

110TH CONGRESS }  
*1st Session*

HOUSE OF REPRESENTATIVES

**CONSOLIDATED APPROPRIATIONS ACT, 2008**

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**COMMITTEE PRINT**

of the

**COMMITTEE ON APPROPRIATIONS  
U.S. HOUSE OF REPRESENTATIVES**

on

**H.R. 2764 / Public Law 110-161**

**[Legislative Text and Explanatory Statement]**

**BOOK 1 OF 2—DIVISIONS A-F**



JANUARY 2008

**CONSOLIDATED APPROPRIATIONS ACT, 2008**

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**BOOK 1 OF 2—DIVISION A-F**



JANUARY 2008

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## CLERK'S NOTE

*This committee print provides a compilation of the enacted text and applicable explanatory material for the Consolidated Appropriations Act, 2008 (H.R. 2764; P.L. 110–161).*

*The Consolidated Appropriations Act was developed through a legislative procedure referred to as “amendments between the Houses”. The House of Representatives took up an appropriations bill that had been passed by both the House and the Senate (the State, Foreign Operations Appropriations Act, H.R. 2764) and replaced the entire Senate-passed text with an 11-division consolidated appropriations package covering all regular annual appropriations bills except the Defense Appropriations Act (which had already been enacted separately).<sup>1</sup> The Senate then agreed to this House amendment,<sup>2</sup> thereby completing congressional action on divisions A through K of the final Consolidated Appropriations Act.*

*The House also added a second amendment to H.R. 2764, inserting a division L making supplemental appropriations for the Department of Defense.<sup>3</sup> The Senate adopted a substitute for that amendment<sup>4</sup> and the House subsequently agreed to that substitute,<sup>5</sup> resolving the remaining difference between the House and the Senate versions of H.R. 2764. The President signed the legislation on December 26, 2007 and it became Public Law 110–161.*

*As directed by the House of Representatives,<sup>6</sup> Mr. Obey, Chairman of the House Appropriations Committee, filed an Explanatory Statement in the Congressional Record of December 17, 2007 covering the legislation contained in divisions A through K of the Consolidated Appropriations Act.<sup>7</sup> The Explanatory Statement was provided to the House Rules Committee the previous evening and its full text*

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<sup>1</sup> On December 17, 2007, Chairman Obey moved that the House concur in the amendment of the Senate to H.R. 2764 with two House amendments printed in House Report 110–497 (see *Congressional Record*, December 17, 2007, pages H15516–25 and H15528–15726). The rule providing for consideration of this motion (H. Res. 878) directed that separate votes be taken on each of the two amendments. The first amendment, substituting divisions A through K of the Consolidated Appropriations Act for the Senate-passed version of H.R. 2764, was agreed to by a vote of 253 yeas to 154 nays with 1 voting “present” (Roll No. 1171). The second amendment, adding a division L containing supplemental appropriations for the Department of Defense, was agreed to by a vote of 206 yeas to 201 nays (Roll No. 1172).

<sup>2</sup> On December 18, the Senate concurred in House amendment No. 1 to the Senate amendment to H.R. 2764, by a vote of 76 yeas to 17 nays with 1 voting “present” (Vote No. 441) (see *Congressional Record*, December 18, 2007, pages S15830–34 and S15843–88).

<sup>3</sup> This is the second House amendment referred to in footnote 1 above.

<sup>4</sup> On December 18, the Senate agreed to a motion by Senator McConnell to concur in House amendment No. 2 with a further Senate amendment (see *Congressional Record*, December 18, 2007, pages S15844–45 and S15860–61). The motion was agreed to by a vote of 70 yeas to 25 nays (Vote No. 439).

<sup>5</sup> On December 19, the House agreed to the Senate amendment to House amendment No. 2 to the Senate amendment to H.R. 2764 (see *Congressional Record*, December 19, 2007, pages H16860–64, H16887–89, H16901–13). The vote was 272 yeas to 142 nays (Roll No. 1186).

<sup>6</sup> H. Res. 869, section 3.

<sup>7</sup> The submission of this Explanatory Statement is noted on page H15479 of the December 17, 2007 *Congressional Record*. The Statement itself appears in books II and III of the December 17 *Record*.

*was made available to Members of Congress and the public on the Rules Committee website by early morning on December 17.*

*Section 4 of the Consolidated Act provides that this Explanatory Statement “shall have the same effect with respect to the allocation of funds and implementation of divisions A through K of this Act as if it were a joint explanatory statement of a committee of conference”. The text of the Explanatory Statement is reproduced in full in this committee print.*

*For the convenience of users, this print is organized according to the 12 divisions of the Consolidated Appropriations Act, with the legislative text of each division paired with the applicable portion of the Explanatory Statement.*

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**[House Appropriations Committee Print]**

**Consolidated Appropriations Act, 2008**  
**(H.R. 2764; Public Law 110-161)**

**PROVISIONS APPLYING TO ALL DIVISIONS  
OF CONSOLIDATED ACT**

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*[CLERK'S NOTE: Reproduced below is the text of the sections of the Consolidated Appropriations Act (H.R. 2764, P.L. 110-161) which precede division A and which apply to all divisions of that Act.]*

#### LEGISLATIVE TEXT

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Consolidated Appropriations Act, 2008”.

#### **SEC. 2. TABLE OF CONTENTS.**

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Emergency designations.
- Sec. 6. Statement of appropriations.

#### DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

- Title I—Agricultural Programs
- Title II—Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V—Foreign Assistance and Related Programs
- Title VI—Related Agencies and Food and Drug Administration
- Title VII—General Provisions

#### DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

- Title I—Department of Commerce
- Title II—Department of Justice
- Title III—Science
- Title IV—Related Agencies
- Title V—General Provisions
- Title VI—Rescissions

#### DIVISION C—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

- Title I—Department of Defense—Civil: Department of the Army
- Title II—Department of the Interior
- Title III—Department of Energy
- Title IV—Independent Agencies
- Title V—General Provisions

#### DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2008

- Title I—Department of the Treasury
- Title II—Executive Office of the President and Funds Appropriated to the President
- Title III—The Judiciary
- Title IV—District of Columbia
- Title V—Independent Agencies
- Title VI—General Provisions—This Act

Title VII—General Provisions—Government-wide  
 Title VIII—General Provisions—District of Columbia

DIVISION E—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS  
 ACT, 2008

Title I—Department of Homeland Security  
 Title II—Security, Enforcement, and Investigations  
 Title III—Protection, Preparedness, Response, and Recovery  
 Title IV—Research and Development, Training, and Services  
 Title V—General Provisions  
 Title VI—Border Infrastructure and Technology Modernization

DIVISION F—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND  
 RELATED AGENCIES APPROPRIATIONS ACT, 2008

Title I—Department of the Interior  
 Title II—Environmental Protection Agency  
 Title III—Related Agencies  
 Title IV—General Provisions  
 Title V—Wildfire Suppression Emergency Appropriations

DIVISION G—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES,  
 AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Title I—Department of Labor  
 Title II—Department of Health and Human Services  
 Title III—Department of Education  
 Title IV—Related Agencies  
 Title V—General Provisions  
 Title VI—National Commission on Children and Disasters

DIVISION H—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2008

Title I—Legislative Branch Appropriations  
 Title II—General Provisions

DIVISION I—MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND  
 RELATED AGENCIES APPROPRIATIONS ACT, 2008

Title I—Department of Defense  
 Title II—Department of Veterans Affairs  
 Title III—Related Agencies  
 Title IV—General Provisions

DIVISION J—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND  
 RELATED PROGRAMS APPROPRIATIONS ACT, 2008

Title I—Department of State and Related Agencies  
 Title II—Export and Investment Assistance  
 Title III—Bilateral Economic Assistance  
 Title IV—Military Assistance  
 Title V—Multilateral Economic Assistance  
 Title VI—General Provisions

DIVISION K—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,  
 AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Title I—Department of Transportation  
 Title II—Department of Housing and Urban Development  
 Title III—Related Agencies  
 Title IV—General Provisions This Act

DIVISION L—EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR  
 OPERATION ENDURING FREEDOM AND FOR OTHER PURPOSES

**SEC. 3. REFERENCES.**

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

**SEC. 4. EXPLANATORY STATEMENT.**

The explanatory statement regarding the consolidated appropriations amendment of the House of Representatives to the amendment of the Senate to H.R. 2764, printed in the House section of the Congressional Record on or about December 17, 2007 by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of divisions A through K of this Act as if it were a joint explanatory statement of a committee of conference.

**SEC. 5. EMERGENCY DESIGNATIONS.**

Any designation in any division of this Act referring to this section is a designation of an amount as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

**SEC. 6. STATEMENT OF APPROPRIATIONS.**

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008.



*[CLERK'S NOTE: Reproduced below are the introductory paragraphs of the "Explanatory Statement Submitted by Mr. Obey, Chairman of the House Committee on Appropriations, Regarding the Consolidated Appropriations Amendment of the House of Representatives to the Senate Amendment to H.R. 2764".]*

#### EXPLANATORY STATEMENT

#### EXPLANATORY STATEMENT SUBMITTED BY MR. OBEY, CHAIRMAN OF THE HOUSE COMMITTEE ON APPROPRIATIONS, REGARDING THE CONSOLIDATED APPROPRIATIONS AMENDMENT OF THE HOUSE OF REPRESENTATIVES TO THE SENATE AMENDMENT TO H.R. 2764

Following is an explanation of the amendment of the House of Representatives (relating to consolidated appropriations for fiscal year 2008) to the amendment of the Senate to H.R. 2764, the State, Foreign Operations, and Related Programs Appropriations Act, 2008, including disclosure of congressional earmarks and congressionally directed spending items as defined in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate.

Section 4 of the House amendment specifies that this explanatory statement shall have the same effect with respect to the allocation of funds and implementation of this Consolidated Appropriations Act as if it were a joint explanatory statement of a committee of conference.

In this statement, the provisions of the House amendment to the Senate amendment are generally referred to as "the amended bill". Where comparisons are made to House and Senate action, unless otherwise stated these comparisons are to the versions of the applicable 2008 Appropriations Act as passed by the House and as passed by the Senate (or as reported by the Senate Committee on Appropriations, in the case of bills that have not been passed by the Senate).

The House amendment strikes the text of the Senate amendment and inserts a Consolidated Appropriations Act covering 11 regular appropriations bills, each in a separate division, as follows:

- Division A—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008;
- Division B—Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008;
- Division C—Energy and Water Development and Related Agencies Appropriations Act, 2008;
- Division D—Financial Services and General Government Appropriations Act, 2008;

- Division E—Department of Homeland Security Appropriations Act, 2008;
- Division F—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008;
- Division G—Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008;
- Division H—Legislative Branch Appropriations Act, 2008;
- Division I—Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008;
- Division J—Department of State, Foreign Operations and Related Programs Appropriations Act, 2008;
- Division K—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008.

Section 1 of the amended bill provides that the bill as a whole may be referred to as the Consolidated Appropriations Act, 2008. Section 3 states that, unless expressly provided otherwise, any reference to “this Act” contained in any division of the amended bill shall be treated as referring only to the provisions of that division. Section 5 contains an emergency designation (for purposes of section 204 of S. Con. Res 21, the concurrent resolution on the budget for fiscal year 2008) which applies to certain appropriations within the divisions of the Act that make reference to section 5.