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House of Representatives

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''.

DIVISION A—CONTINUING APPROPRIATIONS RESOLUTION, 2009

Division A provides continuing appropriations for all agencies and activities that would be covered by the regular fiscal year 2009 appropriations bills, until enactment of the applicable regular appropriations bill or until March 6, 2009, whichever occurs first.

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Neither the legislative text of division A nor the accompanying explanatory statement contains any congressional earmarks, congressionally directed spending items, limited tax benefits or limited tariff benefits (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, respectively).

DIVISION B—DISASTER RELIEF AND RECOVERY SUPPLEMENTAL APPROPRIATIONS ACT, 2008

Division B makes emergency supplemental appropriations for relief and recovery from hurricanes, floods, and other disasters. The following table summarizes the appropriations made by this division:

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DIVISION B - DISASTER RELIEF AND RECOVERY SUPPLEMENTAL APPROPRIATIONS ACT, 2008
(Amounts in thousands)

	Bill
TITLE I	
RELIEF AND RECOVERY FROM NATURAL DISASTERS	
CHAPTER 1	
DEPARTMENT OF AGRICULTURE	
Office of the Inspector General	
Salaries and expenses (emergency)	5,000
Agricultural Research Service	
Buildings and facilities (emergency)	5,000
Animal and Plant Health Inspection Service	
Salaries and expenses (emergency)	5,000
Natural Resources Conservation Service	
Emergency watershed protection program (emergency)	100,000
Farm Service Agency	
Emergency conservation program (emergency)	115,000
Rural Development Programs	
Rural development disaster assistance fund (emergency)	188,000
Total, Chapter 1	418,000
CHAPTER 2	
DEPARTMENT OF COMMERCE	
Economic Development Administration	
Economic development assistance programs (emergency)	400,000
National Oceanic and Atmospheric Administration	
Operations, research and facilities (emergency)	86,000
Procurement, acquisition, and construction (emergency)	6,000
Total, National Oceanic and Atmospheric Administration	92,000
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION	
Exploration capabilities (emergency)	30,000
Total, Chapter 2	522,000
CHAPTER 3	
DEPARTMENT OF DEFENSE - CIVIL	
DEPARTMENT OF THE ARMY	
Corps of Engineers - Civil	
Construction (emergency)	1,538,800
Mississippi River and tributaries (emergency)	82,400
Operation and maintenance (emergency)	740,000
Flood control and coastal emergencies (emergency)	415,600
Total, Chapter 3	2,776,800

DIVISION B - DISASTER RELIEF AND RECOVERY SUPPLEMENTAL APPROPRIATIONS ACT, 2008
(Amounts in thousands)

	Bill
CHAPTER 4	
GENERAL SERVICES ADMINISTRATION	
Real Property Activities	
Federal Buildings Fund	
Construction and acquisition (emergency)	182,000
SMALL BUSINESS ADMINISTRATION	
Salaries and expenses (emergency)	10,000
Office of Inspector General (emergency)	3,000
Disaster Loans Program Account:	
Direct subsidy (emergency)	498,000
Administrative expenses (emergency)	288,000
Total, Disaster Loans Program Account	786,000
Total, Small Business Administration	799,000
Total, Chapter 4	981,000
CHAPTER 5	
DEPARTMENT OF HOMELAND SECURITY	
Federal Emergency Management Agency	
Disaster relief (emergency)	7,960,000
Disaster Assistance Direct Loan Program Account (by transfer)(emergency)	(98,150)
Office of Inspector General (by transfer)(emergency)	(8,000)
Coast Guard	
Acquisition, construction and improvements (emergency)	300,000
General Provisions, this Chapter	
Sec. 10501 (a). Disaster relief (emergency rescission)	-20,000
(b). State and local programs (emergency)	20,000
Sec. 10502. American Red Cross grant (emergency)	100,000
Total, general provisions, this chapter	100,000
Total, Chapter 5	8,360,000
CHAPTER 6	
DEPARTMENT OF THE INTERIOR	
Bureau of Land Management	
Wildland fire management (emergency)	135,000
United States Fish and Wildlife Service	
Construction (emergency)	75,000

DIVISION B - DISASTER RELIEF AND RECOVERY SUPPLEMENTAL
APPROPRIATIONS ACT, 2008
(Amounts in thousands)

	Bill
DEPARTMENT OF AGRICULTURE	
Forest Service	
Wildland fire management (emergency)	775,000
Capital improvement and maintenance (emergency)	30,000
Total, Department of Agriculture	805,000
Total, Chapter 6	1,015,000
CHAPTER 7	
DEPARTMENT OF HEALTH AND HUMAN SERVICES	
Administration for Children and Families	
Social services block grant (emergency)	600,000
DEPARTMENT OF EDUCATION	
School Improvement Programs	
School improvement programs (emergency)	15,000
Higher Education Disaster Relief (emergency)	15,000
Total, Department of Education	30,000
Total, Chapter 7	630,000
CHAPTER 8	
DEPARTMENT OF DEFENSE	
Military Construction, Army National Guard (emergency)	25,000
CHAPTER 9	
DEPARTMENT OF STATE	
International Commissions	
International Boundary and Water Commission, United States and Mexico:	
Construction (emergency)	37,500
CHAPTER 10	
DEPARTMENT OF TRANSPORTATION	
Federal Highway Administration	
Emergency relief program (emergency)	850,000
Federal Railroad Administration	
Railroad rehabilitation and repair (emergency)	20,000
Total, Department of Transportation	870,000
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT	
Public and Indian Housing	
Tenant-based rental assistance (emergency)	85,000
Project-based rental assistance (emergency)	50,000
Public Housing Capital Fund (emergency)	15,000
Total, Public and Indian Housing	150,000

DIVISION B - DISASTER RELIEF AND RECOVERY SUPPLEMENTAL
APPROPRIATIONS ACT, 2008
(Amounts in thousands)

	Bill
Community Planning and Development	
Community development fund (emergency)	6,500,000
Total, Department of Housing and Urban Development	6,650,000
Total, Chapter 10	7,520,000
TITLE II	
OTHER SUPPLEMENTAL APPROPRIATIONS	
DEPARTMENT OF STATE	
Administration of Foreign Affairs	
Office of Inspector General (emergency)	9,000
BILATERAL ECONOMIC ASSISTANCE	
Other Bilateral Economic Assistance	
Economic Support Fund (emergency)	465,000
General Provisions, this Title	
Sec.20001. Bill Emerson humanitarian trust (emergency)	100,000
Total, title II	574,000
Grand total, Division B	22,859,300

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Following is a list 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, respectively) included in the bill or this explanatory statement, along with the name of each Senator, House Member, Delegate, or Resident Commissioner who submitted a request to the Committee of jurisdiction for each item so identified. Neither the bill nor the explanatory statement contains any limited tax benefits or limited tariff benefits as defined in the applicable House and Senate rules.

DIVISION B—DISASTER RELIEF AND RECOVERY

Agency	Account	Project	Amount	Requester(s)
Corps of Engineers	Construction	Lake Pontchartrain and Vicinity, LA	$700,000,000	The President; Landrieu, Mary L.; Vitter, David
Corps of Engineers	Construction	West Bank and Vicinity, LA	$350,000,000	The President; Landrieu, Mary L.; Vitter, David
Corps of Engineers	Construction	Southeast Louisiana Urban Drainage, LA	$450,000,000	The President; Landrieu, Mary L.; Vitter, David
FEMA	General Provision	Concerning flood insurance rate maps in certain areas in MO and IL		Durbin, Richard; Costello, Jerry; Shimkus, John
FEMA	General Provision	Communications System, MS		Cochran, Thad
GSA	Federal Buildings Fund	Cedar Rapids Courthouse, IA	$182,000,000	Harkin, Tom; Grassley, Chuck; Loebsack, Dave