

Public Law 95-31
95th Congress

An Act

To provide temporary authorities to the Secretary of Commerce to facilitate emergency actions to mitigate the impacts of the 1976-77 drought and promote water conservation.

May 23, 1977
[S. 1279]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Community Emergency Drought Relief Act of 1977".

SEC. 101. (a) Upon the application of any State, political subdivision of a State, Indian tribe, or public or private nonprofit organization, the Secretary of Commerce is authorized to make grants and loans to applicants in drought impacted areas for projects that implement short-term actions to augment community water supplies where there are severe problems due to water shortages. Such assistance may be for the improvement, expansion, or construction of water supplies, and purchase and transportation of water, which in the opinion of the Secretary of Commerce will make a substantial contribution to the relief of an existing or threatened drought condition in a designated area.

(b) The Secretary of Commerce may designate any area in the United States as an emergency drought impact area if he or she finds that a major and continuing adverse drought condition exists and is expected to continue, and such condition is causing significant hardships on the affected areas.

(c) Eligible applicants shall be those States or political subdivisions of States with a population of ten thousand or more, Indian tribes, or public or private nonprofit organizations within areas designated pursuant to subsection (b) of this section.

(d) Projects assisted under this Act shall be only those with respect to which assurances can be given to the satisfaction of the Secretary of Commerce that the work can be completed by April 30, 1978, or within such extended time as the Secretary may approve in exceptional circumstances.

SEC. 102. Grants hereunder shall be in an amount not to exceed 50 per centum of allowable project costs. Loans shall be for a term not to exceed 40 years at a per annum interest rate of 5 per centum and shall be on such terms and conditions as the Secretary of Commerce shall determine. In determining the amount of a grant assistance for any project, the Secretary of Commerce may take into consideration such factors as are established by regulation and are consistent with the purposes of this Act.

SEC. 103. In extending assistance under this Act the Secretary shall take into consideration the relative needs of applicant areas for the projects for which assistance is requested, and the appropriateness of the project for relieving the conditions intended to be alleviated by this Act.

SEC. 104. The Secretary of Commerce shall have such powers and authorities under this Act as are vested in the Secretary by sections 701 and 708 of the Public Works and Economic Development Act of 1965, as amended, with respect to that Act.

SEC. 105. The National Environmental Protection Act of 1969, as amended, shall be implemented to the fullest extent consistent with but

Community
Emergency
Drought Relief
Act of 1977.
42 USC 5184
note.
Grants and loans.
42 USC 5184
note.

Area,
designation.

Applicants.

Project
completion dates.

Terms and
conditions.
42 USC 5184
note.

Project priorities.
42 USC 5184
note.

42 USC 5184
note.

42 USC 3211,
3218.
42 USC 5184
note.
42 USC 4321
note.

subject to the time constraints imposed by this Act, and the Secretary of Commerce when making the final determination regarding an application for assistance hereunder shall give consideration to the environmental consequences determined within that period.

Appropriation
authorization.
42 USC 5184
note.

SEC. 106. (a) There is hereby authorized to be appropriated for the fiscal year ending September 30, 1977, \$225,000,000 of which sum \$150,000,000 is to be for the loan program herein, including administration thereof, and \$75,000,000 of which is to be used for the grant program herein, including administration thereof, and such additional amounts for the fiscal year ending September 30, 1978, as may be reasonably needed for administrative expenses in monitoring and closing out the program authorized by the Act. Funds authorized by this Act shall be obligated by December 31, 1977.

(b) Funds available to the Secretary for this Act shall be available for expenditure for drought impact projects conducted heretofore by eligible applicants during fiscal year 1977 if such projects are found to be compatible with the broad purposes of this Act.

TITLE II

SEC. 201. The first sentence of section 201(a) of the Public Works and Economic Development Act Amendments of 1976 (Public Law 94-487) is amended by striking out "one year" and inserting in lieu thereof "eighteen months".

42 USC 3121
note.

42 USC 3121
note.

SEC. 202. Section 202 of such Act is amended—

(a) by striking out "and" at the end of subsection (4);

(b) by striking out "chapter 57 and subchapter 53 of such title relating to classification and General Schedule pay rates" in subsection (5), and inserting in lieu thereof "chapter 51 and chapter 53 of such title";

5 USC 5101,
5301.

(c) by striking out the period at the end of subsection (5), and inserting a semicolon in lieu thereof; and

(d) by adding at the end the following new subsections:

"(6) accept and use gifts or bequests of services, moneys and property; and

"(7) use appropriated funds and act as may be necessary and appropriate without regard to the provisions of section 551 of title 31, United States Code, section 34 of title 40, United States Code, and section 5 of title 41, United States Code."

Approved May 23, 1977.

LEGISLATIVE HISTORY:

SENATE REPORT No. 95-115 (Comm. on Environment and Public Works).
CONGRESSIONAL RECORD, Vol. 123 (1977):

May 11, considered and passed Senate.

May 17, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 13, No. 22:

May 23, Presidential statement.