli-*
12 *gation; and*

13 *(4) the status of efforts to upgrade the borrower's*
14 *national standards to meet the Basle Committee's*
15 *Core Principles for Effective Banking Supervision.*

16 *(b) Following the extension of a stand-by agreement*
17 *or other use of the Fund's resources, the Secretary of the*
18 *Treasury shall report to the appropriate committees in con-*
19 *junction with the annual submission of the President's*
20 *budget, an account—*

21 *(1) of outcomes related to the requirements of sec-*
22 *tion 5010; and*

23 *(2) of the direct and indirect institutional re-*
24 *ipients of such resources: Provided, That this account*
25 *shall include the institutions or banks indirectly sup-*

1 ported by the Fund through resources made available
2 by the borrower's Central Bank.

3 (c) Not later than 30 days after the enactment of this
4 Act, the Secretary shall submit a report to the appropriate
5 committees of Congress providing the information requested
6 in paragraphs (a) and (b) for the countries of South Korea,
7 Indonesia, Thailand and the Philippines.

8 SEC. 5006. CERTIFICATIONS. (a) The Secretary of the
9 Treasury shall certify to the appropriate committees that
10 the following conditions have been met—

11 (1) No International Monetary Fund resources
12 have resulted in support to the semiconductor, steel,
13 automobile, shipbuilding, or textile and apparel in-
14 dustries in any form;

15 (2) The Fund has not guaranteed nor under-
16 written the private loans of semiconductor, steel, auto-
17 mobile, shipbuilding, or textile and apparel manufac-
18 turers; and

19 (3) Officials from the Fund and the Department
20 of the Treasury have monitored the implementation of
21 the provisions contained in stabilization programs in
22 effect after July 1, 1997, and all of the conditions
23 have either been met, or the recipient government has
24 committed itself to fulfill all of these conditions ac-
25 cording to an explicit timetable for completion; which

1 *timetable has been provided to and approved by the*
2 *Fund and the Department of the Treasury.*

3 *(b) Such certifications shall be made 14 days prior to*
4 *the disbursement of any Fund resources to the borrower.*

5 *(c) The Secretary of the Treasury shall instruct the*
6 *United States Executive Director of the International Mon-*
7 *etary Fund to use the voice and vote of the Executive Direc-*
8 *tor to oppose disbursement of further funds if such certifi-*
9 *cation is not given.*

10 *(d) Such certifications shall continue to be made on*
11 *an annual basis as long as Fund contributions continue*
12 *to be outstanding to the borrower country.*

13 *(e) After consultation with the Secretary of the Treas-*
14 *ury and the United States Trade Representative, the Sec-*
15 *retary of Commerce shall establish a team composed of em-*
16 *ployees of the Department of Commerce—*

17 *(1) to collect data on import volumes and prices,*
18 *and industry statistics in—*

19 *(A) the steel industry;*

20 *(B) the semiconductor industry;*

21 *(C) the automobile industry;*

22 *(D) the textile and apparel industry; and*

23 *(E) shipbuilding;*

24 *(2) to monitor the effect of the Asian economic*
25 *crisis on these industries;*

1 (3) to collect accounting data from Asian pro-
2 ducers; and

3 (4) to work to prevent import surges in these in-
4 dustries or to assist United States industries affected
5 by such surges in their efforts to protect themselves
6 under the trade laws of the United States.

7 (f) The Secretary of Commerce shall provide adminis-
8 trative support, including office space, for the team.

9 (g) The Secretary of the Treasury and the United
10 States Trade Representative may assign such employees to
11 the team as may be necessary to assist the team in carrying
12 out its functions under subsection (e).

13 SEC. 5007. LIMITATIONS ON INTERNATIONAL MONE-
14 TARY FUND LOANS TO INDONESIA. The Secretary of the
15 Treasury shall instruct the United States Executive Direc-
16 tor of the International Monetary Fund to use the voice and
17 vote of the United States to prevent the extension of Inter-
18 national Monetary Fund resources—

19 (1) directly to or for the direct benefit of the
20 President of Indonesia or any member of the Presi-
21 dent's family; and

22 (2) the Secretary of the Treasury shall instruct
23 the Executive Director to use the United States voice
24 and vote to oppose further disbursement of funds to
25 Indonesia on any International Monetary Fund

1 *terms or conditions less stringent than those imposed*
2 *on the Republic of Korea and the Philippines Repub-*
3 *lic.*

4 *SEC. 5008. ADVOCACY OF POLICIES TO ENHANCE THE*
5 *GENERAL EFFECTIVENESS OF THE INTERNATIONAL MONE-*
6 *TARY FUND. The Secretary of the Treasury shall instruct*
7 *the United States Executive Director of the International*
8 *Monetary Fund to use aggressively the voice and vote of*
9 *the United States to vigorously promote policies to encour-*
10 *age the opening of markets for agricultural commodities*
11 *and products by requiring recipient countries to make ef-*
12 *forts to reduce trade barriers.*

13 *SEC. 5009. ADVISORY COMMITTEE ON IMF POLICY. (a)*
14 *IN GENERAL.—The Secretary of the Treasury shall establish*
15 *an International Monetary Fund Advisory Committee (in*
16 *this section referred to as “Advisory Committee”).*

17 *(b) MEMBERSHIP.—The Advisory Committee shall*
18 *consist of 8 members appointed by the Secretary of the*
19 *Treasury, after appropriate consultations with the relevant*
20 *organizations, as follows—*

21 *(1) at least 2 members shall be representatives*
22 *from organized labor;*

23 *(2) at least 2 members shall be representatives*
24 *from nongovernmental environmental organizations;*

1 (3) *at least 2 members shall be representatives*
2 *from nongovernmental human rights or social justice*
3 *organizations.*

4 (c) *DUTIES.—Not less frequently than every six*
5 *months, the Advisory Committee shall meet with the Sec-*
6 *retary of the Treasury to review and provide advice on the*
7 *extent to which individual International Monetary Fund*
8 *country programs meet requisite policy goals, particularly*
9 *those set forth as follows—*

10 (1) *in this Act;*

11 (2) *in Article I(2) of the Fund's Articles of*
12 *Agreements, to promote and maintain high levels of*
13 *employment and real income and the development of*
14 *the productive resources of all members;*

15 (3) *in section 1621 of Public Law 103–306, the*
16 *Frank/Sanders amendment on encouragement of fair*
17 *labor practices;*

18 (4) *in section 1620 of Public Law 95–118, as*
19 *amended, on respect for, and full protection of, the*
20 *territorial rights, traditional economies, cultural in-*
21 *tegrity, traditional knowledge, and human rights of*
22 *indigenous peoples;*

23 (5) *in section 1502 of Public Law 95–118, as*
24 *amended, on military spending by recipient countries*

1 *and military involvement in the economies of recipi-*
2 *ent countries;*

3 *(6) in section 701 of Public Law 95–118, on as-*
4 *stance to countries that engage in a pattern of gross*
5 *violations of internationally recognized human rights;*
6 *and*

7 *(7) in section 1307 of Public Law 95–118, on as-*
8 *sessments of the environmental impact and alter-*
9 *natives to proposed actions by the International Mon-*
10 *etary Fund which would have a significant effect on*
11 *the human environment.*

12 *(d) INAPPLICABILITY OF TERMINATION PROVISIONS OF*
13 *THE FEDERAL ADVISORY COMMITTEE ACT.—Section*
14 *14(a)(2) of the Federal Advisory Committee Act shall not*
15 *apply to the Advisory Committee.*

16 *SEC. 5010. BORROWER COUNTRIES. The Secretary of*
17 *the Treasury shall consult with the office of the United*
18 *States Trade Representative regarding prospective Inter-*
19 *national Monetary Fund borrower countries, including*
20 *their status with respect to title III of the Trade Act of 1974*
21 *or any executive order issued pursuant to the aforemen-*
22 *tioned title, and shall take these consultations into account*
23 *before instructing the United States Executive Director of*
24 *the International Monetary Fund on the United States po-*

1 *sition regarding loans or credits to such borrowing coun-*
2 *tries.*

3 *SEC. 5011. DEFINITIONS. For the purposes of this title,*
4 *“appropriate committees” includes the Appropriations*
5 *Committee, the Committee on Foreign Relations, Committee*
6 *on Finance and the Committee on Banking, Housing and*
7 *Urban Affairs of the Senate and the Committee on Appro-*
8 *priations and the Committee on Banking and Financial*
9 *Services in the House of Representatives.*

10 *This title may be cited as the “1998 Supplemental Ap-*
11 *propriations Act for the International Monetary Fund”.*

12 *This Act may be cited as the “1998 Emergency Supple-*
13 *mental Appropriations Act for Recovery From Natural Dis-*
14 *asters, and for Overseas Peacekeeping Efforts”.*

Attest:

Secretary.

105TH CONGRESS
2^D SESSION

H. R. 3579

AMENDMENT

HR 3579 EAS—2
HR 3579 EAS—3
HR 3579 EAS—4
HR 3579 EAS—5
HR 3579 EAS—6
HR 3579 EAS—7
HR 3579 EAS—8
HR 3579 EAS—9
HR 3579 EAS—10