

103D CONGRESS
2D SESSION

H. R. 3735

Making emergency supplemental appropriations for disaster assistance because of the Los Angeles Earthquake for the fiscal year ending September 30, 1994, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 1994

Mr. NATCHER (for himself, Mr. WHITTEN, Mr. SMITH of Iowa, Mr. STOKES, Mr. BEVILL, Mr. DIXON, Mr. FAZIO, Mr. HEFNER, Mr. CARR of Michigan, Mr. DURBIN, Mr. LEWIS of California, Ms. PELOSI, Mr. TORRES, Mr. PACKARD, Mr. EDWARDS of California, Mr. MOORHEAD, Mr. BECERRA, Mr. BEILENSON, Mr. BERMAN, Mr. BROWN of California, Mr. CALVERT, Mr. DELLUMS, Mr. DREIER, Ms. ESHOO, Mr. FARR of California, Mr. FILNER, Mr. GALLEGLY, Mr. HAMBURG, Ms. HARMAN, Mr. HORN, Mr. KIM, Mr. LANTOS, Mr. MARTINEZ, Mr. MATSUI, Mr. MCKEON, Mr. MILLER of California, Mr. MINETA, Ms. ROYBAL-ALLARD, Ms. SCHENK, Mr. STARK, Mr. TUCKER, Ms. WATERS, Mr. WAXMAN, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on Appropriations

A BILL

Making emergency supplemental appropriations for disaster assistance because of the Los Angeles Earthquake for the fiscal year ending September 30, 1994, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That the following sums are appropriated, out of any

1 money in the Treasury not otherwise appropriated, to pro-
2 vide emergency supplemental appropriations for disaster
3 assistance because of the Los Angeles Earthquake for the
4 fiscal year ending September 30, 1994, and for other pur-
5 poses, namely:

6 CHAPTER I
7 DEPARTMENTS OF COMMERCE, JUSTICE, AND
8 STATE, THE JUDICIARY, AND RELATED
9 AGENCIES

10 RELATED AGENCY

11 SMALL BUSINESS ADMINISTRATION

12 DISASTER LOANS PROGRAM ACCOUNT

13 For an additional amount for emergency expenses re-
14 sulting from the January 1994 earthquake in Southern
15 California and other disasters, \$163,405,000, to remain
16 available until expended, of which up to \$35,000,000 may
17 be transferred to and merged with the appropriations for
18 “Salaries and expenses” for associated administrative ex-
19 penses: *Provided*, That the entire amount is designated by
20 Congress as an emergency requirement pursuant to sec-
21 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-
22 gency Deficit Control Act of 1985, as amended.

1 CHAPTER II
2 DEPARTMENTS OF LABOR, HEALTH AND
3 HUMAN SERVICES, EDUCATION, AND RE-
4 LATED AGENCIES
5 DEPARTMENT OF EDUCATION
6 IMPACT AID

7 For carrying out disaster assistance activities result-
8 ing from the January 1994 earthquake in Southern Cali-
9 fornia and other disasters as authorized under section 7
10 of Public Law 81-874, \$165,000,000, to remain available
11 through September 30, 1995: *Provided*, That the entire
12 amount is designated by Congress as an emergency re-
13 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
14 anced Budget and Emergency Deficit Control Act of 1985.

15 STUDENT FINANCIAL ASSISTANCE

16 For an additional amount for “Student financial as-
17 sistance” for payment of awards made under title IV, part
18 A, subpart 1 of the Higher Education Act of 1965, as
19 amended, \$80,000,000, to remain available through Sep-
20 tember 30, 1995: *Provided*, That notwithstanding sections
21 442(e) and 462(j) of such Act, the Secretary may reallo-
22 cate, for use in award year 1994-1995 only, any excess
23 funds returned to the Secretary of Education under the
24 Federal Work-Study or Federal Perkins Loan programs
25 from award year 1993-1994 to assist individuals who suf-
26 fered financial harm from the January 1994 earthquake

1 in Southern California and other disasters: *Provided fur-*
2 *ther*, That the entire amount is designated by Congress
3 as an emergency requirement pursuant to section
4 251(b)(2)(D)(i) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985, as amended.

6 CHAPTER III
7 DEPARTMENT OF TRANSPORTATION AND
8 RELATED AGENCIES
9 FEDERAL HIGHWAY ADMINISTRATION
10 FEDERAL-AID HIGHWAYS
11 EMERGENCY RELIEF PROGRAM
12 (HIGHWAY TRUST FUND)

13 For the Emergency Fund authorized by 23 U.S.C.
14 125 to cover expenses arising from the January 1994
15 earthquake in Southern California and other disasters,
16 \$950,000,000; and in addition \$400,000,000, which shall
17 be available only to the extent an official budget request
18 for a specific dollar amount, 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
22 by the President to the Congress, all to be derived from
23 the Highway Trust Fund and to remain available until
24 expended: *Provided*, That the entire amount is designated
25 by Congress as an emergency requirement pursuant to
26 section 251(b)(2)(D)(i) of the Balanced Budget and

1 Emergency Deficit Control Act of 1985, as amended: *Pro-*
2 *vided further*, That the limitation on obligations per State
3 in 23 U.S.C. 125(b) shall not apply to projects relating
4 to such earthquake: *Provided further*, That notwithstand-
5 ing 23 U.S.C. 120(e), the Federal share for any project
6 on the Federal-aid highway system related to such earth-
7 quake shall be 100 percent for the costs incurred in the
8 180 day period beginning on the date of the earthquake:
9 *Provided further*, That with regard to these funds, the Sec-
10 retary and the Administrator of the Environmental Pro-
11 tection Agency may waive or modify any provision of any
12 environmental statute or regulation if they jointly find
13 that in their judgment (i) such waiver is required to facili-
14 tate the obligation and use of such funds, and (ii) such
15 waiver would not be inconsistent with the overall purposes
16 of applicable environmental laws.

17 CHAPTER IV
18 DEPARTMENTS OF VETERANS AFFAIRS AND
19 HOUSING AND URBAN DEVELOPMENT, AND
20 INDEPENDENT AGENCIES
21 DEPARTMENT OF VETERANS AFFAIRS
22 VETERANS HEALTH ADMINISTRATION
23 MEDICAL CARE

24 For an additional amount for emergency expenses re-
25 sulting from the January 1994 earthquake in Southern

1 California, \$21,000,000, to remain available until ex-
2 pended, of which not to exceed \$802,000 is available for
3 transfer to General Operating Expenses, the Guaranty
4 and Indemnity Program Account, and the Vocational Re-
5 habilitation Loans Program Account: *Provided*, That the
6 entire amount is designated by Congress as an emergency
7 requirement pursuant to section 251(b)(2)(D)(i) of the
8 Balanced Budget and Emergency Deficit Control Act of
9 1985, as amended.

10 DEPARTMENT OF HOUSING AND URBAN

11 DEVELOPMENT

12 HOUSING PROGRAMS

13 ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

14 For an additional amount under this head for rental
15 assistance under the section 8 existing housing certificate
16 program (42 U.S.C. 1437f) and the housing voucher pro-
17 gram under section 8(o) of the United States Housing Act
18 of 1937 (42 U.S.C. 1437f(o)), \$150,000,000, to remain
19 available until December 31, 1995: *Provided*, That these
20 funds shall be used first to replenish amounts used from
21 the headquarters reserve established pursuant by section
22 213(d)(4)(A) of the Housing and Community Develop-
23 ment Act of 1974, as amended, for assistance to victims
24 of the January 1994 earthquake in Southern California:
25 *Provided further*, That any amounts remaining after the

1 headquarters reserve has been replenished shall be avail-
2 able for additional assistance to victims of the earthquake
3 referred to above: *Provided further*, That in administering
4 these funds, the Secretary may waive any provision of any
5 statute or regulation that the Secretary administers in
6 connection with the obligation by the Secretary or any use
7 by the recipient of these funds, except for the require-
8 ments relating to fair housing and nondiscrimination, the
9 environment, and labor standards, upon finding that such
10 waiver is required to facilitate the obligation and use of
11 such funds and would not be inconsistent with the overall
12 purpose of the statute or regulation: *Provided further*,
13 That the entire amount is designated by Congress as an
14 emergency requirement pursuant to section
15 251(b)(2)(D)(i) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985, as amended.

17 FLEXIBLE SUBSIDY FUND

18 For emergency assistance to owners of eligible multi-
19 family housing projects damaged by the January 1994
20 earthquake in Southern California who are either insured
21 or formerly insured under the National Housing Act, as
22 amended, or otherwise eligible for assistance under section
23 201(c) of the Housing and Community Development
24 Amendments of 1978, as amended (12 U.S.C. 1715z-1a),
25 in the program of assistance for troubled multifamily
26 housing projects under the Housing and Community

1 Development Amendments of 1978, as amended,
2 \$100,000,000, to remain available until September 30,
3 1995: *Provided*, That assistance to an owner of a multi-
4 family housing project assisted, but not insured under the
5 National Housing Act, may be made if the project owner
6 and the mortgagee have provided or agreed to provide as-
7 sistance to the project in a manner as determined by the
8 Secretary of Housing and Urban Development: *Provided*
9 *further*, That assistance is for the repair of damage or the
10 recovery of losses directly attributable to the Southern
11 California earthquake of 1994: *Provided further*, That the
12 entire amount is designated by Congress as an emergency
13 requirement pursuant to section 251(b)(2)(D)(i) of the
14 Balanced Budget and Emergency Deficit Control Act of
15 1985, as amended.

16 FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

17 For higher mortgage limits and improved access to
18 mortgage insurance for victims of the January 1994
19 earthquake in Southern California and other disasters,
20 Title II of the National Housing Act, as amended, is fur-
21 ther amended, as follows:

22 (1) in section 203(h), by:

23 (A) striking out “section 102(2) and 401
24 of the Disaster Relief and Emergency Assist-
25 ance Act” and inserting “Robert T. Stafford

1 Disaster Relief and Emergency Assistance
2 Act”; and

3 (B) adding the following new sentence at
4 the end thereof: “In any case in which the sin-
5 gle family residence to be insured under this
6 subsection is within a jurisdiction in which the
7 President has declared a major disaster to have
8 occurred, the Secretary is authorized, for a tem-
9 porary period not to exceed 18 months from the
10 date of such Presidential declaration, to enter
11 into agreements to insure a mortgage which in-
12 volves a principal obligation of up to 100 per-
13 cent of the dollar limitation determined under
14 section 305(a)(2) of the Federal Home Loan
15 Mortgage Corporation Act for single family res-
16 idence, and not in excess of 100 percent of the
17 appraised value.”;

18 (2) in section 203(k), by adding at the end
19 thereof the following new paragraph:

20 “(6) The Secretary is authorized, for a tem-
21 porary period not to exceed 18 months from the date
22 on which the President has declared a major disas-
23 ter to have occurred, to enter into agreements to in-
24 sure a rehabilitation loan under this subsection
25 which involves a principal obligation of up to 100

1 percent of the dollar limitation determined under
2 section 305(a)(2) of the Federal Home Loan Mort-
3 gage Corporation Act for a residence of the applica-
4 ble size, if such loan is secured by a structure and
5 property that are within a jurisdiction in which the
6 President has declared such disaster, pursuant to
7 the Robert T. Stafford Disaster Relief and Emer-
8 gency Assistance Act, and if such loan otherwise
9 conforms to the loan-to-value ratio and other re-
10 quirements of this subsection,”; and

11 (3) in section 234(c), by inserting after
12 “203(b)(2)” in the third sentence the phrase: “or
13 pursuant to section 203(h) under the conditions de-
14 scribed in section 203(h)”.

15 COMMUNITY PLANNING AND DEVELOPMENT

16 COMMUNITY DEVELOPMENT GRANTS

17 For an additional amount for “Community develop-
18 ment grants”, as authorized under title I of the Housing
19 and Community Development Act of 1974, for emergency
20 expenses resulting from the January 1994 earthquake in
21 Southern California, \$250,000,000, to remain available
22 until September 30, 1996 for all activities eligible under
23 such title I except those activities reimbursable by the
24 Federal Emergency Management Agency (FEMA) or
25 available through the Small Business Administration

1 (SBA): *Provided*, That from this amount, the Secretary
2 may transfer up to \$50,000,000 to the “HOME invest-
3 ment partnerships program”, as authorized under title II
4 of the Cranston-Gonzalez National Affordable Housing
5 Act, as amended (Public Law 101–625), to remain avail-
6 able until expended, as an additional amount for such
7 emergency expenses for all activities eligible under such
8 title II except activities reimbursable by FEMA or avail-
9 able through SBA: *Provided further*, That the recipients
10 of amounts under this appropriation, including the fore-
11 going transfer (if any), shall use such amounts first to
12 replenish amounts previously obligated under their Com-
13 munity Development Block Grant or HOME programs, re-
14 spectively, in connection with the Southern California
15 earthquake of January 1994: *Provided further*, That in ad-
16 ministering these funds, the Secretary may waive, or
17 specify alternative requirements for, any provision of any
18 statute or regulation that the Secretary administers in
19 connection with the obligation by the Secretary or any use
20 by the recipient of these funds, except for statutory re-
21 quirements relating to fair housing and nondiscrimination,
22 the environment, and labor standards, upon finding that
23 such waiver is required to facilitate the obligation and use
24 of such funds, and would not be inconsistent with the over-
25 all purpose of the statute or regulation: *Provided further*,

1 That the entire amount is designated by Congress as an
2 emergency requirement pursuant to section 251
3 (b)(2)(D)(i) of the Balanced Budget and Emergency Defi-
4 cit Control Act of 1985, as amended.

5 INDEPENDENT AGENCIES

6 FEDERAL EMERGENCY MANAGEMENT AGENCY

7 DISASTER RELIEF

8 For an additional amount for “Disaster Relief” for
9 the January 1994 earthquake in Southern California and
10 other disasters, \$3,484,000,000 to remain available until
11 expended: *Provided*, That the entire amount is designated
12 by Congress as an emergency requirement pursuant to
13 section 251(b)(2)(D)(i) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985, as amended.

15 EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

16 For an additional amount for “Emergency Manage-
17 ment Planning and Assistance”, to carry out activities
18 under the Earthquake Hazards Reduction Act of 1977,
19 as amended (42 U.S.C. 7701 et. seq.) \$15,000,000, to re-
20 main available until expended, to study the January 1994
21 earthquake in Southern California in order to enhance
22 seismic safety throughout the United States: *Provided*,
23 That the entire amount is designated by Congress as an
24 emergency requirement pursuant to section
25 251(b)(2)(D)(i) of the Balanced Budget and Emergency
26 Deficit Control Act of 1985, as amended.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 602. Funds in the Federal Buildings Fund
3 made available by Public Law 103-123 for fiscal year
4 1994 for Federal Buildings Fund activities may be trans-
5 ferred between authorized activities to the extent nec-
6 essary to meet emergency expenses resulting from the
7 January 1994 earthquake in Southern California and
8 other disasters: *Provided*, That such amounts as may be
9 transferred to repairs and alterations and design and con-
10 struction services shall remain available until expended:
11 *Provided further*, That no operating activity or capital
12 project would be reduced by an amount greater than five
13 percent.

14 This Act may be cited as the “Emergency Supple-
15 mental Appropriations for Disaster Assistance Because of
16 the Los Angeles Earthquake Act of 1994”.

○