

103D CONGRESS  
1ST SESSION

# S. 856

Making an emergency supplemental appropriation for the fiscal year ending  
September 30, 1993.

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IN THE SENATE OF THE UNITED STATES

APRIL 29 (legislative day, APRIL 19), 1993

Mr. SPECTER introduced the following bill; which was read twice and referred  
to the Committee on Appropriations

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## A BILL

Making an emergency supplemental appropriation for the  
fiscal year ending September 30, 1993.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, to pro-  
5       vide emergency supplemental appropriations for the fiscal  
6       year ending September 30, 1993, and for other purposes,  
7       namely:

1      **TITLE I—EMERGENCY SUPPLEMENTAL**2                    **APPROPRIATIONS**3                    **CHAPTER I**4    DEPARTMENTS OF COMMERCE, JUSTICE, AND  
5       STATE, THE JUDICIARY, AND RELATED  
6       AGENCIES7                    **RELATED AGENCIES**8                    **SMALL BUSINESS ADMINISTRATION**9                    **BUSINESS LOANS PROGRAM ACCOUNT**10       For an additional amount for “Business loans pro-  
11       gram account” for the cost of guaranteed loans authorized  
12       by section 7(a) of the Small Business Act, \$100,000,000,  
13       to remain available until expended: *Provided*, That up to  
14       \$2,000,000 of this amount may be made available for ad-  
15       ministrative expenses of the guaranteed loans program  
16       and may be transferred to and merged with appropriations  
17       made available under Public Law 102-395 for “Salaries  
18       and expenses”, Small Business Administration.

1 CHAPTER II  
2 DEPARTMENTS OF LABOR, HEALTH AND  
3 HUMAN SERVICES, EDUCATION, AND RE-  
4 LATED AGENCIES

## 5 DEPARTMENT OF LABOR

## 6 EMPLOYMENT AND TRAINING ADMINISTRATION

## 7 TRAINING AND EMPLOYMENT SERVICES

8 For an additional amount for "Training and employ-  
9 ment services", \$900,000,000, to carry out activities  
10 under part B of title II of the Job Training Partnership  
11 Act: *Provided*, That of the funds provided herein for part  
12 B of title II, 30 percent shall be for academic enrichment,  
13 as defined by the Secretary: *Provided further*, That funds  
14 used for academic enrichment shall not be used to sup-  
15 plant other Federal funds for existing academic services  
16 or activities, and services shall be maintained at least at  
17 the level of funding used for these purposes during the  
18 summer of 1992: *Provided further*, That of the funds pro-  
19 vided herein for part B of title II, except for the 30 per-  
20 cent expressly used for academic enrichment activities,  
21 service delivery areas may transfer up to 10 percent to  
22 the program under part C of title II of the Act, if such  
23 transfer is approved by the Governor: *Provided further*,  
24 That up to 3 percent of each State's allotment used for  
25 academic enrichment, at the State's discretion, may be re-

1 served for State administration, oversight, and support of  
2 a State practitioner's network: *Provided further*, That the  
3 funds provided herein for part B of title II shall be avail-  
4 able for obligation upon enactment of this Act.

5 COMMUNITY SERVICE EMPLOYMENT FOR OLDER  
6 AMERICANS

7 For an additional amount for "Community service  
8 employment for older Americans", \$32,000,000, of which  
9 \$25,062,000 is for national grants or contracts with public  
10 agencies and public or private nonprofit organizations  
11 under section 506(a)(1)(A) of the Older Americans Act  
12 of 1965, as amended; and of which \$7,069,000 is for  
13 grants to States under section 506(a)(3) of said Act.

14 DEPARTMENT OF HEALTH AND HUMAN  
15 SERVICES

16 ASSISTANT SECRETARY FOR HEALTH  
17 OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH  
18 (INCLUDING TRANSFER OF FUNDS)

19 For an additional amount for the "Office of the As-  
20 sistant Secretary for Health" for carrying out childhood  
21 immunization activities under title III and subtitle 1 of  
22 title XXI of the Public Health Service Act, \$300,000,000,  
23 of which \$282,800,000 shall be transferred to the Center  
24 for Disease Control and Prevention, of which \$4,200,000  
25 shall be transferred to the National Institute of Allergy

1 and Infectious Diseases, and of which \$7,000,000 shall  
2 be transferred to the Food and Drug Administration.

3 DEPARTMENT OF EDUCATION

4 COMPENSATORY EDUCATION FOR THE DISADVANTAGED

5 For an additional amount for grants to the 50 States,  
6 the District of Columbia, and the Commonwealth of Puerto  
7 Rico, to carry out subpart 1 of part A of chapter 1  
8 of title I of the Elementary and Secondary Education Act  
9 of 1965, \$200,000,000, which shall be allocated to such  
10 jurisdictions, notwithstanding any other provision of law,  
11 so that all counties that, under title III of Public Law  
12 102-394, are allocated less than 91 per centum of the  
13 amount they were allocated under such subpart for fiscal  
14 year 1992 shall be allocated, under Public Law 102-394  
15 plus this additional amount, 91 per centum of the amount  
16 such counties received under such subpart for fiscal year  
17 1992: *Provided*, That such allocations to States shall be  
18 ratably reduced if necessary: *Provided further*, That each  
19 State shall distribute its portion of such funds to local  
20 educational agencies in the State so that all such agencies  
21 that, under title III of Public Law 102-394, are receiving  
22 less than 91 per centum of the amount they received under  
23 such subpart for fiscal year 1992 shall receive, under Public  
24 Law 102-394 plus this additional amount, an amount  
25 not to exceed 91 per centum of such fiscal year 1992

1 amount, which percentage shall be ratably reduced as nec-  
2 essary: *Provided further*, That such funds shall not be  
3 treated as funds appropriated, allocated, or received under  
4 chapter 1 of title I of the Elementary and Secondary Edu-  
5 cation Act of 1965 for the purposes of sections 1403,  
6 1404, and 1405 of such Act: *Provided further*, That such  
7 funds shall not be taken into account for purposes of de-  
8 termining the allocation of funds for any fiscal year under  
9 any Federal program.

17        The language under this heading in the Department  
18 of Transportation and Related Agencies Appropriations  
19 Act, 1993, is amended by deleting “\$15,326,750,000” and  
20 inserting “\$17,326,750,000”: *Provided*, That section  
21 310(c) of said Act is amended by renumbering existing  
22 subsection (2) as subsection (2)(B) and by adding a new  
23 subsection (2)(A) as follows:

24               “(2)(A) ninety days after distribution of any in-  
25               crease in the fiscal year 1993 obligation limitation,  
26               as enacted October 6, 1992, revise the distribution

1 of such increased funds under subsection (a) if a  
2 State has not obligated and received bids on projects  
3 for the increased amount distributed, and redistribute-  
4 ute amounts to all States able to obligate amounts  
5 on projects for which bids can be received no later  
6 than August 1, 1993.”.

7 FEDERAL HIGHWAY ADMINISTRATION

8 FORMULA GRANTS

9 For an additional amount for “Formula grants” for  
10 capital grants, \$100,000,000, to remain available until  
11 September 30, 1993, of which \$10,000,000 shall be appor-  
12 tioned under section 16, \$10,000,000 under section 18,  
13 and \$80,000,000 under section 9 of the Federal Transit  
14 Act, as amended: *Provided*, That, if any such funds are  
15 not obligated within 90 days of enactment of this Act,  
16 such funds shall be allocated for any eligible capital  
17 project under such Act, at the discretion of the Secretary.

18 The language under this heading in the Department  
19 of Transportation and Related Agencies Appropriations  
20 Act, 1993, is amended by deleting “\$1,700,000,000” and  
21 inserting in lieu thereof “\$1,900,000,000”.

22 DISCRETIONARY GRANTS

23 For an additional amount for “Discretionary grants”,  
24 \$100,000,000, to remain available until September 30,  
25 1993: *Provided*, That none of the funds may be available

1 for grants under section 3(k)(1)(A) or section 3(k)(1)(B)  
2 of the Federal Transit Act, as amended.

11 For an additional amount for "Community develop-  
12 ment grants", \$1,000,000,000, to remain available until  
13 December 31, 1994: *Provided*, That from the foregoing  
14 amount, \$10,000,000 shall be available for grants to In-  
15 dian tribes in compliance with section 106(a)(1) of the  
16 Housing and Community Development Act of 1974, as  
17 amended, \$1,000,000 shall be available for grants under  
18 section 107(b)(1) of such Act, and the remainder shall be  
19 for States and units of general local government that are  
20 eligible under section 106 of such Act: *Provided further*,  
21 That none of the funds appropriated under this heading  
22 in this Act shall be available for distribution to entitlement  
23 cities and counties, or for use under the nonentitlement  
24 (States and small cities program) distribution in any polit-  
25 ical subdivision of a State, which does not have (a) an

1 average poverty rate for the calendar year immediately  
2 preceding the year in which its fiscal year begins equal  
3 to or greater than 125 percent of the average national pov-  
4 erty rate during such calendar year (as determined accord-  
5 ing to information of the Bureau of the Census), or (b)  
6 an average per capita income for the calendar year imme-  
7 diately preceding the year in which its fiscal year begins  
8 less than 75 percent of the average national per capita  
9 income during such calendar year (as determined accord-  
10 ing to information of the Bureau of the Census): *Provided*  
11 *further*, That the Secretary may waive entirely, or in any  
12 part, any requirement set forth in title I of such Act, ex-  
13 cept a requirement relating to fair housing and non-  
14 discrimination, the environment, and labor standards, if  
15 the Secretary finds that such waiver will further the pur-  
16 poses of this appropriation: *Provided further*, That after  
17 December 31, 1994, any of the foregoing amount that is  
18 obligated, but which the grantee has to draw down from  
19 its letter of credit, shall be deobligated by the Secretary  
20 and shall expire.

21 **TITLE II—GENERAL PROVISIONS**

22 SEC. 201. No part of any appropriation contained in  
23 this Act shall remain available for obligation beyond the  
24 current fiscal year unless expressly so provided herein.

1        SEC. 202. (a) Each domestic discretionary appropria-  
2    tion item and loan program provided for in appropriations  
3    Acts for fiscal year 1993 shall be reduced by 50 per cen-  
4    tum of the amounts equal to offset the budget authority  
5    and budget outlays provided in this Act: *Provided*, That  
6    such reductions shall be applied proportionately to each  
7    program, project, and activity: *Provided further*, That off-  
8    sets shall not apply to programs scored as mandatory in  
9    House Concurrent Resolution 278 (102d Congress), the  
10   “Concurrent Resolution on the Budget for Fiscal Year  
11   1993”.

12       (b) The Director of the Office of Management and  
13    Budget shall make uniform percentage reductions to offset  
14    the remaining budget authority and outlays contained in  
15    this Act, in budget authority in Federal agency adminis-  
16    trative expenses, except that no reduction shall be made  
17    in current rates of pay under current law.

18       (c) For the purpose of this section, Federal agency  
19    administrative expenses are defined as object classes 10  
20   (excluding object class 12.1, 12.2, and 13.0), 20 (exclud-  
21    ing object class 23.1), and 30.

22       This Act may be cited as the “Emergency Supple-  
23    mental Appropriations Act of 1993”.

