

110TH CONGRESS }
2d Session

HOUSE OF REPRESENTATIVES

**CONSOLIDATED SECURITY, DISASTER AS-
SISTANCE, AND CONTINUING APPROPRIA-
TIONS ACT, 2009**

COMMITTEE PRINT

of the

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

on

H.R. 2638 / Public Law 110-329

[Legislative Text and Explanatory Statement]



OCTOBER 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 Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (H.R. 2638; P.L. 110-329).

This 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 (H.R. 2638, the fiscal year 2008 Department of Homeland Security Appropriations Act) and replaced the entire Senate-passed text with a five-division package making continuing appropriations for fiscal year 2009, providing supplemental appropriations for disaster assistance, and covering 3 regular annual appropriations bills for fiscal year 2009 (Department of Defense, Department of Homeland Security, and Military Construction and Veterans Affairs and Related Agencies Appropriations Acts).¹ The Senate then agreed to this House amendment,² thereby completing congressional action on the bill. The President signed the legislation on September 30, 2008 and it became Public Law 110-329.

Because an amendments-between-the-Houses process was used instead of a conference committee, there is no conference report and no “joint explanatory statement of the managers” for H.R. 2638. Instead, as directed by the House of Representatives,³ Mr. Obey, Chairman of the House Appropriations Committee, filed an Explanatory Statement in the Congressional Record of September 24, 2008.⁴ Section 4 of the Act provides that this Explanatory Statement “shall have the same effect with respect to the allocation of funds and implementation 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 five divisions of the Act, with the legislative text of each division paired with the applicable portion of the Explanatory Statement.

¹On September 24, Chairman Obey moved that the House concur in the amendment of the Senate to H.R. 2638 with a House amendment printed in House Report 110-875 (see *Congressional Record*, September 24, 2008, pages H9248-9289). The motion was agreed to by a vote of 370 yeas to 58 nays with 1 voting “present” (Roll No. 632).

²On September 27, the Senate concurred in House amendment to the Senate amendment to H.R. 2638, by a vote of 78 yeas to 12 nays (Vote No. 208) (see *Congressional Record*, September 27, 2008, page S9965).

³H. Res. 1488, section 3.

⁴The Statement appears in Book II of the September 24 *Congressional Record*.

[House Appropriations Committee Print]

**Consolidated Security, Disaster Assistance, and Continuing
Appropriations Act, 2009**

(H.R. 2638; P.L. 110-329)

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

[CLERK'S NOTE: Reproduced below is the text of the sections of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act (H.R. 2638, P.L. 110-329) 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 Security, Disaster Assistance, and Continuing Appropriations Act, 2009”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

DIVISION A—CONTINUING APPROPRIATIONS RESOLUTION, 2009
DIVISION B—DISASTER RELIEF AND RECOVERY SUPPLEMENTAL APPROPRIATIONS ACT, 2008
DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2009
DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2009
DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2009

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” or “this joint resolution” 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 this legislation, printed in the House of Representatives section of the Congressional Record on or about September 24, 2008 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 this Act as if it were a joint explanatory statement of a committee of conference.

[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 Amendment of the House of Representatives to the Senate Amendment to H.R. 2638".]

EXPLANATORY STATEMENT

EXPLANATORY STATEMENT SUBMITTED BY MR. OBEY, CHAIRMAN OF THE HOUSE COMMITTEE ON APPROPRIATIONS, REGARDING THE AMENDMENTS OF THE HOUSE OF REPRESENTATIVES TO THE SENATE AMENDMENT TO H.R. 2638

Following is an explanation of the amendment of the House of Representatives to the amendment of the Senate to H.R. 2638, the Department of Homeland Security 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 Continuing Appropriations Act as if it were a joint explanatory statement of a committee of conference.

The House amendment strikes the text of the Senate amendment and inserts language continuing appropriations for fiscal year 2009, making emergency supplemental appropriations for fiscal year 2008, and covering 3 regular fiscal year 2009 appropriations bills, each in a separate division, as follows:

Division A—Continuing Appropriations Resolution, 2009;

Division B—Disaster Relief and Recovery Supplemental Appropriations Act, 2008;

Division C—Department of Defense Appropriations Act, 2009;

Division D—Department of Homeland Security Appropriations Act, 2009;

Division E—Military Construction and Veterans Affairs Appropriations Act, 2009;

Section 1 of the bill provides that the bill as a whole may be referred to as the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009. Section 3 states that, unless expressly provided otherwise, any reference to "this Act" or "this joint resolution" contained in any division of the bill shall be treated as referring only to the provisions of that division.

In the following explanations, the legislation resulting from the House amendment is generally referred to simply as the "bill".