

MAKING AVAILABLE APPROPRIATIONS

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

HIS REQUEST TO MAKE EMERGENCY FISCAL YEAR 1997 SUPPLEMENTAL APPROPRIATIONS FOR THE DEPARTMENTS OF AGRICULTURE, COMMERCE, ARMY CORPS OF ENGINEERS—CIVIL, INTERIOR, TRANSPORTATION, AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR EXPENSES ARISING FROM THE CONSEQUENCES OF RECENT NATURAL DISASTERS, INCLUDING SEVERE WINTER WEATHER IN THE WEST, DAMAGING TORNA-DOES, AND THE MARCH FLOODING IN THE MIDWEST, AND DESIGNATION OF THE REQUESTS AS EMERGENCY REQUIREMENTS PURSUANT TO SECTION 251(b)(2)(D)(i) OF THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985, AS AMENDED, PURSUANT TO 31 U.S.C. 1107



MARCH 19, 1997.—Message and accompanying papers referred to the Committee on Appropriations and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

THE WHITE HOUSE,
Washington, March 19, 1997.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I ask Congress to consider expeditiously the enclosed requests for emergency FY 1997 supplemental appropriations. The requests provide for emergency expenses arising from the consequences of recent natural disasters, including severe winter weather in the West, damaging tornadoes, and the March flooding in the Midwest.

I hereby designate the following requests as emergency requirements pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Department of Agriculture

Farm Service Agency, Emergency conservation program:
\$20,000,000
Natural Resources Conservation Service, Watershed and flood prevention operations: \$66,100,000
Rural Utilities Service, Rural utilities assistance program:
\$1,000,000
Rural Housing Service, Rural housing assistance program:
\$750,000
Rural Housing Service, Rural housing insurance fund program account: \$250,000
Forest Service, National forest system: \$25,000,000
Forest Service, Reconstruction and construction: \$13,000,000

Department of Commerce

Economic Development Administration, Economic development assistance programs: \$1,200,000
National Oceanic and Atmospheric Administration, Operations, research, and facilities: \$12,000,000
National Oceanic and Atmospheric Administration, Construction:
\$10,800,000

Department of the Army, Corps of Engineers—Civil

Operation and maintenance, general: \$39,000,000
Flood control and coastal emergencies: \$201,700,000

Department of the Interior

Bureau of Land Management, Construction: \$3,003,000
Bureau of Land Management, Oregon and California grant lands:
\$2,694,000
Bureau of Reclamation, Operation and maintenance: \$4,500,000
United States Geological Survey, Surveys, investigations, and research: \$1,300,000

United States Fish and Wildlife Service, Resource management:
 \$2,000,000
 United States Fish and Wildlife Service, Construction: \$32,000,000
 United States Fish and Wildlife Service, Land acquisition:
 \$15,000,000
 National Park Service, Construction: \$147,779,000
 Bureau of Indian Affairs, Operation of Indian programs: \$5,800,000
 Bureau of Indian Affairs, Construction: \$5,000,000

Department of Transportation

Federal Highway Administration, Federal-aid highways:
 \$276,000,000

Federal Emergency Management Agency

Disaster relief: \$541,000,000

Since final estimates of damage caused by recent natural disasters have not been determined in all cases, this transmittal includes a total of \$568 million in budget authority that would be made available upon my transmittal of later budget requests to the Congress designating the specific amounts requested as emergency requirements pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

This contingent budget authority includes \$438 million allocated to the Federal Emergency Management Agency in anticipation of needs arising from the very recent flooding in the Midwest as well as from tornado damage. Additional contingent funding requests of \$35 million for the Department of Agriculture, \$50 million for the Corps of Engineers, \$30 million for the Department of the Interior, and \$15 million for the Department of Transportation are also included. In light of emerging needs, my Administration will continue to evaluate requirements for potential additional emergency funding.

This transmittal also contains two non-emergency requests. One is an FY 1998 advance appropriation for the Corps of Engineers. This increase is offset by amendments decreasing the FY 1998 requests for the Department of Energy's Western Area Power Administration and Southeastern Power Administration and technical amendments to the FY 1998 Budget (to be transmitted separately). The other non-emergency request is an FY 1997 supplemental for the National Park Service. This request is offset by a proposed rescission of budget authority that is being transmitted in an accompanying Special Message.

The details of these requests are set forth in the enclosed letter from the Director of the Office of Management and Budget. I concur with his comments and observations.

Sincerely,

WILLIAM J. CLINTON.

Enclosure.

Estimate No. 5
105th Congress, 1st Session



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

March 19, 1997

The President

The White House

Submitted for your consideration are requests for FY 1997 emergency supplemental appropriations for the Departments of Agriculture, Commerce, the Interior, and Transportation, the Corps of Engineers, and the Federal Emergency Management Agency (FEMA). A total of \$1,420.0 million in new budget authority is requested to address emergency needs arising from recent natural disasters that have occurred since the September 30th enactment of the Omnibus Consolidated Appropriations Act for FY 1997. These devastating disasters include severe winter weather in the West, damaging tornadoes, and the March flooding in the Midwest. Emergency appropriations language is also proposed that would transfer \$6.9 million in existing funds to meet identified emergency needs.

These proposals for emergency funding follow a rigorous review of potential requests to determine those activities that urgently require additional Federal resources to meet these unforeseen needs. Each request has been kept to the absolute essential level and is limited to the amount necessary to restore damaged property -- that is, damage caused directly by the disaster -- to its pre-disaster condition. The emergency requirements addressed in the transmittal are known and are not speculative needs. In addition, existing resources have been redirected to the extent possible to meet emergency needs.

Since final estimates of damage caused by recent natural disasters have not been determined in all cases, this transmittal includes proposals for emergency funding, totaling \$568.0 million, to be provided on a contingency basis. In light of these emerging needs, the Administration will continue to evaluate requirements for potential additional emergency funding.

Without the requested emergency funding, many areas could suffer severe economic hardship or face human endangerment. We have determined that these requests do not duplicate activities of other agencies with statutorily mandated disaster assistance programs, such as the Small Business Administration and the Federal Emergency Management Agency. In addition, these proposals reflect an appropriate sharing of responsibility among State, local, private, and Federal entities.

As described in the enclosures, the following emergency supplementals are requested to address needs related to natural disasters that have occurred in FY 1997:

- o \$541.0 million for the Federal Emergency Management Agency to address emergency needs arising from the severe winter storms in the western United States and other areas.

An additional \$438.0 million is being requested for FEMA, to be made available contingent upon your submission of a later budget request to the Congress designating the entire amount requested as an emergency requirement. Estimates of damage from the recent tornadoes in Arkansas and the flooding in the Midwest are still being assessed, and this proposed contingency funding would enable FEMA to address these emergency needs as they become known.

- o \$276.0 million for the Federal Highway Administration (FHA) to repair highway damage resulting from the winter floods.

An additional \$15.0 million is being requested for FHA, to be made available contingent upon your submission of a later budget request to the Congress designating the entire amount requested as an emergency requirement.

- o \$240.7 million for the Corps of Engineers. The funds would largely be used to repair damaged levees and to dredge commercial navigation channels and harbors. In addition, an advance appropriation for FY 1998 is requested that would provide \$30.5 million to complete construction of an emergency outlet at Devils Lake, North Dakota. Amendments decreasing the FY 1998 requests for the Western Area Power Administration by \$14.0 million and the Southeastern Power Administration by \$2.0 million, which are included in this package, together with technical amendments to the FY 1998 Budget (to be transmitted separately) that have the effect of lowering the FY 1998 request by \$14.9 million, offset this non-emergency proposal.

An additional \$50.0 million is being requested for the Corps of Engineers, to be made available contingent upon your submission of a later budget request to the Congress designating the entire amount requested as an emergency requirement.

- o \$213.4 million for the Department of the Interior. The requested funds include: \$147.8 million for the National Park Service to repair and replace facilities at 10 national parks, including Yosemite National Park; \$34.0 million to repair damage to national wildlife

refuges and other facilities operated by the Fish and Wildlife Service (FWS); \$15.0 million to enable the FWS to acquire land and water rights on an emergency basis as a cost-effective alternative to floodplain levee and land repair; \$10.8 million for the Bureau of Indian Affairs to fund repairs of damages on Indian reservations and to provide for emergency school operations; \$5.7 million, to be derived by transfer, for the Bureau of Land Management (BLM) to repair damage to BLM lands and facilities; \$4.5 million to enable the Bureau of Reclamation to repair damage to its property and structures; and, \$1.3 million for the U.S. Geological Survey to cover necessary expenses related to equipment damage at hydrologic streamflow measurement stations.

An additional \$30.0 million is being requested for the Interior Department, to be made available contingent upon your submission of a later budget request to the Congress designating the entire amount requested as an emergency requirement.

- o \$126.1 million for the Department of Agriculture. The requested funds include: \$66.1 million for watershed and flood prevention operations such as opening dangerously restricted channels and waterways, repairing diversions and levees, and controlling erosion; \$38.0 million for the Forest Service to repair damage caused by the winter flooding; \$20 million for cost-sharing assistance to farmers and ranchers whose farmland has been damaged; \$1 million for emergency loans or grants to repair damaged rural water and wastewater systems; and, \$1 million for rural housing programs, which would support housing grants and loans to eligible borrowers.

An additional \$35.0 million is being requested for the Department of Agriculture, to be made available contingent upon your submission of a later budget request to the Congress designating the entire amount requested as an emergency requirement.

- o \$22.8 million for the Department of Commerce. These funds would be used by the National Oceanic and Atmospheric Administration to repair damage to fish hatcheries along the Columbia River and to restore other fish habitats in the West. An additional \$1.2 million, to be derived by transfer from another Commerce account, would be used by the Economic Development Administration to provide planning and technical assistance to communities for long-term economic recovery.

Also included for your consideration is a proposal for a non-emergency supplemental for the National Park Service. This supplemental request would provide \$10 million to implement a Yosemite Valley Transportation Plan for a bus transit system. An additional \$11 million of funds available for park roads and parkways under the Federal Lands Highway Program would also be available to implement the plan. This plan would include a major staging area at the Valley entrance, drop-off points, and alternative-fuel buses and would replace much of the access and parking for day-use automobiles. The \$10 million in budget authority requested in this supplemental proposal would be offset by a proposed rescission of Department of Energy funds contained in an accompanying Special Message.

I have carefully reviewed these proposals and am satisfied that they are necessary at this time. Therefore, I join the heads of the affected departments and agencies in recommending that these proposals be transmitted to the Congress.

Furthermore, except for the \$568.0 million in contingent emergency budget authority, I recommend that you designate the amounts requested in the emergency proposals as emergency funding requirements in accordance with section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Sincerely,



Franklin D. Raines
Director

Enclosures

DEPARTMENT OF AGRICULTURE
FARM SERVICE AGENCY
Emergency Conservation Program

For an additional amount for "Emergency Conservation Program" for expenses resulting from flooding and other natural disasters, \$37,000,000, to remain available until expended, of which \$17,000,000 shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That such amounts are designated by Congress as emergency requirements pursuant to section 251(b)(2)(D)(i) of such Act.

This request would provide cost-sharing assistance to farmers and ranchers whose farmland was damaged as a result of the flooding in the Pacific Northwest and other natural disasters. Under the flood authority provisions of the Emergency Conservation Program, funds can be used for cleaning debris, mending fences, land shaping and grading, and restoring conservation structures (including some cover crops).

Of the request, \$20,000,000 has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. A contingency of \$17 million is requested for potential spring flooding as well as additional damage resulting from the recent disasters.

DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE
Watershed and Flood Prevention Operations

For an additional amount for "Watershed and Flood Prevention Operations" to repair damages to the waterways and watersheds resulting from flooding and other natural disasters, \$84,100,000, to remain available until expended, of which \$18,000,000 shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act: Provided further, That if the Secretary determines that the cost of land and farm structures restoration exceeds the fair market value of an affected cropland, the Secretary may use sufficient amounts from funds provided under this heading to accept bids from willing sellers to provide floodplain easements for such cropland inundated by floods.

This request would provide disaster assistance to communities to reduce hazards to life and property in watersheds damaged by severe natural disasters occurring in FY 1997. Emergency work includes opening dangerously restricted channels and waterways, repairing diversions and levees and erosion control on denuded, steep slopes. Benefits from requested actions must go to more than one individual. A local entity of government, such as a city county or soil and water district, must sponsor the activities. Funds may also be used to purchase floodplain easements, a provision added in the 1996 Farm Bill. Easements may be offered to landowners where the cost of cropland restoration and levee repair are greater than the value of the land. Lands selected would offer important environmental benefits and high flood mitigation value for the surrounding area.

An interagency team would be established to evaluate specific easement offers under these criteria and to provide specific guidance on easements that use these funds. Interagency team membership would come from agencies identified in the joint Office of Management and Budget and Council on Environmental Quality February 18, 1997, memorandum on Floodplain Management and Procedures for the Evaluation and Review of Levee and Associated Restoration Projects.

Of the request, \$66,100,000 has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. A contingency of \$18 million is requested for potential spring flooding as well as additional damage resulting from the recent disasters.

DEPARTMENT OF AGRICULTURE
RURAL UTILITIES SERVICE
Rural Utilities Assistance Program

For an additional amount for "Rural Utilities Assistance Program," for the cost of direct loans, loan guarantees, and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, for emergency expenses resulting from flooding and other natural disasters, \$1,000,000, to remain available until September 30, 1998: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

This request would provide \$1 million for loan subsidies or grants for the repair of rural water and wastewater systems damaged by flooding in the Pacific Northwest. The funds would cover any facility that did not receive assistance from other sources, so that the communities affected can continue to provide safe drinking water and wastewater treatment facilities.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF AGRICULTURE
RURAL HOUSING SERVICE
Rural Housing Assistance Program

For an additional amount for "Rural Housing Assistance Program," for emergency expenses resulting from flooding and other natural disasters, \$750,000, to remain available until September 30, 1998, for very low-income housing repair grants and domestic farm labor grants: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

This request would support \$500,000 in emergency very low-income housing repair grants. These grants would be made to very low-income elderly citizens in the Pacific Northwest who have suffered damages to their homes as a result of floods and severe winter weather. The request would further provide \$250,000 in emergency farm labor housing grants. These grants would be made to farm labor housing owners for repairs to damaged farm labor housing facilities. The total funding would help to ensure that residents of rural housing continue to live in decent, safe, and affordable conditions.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF AGRICULTURE

RURAL HOUSING SERVICE

Rural Housing Insurance Fund Program Account

For an additional amount for "Rural Housing Insurance Fund Program Account," \$250,000 for the cost of section 515 direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, for emergency expenses resulting from flooding and other natural disasters, to remain available until September 30, 1998: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

This request would support a \$488,000 loan level to borrowers in the Pacific Northwest. These additional loans would allow these borrowers to repair their multi-family housing facilities so that they will continue to provide decent, safe, and affordable housing to rural residents.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

National Forest System

For an additional amount for "National Forest System" for emergency expenses resulting from flooding and other natural disasters, \$25,000,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Many National Forests in the Pacific Northwest experienced severe damage from flooding over the past winter. Fish habitat and populations have been affected on many miles of National Forest streams, watershed conditions have been significantly degraded, and numerous recreational sites have been damaged. This funding would support the immediate repair and restoration of watersheds, streams, recreation areas, roads, and trails.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Reconstruction and Construction

For an additional amount for "Reconstruction and Construction" for emergency expenses resulting from flooding and other natural disasters, \$13,000,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

During the past winter, major flooding in the Pacific Northwest caused significant damage to roads, facilities, trails, and bridges. Many slides and washouts also blocked Forest Service roads and damaged existing bridges and culverts. These funds would be used to rebuild and clear roads, trails, and recreational infrastructure, and restore fish and wildlife habitat damaged by severe flooding.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
Economic Development Assistance Programs

For an additional amount for "Economic Development Assistance Programs" for emergency expenses resulting from flooding and other natural disasters, \$1,200,000, to be derived by transfer from the "Economic Development Revolving Fund," to remain available until expended, of which not to exceed ten percent may be available for administrative expenses and may be transferred to and merged with the appropriations for "Salaries and Expenses": Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Recent flooding in the Pacific Northwest has devastated the economic infrastructure in many communities. The requested funds would provide planning and technical assistance to communities for long-term economic recovery. These funds would also provide for the placement of flood disaster recovery coordinators throughout the affected region and assist local communities in partnering with other Federal, State, and local task forces to achieve a more coordinated disaster response effort.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
Operations, Research, and Facilities

For an additional amount for "Operations, Research, and Facilities" for emergency expenses resulting from flooding and other natural disasters, \$12,000,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Recent flooding in the Pacific Northwest has destroyed an entire class of salmon, hatchery brood stocks have been decimated, and land slides have blocked access to spawning areas for salmon. These floods have created the need for \$14.0 million to restore fisheries habitat in Washington, Oregon, Idaho, and California. These requirements will be offset, partially, by redirecting \$2 million within the Operations, Research, and Facilities account.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
Construction

For an additional amount for "Construction" for emergency expenses resulting from flooding and other natural disasters, \$10,800,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Recent flooding in the Pacific Northwest has caused \$10.8 million of damage to the Mitchell Act Hatcheries on the Columbia River. The requested funding would support the immediate repair of Columbia River hatcheries operated by the National Oceanic and Atmospheric Administration/National Marine Fisheries Service and would restore the hatcheries to full operating condition.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF DEFENSE - CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS - CIVIL

Operations and Maintenance, General

For an additional amount for "Operations and Maintenance, General" for emergency expenses due to flooding and other natural disasters, \$39,000,000, to remain available until expended: Provided, That of the total appropriated, the amount for eligible navigation projects which may be derived from the Harbor Maintenance Trust Fund pursuant to Public Law 99-662, shall be derived from that fund: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget Emergency Act of 1985, as amended.

This request would provide funds to complete repairs of damages caused by the winter flooding in the Pacific Northwest and California and other natural disasters to navigation channels and harbors, locks and dams, hydropower units, reservoir facilities, and flood control channels. This includes dredging, snagging, drift and debris removal, scour protection, and access road repairs.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF DEFENSE - CIVIL
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS - CIVIL
Flood Control and Coastal Emergencies

For an additional amount for "Flood Control and Coastal Emergencies" due to flooding and other natural disasters, \$251,700,000, to remain available until expended, of which \$50,000,000 shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act: Provided further, That the Secretary of the Army is authorized and directed to construct an emergency outlet from Devils Lake, ND, to the Sheyenne River: Provided further, That the estimated total cost of such emergency outlet is \$50,000,000, the cost of which shall be shared 65 percent Federal and 35 percent non-Federal: Provided further, That operation, maintenance, repair, and rehabilitation of the outlet shall be a non-Federal responsibility, and upon completion of the project the non-Federal interest shall assume ownership of the outlet: Provided further, That of the amounts provided herein, \$2,000,000 shall be for such emergency outlet, In addition to become available in fiscal year 1998 for such emergency outlet, \$30,500,000.

This request would provide additional funds to repair eligible Federal and non-Federal levees damaged by the winter floods of January 1997 in California, Idaho, Oregon, Washington, and other western States; for emergency operation activities related to these floods; and to implement alternatives to levee rebuilding, including non-structural alternatives, where appropriate. This proposal also includes a request for contingency funding for natural disasters, including potential spring flooding in Northern California, the Northwest, and the Midwest.

This proposal would authorize the Secretary of the Army to construct an emergency outlet from the west end of Devils Lake, ND, to the Sheyenne River to reduce the flood damages being suffered by the residents of the Devils Lake Basin from the rising waters of the lake. The authorization would include all work associated with planning and designing the outlet, which is part of a comprehensive action plan established in the 1995 report of the Devils Lake Basin Interagency Task Force led by the Federal Emergency Management Agency. In light of the emergency nature of the action, the Secretary is urged to consult with the

Council on Environmental Quality to expedite the National Environmental Policy Act process. In addition, in carrying out this project, the Secretary would comply with the provisions of the 1909 Boundary Waters Treaty and would consider the sovereignty and views of the Spirit Lake Nation. Further, in the event the Ramsey County Rural Sewer System is threatened by flooding resulting from rising lake levels, the Secretary, at his discretion, using such funds as may be necessary up to \$600,000 and to be derived from the \$50,000,000 contingency fund, may develop and implement appropriate measures to mitigate such flooding.

Of the request, \$201,700,000 has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Construction

For an additional amount for "Construction" to repair damage caused by floods and other natural disasters, \$3,003,000, to remain available until expended and to be derived by transfer from unobligated balances under the heading, "Oregon and California Grant Lands," in the Supplemental Appropriations Act of 1996 (P.L. 104-134): Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

These funds would enable the Bureau of Land Management to repair damage to its property and structures that occurred during the winter flooding in western States. The funds would be used to repair/replace roads, bridges, trails, levees, control structures, culverts and fencing, and equipment and structures at recreation facilities damaged in California, Idaho, Nevada, and Oregon.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Oregon and California Grant Lands

For an additional amount for "Oregon and California Grant Lands" to repair damage caused by floods and other natural disasters, \$2,694,000, to remain available until expended and to be derived by transfer from unobligated balances under the heading, "Oregon and California Grant Lands," in the Supplemental Appropriations Act of 1996 (P.L. 104-134): Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

These funds would enable the Bureau of Land Management to repair damage to its property and structures that occurred during the winter flooding in western States. The funds would be used to repair/replace roads, bridges, trails, levees, control structures, culverts and fencing, and equipment and structures at recreation facilities damaged in Oregon.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Operation and Maintenance

For an additional amount for "Operation and Maintenance," \$4,500,000, to remain available until expended, to repair damage caused by floods and other natural disasters: Provided, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund shall be derived from that fund: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

These funds would enable the Bureau of Reclamation to repair damage to certain properties and structures that occurred during the winter flooding in western States, particularly California and Nevada. Mud and land slides, floating debris, and erosion and undercutting caused major repair/replacement incidents, including damage to pipelines, access roads, pump plants, log booms, electrical equipment, canal linings, embankments and crossings, spillways, dikes, and footings.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
Surveys, Investigations, and Research

For an additional amount for "Surveys, Investigations, and Research," \$1,300,000, to remain available until September 30, 1998, to repair or replace damaged equipment and facilities caused by floods and other natural disasters: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

These funds would enable the U.S. Geological Survey to repair damage to its property and structures that occurred during the winter flooding in western States. The requested funds would be used to repair/replace equipment damaged at hydrologic streamflow measurement stations due to flooding in the States of California, Idaho, Nevada, Oregon, and Washington.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
Resource Management

For an additional amount for "Resource Management," \$2,000,000, to remain available until September 30, 1998, for technical assistance made necessary by floods and other natural disasters: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

These funds would enable the Fish and Wildlife Service to provide technical assistance to government agencies and private landowners on an emergency basis because of the winter flooding in western States. Funding would be used on a region-wide basis to provide technical assistance to government agencies on fish and wildlife habitat issues during design and implementation of emergency and long-term flood restoration projects and to assist private landowners on restoration projects and easements in affected floodplains and forests.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE

Construction

For an additional amount for "Construction," \$32,000,000, to remain available until expended, to repair damage caused by floods and other natural disasters: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

These funds would enable the Fish and Wildlife Service to repair damage to its property and structures that occurred during the winter flooding in western States. The requested funding would be used to repair damage to national wildlife refuges, national fish hatcheries, and wildlife management areas that occurred in California, Idaho, Nevada, Oregon and Washington, including roads, bridges, a dam, water control structures, dikes, levees, pumps, pipelines, canals, buildings, roofs, raceways, and filtration systems.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
Land Acquisition

For an additional amount for "Land Acquisition," \$15,000,000, to remain available until expended, for the cost-effective emergency acquisition of land and water rights necessitated by floods and other natural disasters: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

These funds would enable the Fish and Wildlife Service to acquire land and water rights on an emergency basis as a cost-effective alternative to floodplain levee and land repair necessitated by the winter flooding in western States. Funding would be used to acquire and protect lands for national wildlife refuges in California, Nevada, Oregon, and Washington only if certain criteria are met that would lead to lower Federal costs in the long run. Funding would be used to acquire, from willing sellers, lands or easements that:

- o would be less than the absolute current costs to repair the levees and lands; or,
- o would be less than the present value of projected current and expected long-term (10 years) flood control, and levee and land repair costs.

An interagency team would be established to evaluate specific land acquisitions under these criteria and to provide specific guidance on acquisitions that use these funds. Interagency team membership would come from agencies identified in the joint Office of Management and Budget and Council on Environmental Quality February 18, 1997, memorandum on Floodplain Management and Procedures for the Evaluation and Review of Levee and Associated Restoration Projects.

Stemming from a similar, successful program used by the Administration in its response to the 1993 Midwest floods, the acquisitions would provide cost-effective protection of key habitat for endangered and threatened species, as well as other species with declining populations. This approach would provide for managing affected lands in a riparian state, precluding the need to rebuild certain levees or dikes repeatedly after future flooding events.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

Construction

For an additional amount for "Construction" for emergency expenses resulting from flooding and other natural disasters, \$177,779,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That of this amount, \$30,000,000 shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in such Act, is transmitted by the President to Congress, and upon certification by the Secretary of the Interior to the President that a specific amount of such funds is required for (1) repair or replacement of concession use facilities at Yosemite National Park if the Secretary determines, after consulting with the Director of the Office of Management and Budget, that the repair or replacement of those facilities cannot be postponed until completion of an agreement with the Yosemite Concessions Services Corporation or any responsible third party to satisfy its repair or replacement obligations for the facilities, or (2) the Federal portion, if any, of the costs of repair or replacement of such concession use facilities: Provided further, That nothing herein should be construed as impairing in any way the rights of the United States against the Yosemite Concession Services Corporation or any other party or as relieving the Corporation or any other party of its obligations to the United States: Provided further, That prior to any final agreement by the Secretary with the Corporation or any other party concerning its obligation to repair or replace concession use facilities, the Solicitor of the Department of the Interior shall certify that the agreement fully satisfies the obligations of the Corporation or third party: Provided further, That nothing herein, or any payments, repairs, or replacements made by the Corporation or a third party in fulfillment of the Corporation's obligations to the United States to repair and replace damaged facilities, shall create any possessory interest for the Corporation or such third party in such repaired or replaced facilities: Provided further, any payments made to the United States by the Corporation or a third party for repair or replacement of concession use facilities shall be deposited in the General Fund of the Treasury or, where facilities are repaired or replaced by the Corporation or any other third party, an equal amount of appropriations for "Construction" shall be rescinded.

This request would provide \$178 million for the National Park Service to repair and replace facilities damaged during the winter floods at 10 national parks -- eight in California, one in Washington, and one in Oregon. The major portion (\$176 million) is for repairs and replacement of facilities at Yosemite National Park.

Of the request, \$147,779,000 has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Of the amount requested, \$30 million would be contingent upon an official budget request transmitted by the President to Congress for a specific amount that (1) is required for repair or replacement of concession use facilities at Yosemite National Park that cannot be postponed or (2) is the Federal portion of the costs to repair or replace such facilities. This would not relieve Yosemite Concessions Services Corporation or any other party of its obligation to repair or replace concession use facilities. Before any final agreement is completed, the Solicitor of the Department of the Interior must certify that the agreement satisfies the obligations of Yosemite Concessions Services Corporation or any other party. Any payments made by the Corporation or any other party shall be deposited in the General Fund of the Treasury. Where facilities are repaired or replaced by the Corporation or a third party, an equal amount of appropriations for "Construction" would be rescinded.

In addition, approximately \$14 million in emergency funding would be provided through the Department of Transportation Federal Highway Administration's Emergency Relief program to repair flood-damaged roads in Yosemite National Park.

In an accompanying request, the Administration is proposing a non-emergency supplemental appropriation of \$10 million for the Interior Department's implementation costs of the Yosemite Valley Transportation Plan. In addition, \$11 million of funds available for park roads and parkways under the Federal Lands Highway Program would be used to implement this plan.

Total estimated funding for National Park Service disaster recovery is \$213 million, of which \$211 million would be allocated for Yosemite National Park.

FY 1997 Non-emergency Supplemental Request

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

Construction

For an additional amount for "Construction," \$10,000,000, to remain available until expended, to make repairs, construct facilities, and provide visitor transportation and for related purposes at Yosemite National Park.

This non-emergency supplemental request would provide \$10 million in additional funds for the National Park Service to implement a Yosemite Valley Transportation Plan for a bus transit system, including a major staging area at the Valley entrance, drop-off points, and alternative-fuel buses. This would replace much of the access and parking for day-use automobiles and restore public access to a level equal to conditions before the winter 1997 floods, but in a manner that provides efficient travel and environmental benefits to the ecosystem.

In addition, \$11 million of funds available for park roads and parkways under the Federal Lands Highway Program would be used to implement this plan.

The \$10 million requested in this supplemental proposal would be offset by a rescission of budget authority proposed in an accompanying Special Message.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Operation of Indian Programs

For an additional amount for "Operation of Indian Programs," \$5,800,000, to remain available until September 30, 1998 for emergency school operations, heating costs, and to repair and replace facilities and resources damaged by snow, floods, and other natural disasters: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

These funds would enable the Bureau of Indian Affairs (BIA) to repair damage to BIA facilities and to provide for emergency school operations as a result of recent blizzards, storms, and winter floods. The funding is needed for emergency response actions, including unforeseen school-related expenses; sand bagging and debris clearing; snow removal and welfare assistance; and, preventive measures to plan, avoid, or minimize future damage.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Construction

For an additional amount for "Construction," \$5,000,000, to remain available until expended, to make repairs caused by floods and other natural disasters: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

These funds would enable the Bureau of Indian Affairs to repair damage to Indian reservation property and structures that occurred during the recent blizzards, storms, and winter floods. The funding is needed to repair/replace damage sustained on Indian reservations that are not eligible for funding from the Federal Emergency Management Agency, Federal highway programs, or other Federal agencies. The requested funds are also needed for repair of irrigation systems, levees, dikes and dike roads, canals and culverts; additional funding for repair to schools and other facilities; and for preventive measures to plan and avoid or minimize future damage. Funds would also be used for building and water system damage repair due to heavy snow accumulations.

The entire amount requested has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Federal-aid Highways
(Highway Trust Fund)

For an additional amount for the Emergency Relief Program for emergency expenses resulting from flooding and other natural disasters, as authorized by 23 U.S.C. 125, \$291,000,000, to be derived from the Highway Trust Fund and to remain available until expended, of which \$15,000,000 shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That 23 U.S.C. 125(b)(1) shall not apply to projects relating to the December 1996 and January 1997 flooding in the western States.

This request would provide additional funds for the Emergency relief program to repair highway damage resulting from the floods in the western United States. This request would also lift the \$100,000,000 limit on obligations per State for the December 1996 and January 1997 floods in the West.

This proposal also includes a request for contingency funding for anticipated emergency requirements in the mid-western and mid-Atlantic States.

Of the request, \$276,000,000 has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER INDEPENDENT AGENCIES
FEDERAL EMERGENCY MANAGEMENT AGENCY
Disaster Relief

For an additional amount for "Disaster Relief" for emergency expenses resulting from flooding and other natural disasters, \$979,000,000, to remain available until expended, of which \$438,000,000 shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

This request would provide supplemental funding to the Federal Emergency Management Agency (FEMA) for its emergency response and recovery efforts in the western United States and other areas. During January 1997, nine major disasters were declared in eight States. As a result of winter storms which caused flooding and mudslides, disasters were declared in California, Nevada, Idaho, Washington, and Oregon. Severe winter storms and blizzard conditions resulted in extraordinary losses in the States of North and South Dakota and Minnesota. Coupled with the recent disaster declarations due to tornadoes and ongoing flooding, these funds would help FEMA meet the requirements of the nine winter storm declarations, as well as address disaster requirements for the remainder of the year.

This proposal also includes a request for emergency contingency funding for anticipated requirements from the more recent natural disasters.

Of the request, \$541,000,000 has been designated by the President as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Agency: DEPARTMENT OF ENERGY
Bureau: SOUTHEASTERN POWER ADMINISTRATION
Heading: Operation And Maintenance, Southeastern
Power Administration

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FY 1998
Pending Request: \$16,222,000
Proposed Amendment: -\$2,000,000
Revised Request: \$14,222,000

This proposal would amend the pending appropriations language, reducing the Southeastern Power Administration's request for funds in FY 1998. Power purchases normally needed to offset low water conditions in Southeastern's systems are not needed. Water levels at Southeastern's projects are expected to remain adequate to meet system demand in the near future.

Agency: DEPARTMENT OF ENERGY
Bureau: WESTERN AREA POWER ADMINISTRATION
Heading: Construction, Rehabilitation, Operation
and Maintenance, Western Area Power
Administration

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FY 1998
Pending Request: \$208,334,000
Proposed Amendment: -\$14,000,000
Revised Request: \$194,334,000

This proposal would amend the pending appropriations language, reducing the Western Area Power Administration's (WAPA's) request for funds in FY 1998. Power purchases normally needed to offset low water conditions in California's Central Valley are not needed. Water levels at this project are expected to remain well above average in the near future. In addition, WAPA does not expect to use \$8 million in funds set aside for a lawsuit with the city of Tacoma, Washington.

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