

~~Amendment offered by Mr. Young to the
Statement of the Managers on the conference report on H.R. 4837~~

~~Insert in the appropriate place in the statement of the managers:~~

DIVISION B - EMERGENCY SUPPLEMENTAL
APPROPRIATIONS FOR HURRICANE DISASTERS ASSISTANCE.
CHAPTER 1 ACT, 2005

DEPARTMENT OF AGRICULTURE

Farm Service Agency

Emergency Conservation Program

The conference agreement provides an additional \$~~25~~¹⁰⁰,000,000 for
"Emergency Conservation Program," for expenses resulting from natural disasters,
~~including estimates still being determined~~ to remain available until expended.

Natural Resources Conservation Service

Emergency Watershed Protection Program

The conference agreement provides an additional \$~~25~~⁽²⁵⁰⁾,000,000 for
"Emergency Watershed Protection Program" to repair damages to the waterways
and watersheds resulting from natural disasters, ~~including estimates still being~~
~~determined~~ to remain available until expended.

Rural Development

Rural Community Advancement Program

The conference agreement provides an additional \$68,000,000 for the "Rural Community Advancement Program", to repair damages to water and waste disposal systems and community facilities resulting from natural disasters, to remain available until expended. The conference agreement provides that \$50,000,000 shall be available for water and waste disposal grants, and \$18,000,000 shall be available for community facility grants. Funds provided under this heading shall be in addition to a state's regular program allocation.

direct
loans
and

Rural Housing Service

Rural Housing Insurance Fund Program Account

The conference agreement provides an additional \$5,000,000 in budget authority, which supports an estimated loan level of \$17,000,000 for the section 504 direct housing repair and rehabilitation program as authorized by title V of the Housing Act of 1949, for damages resulting from natural disasters, to be available from funds in the rural housing insurance fund, for direct loans to section 504 borrowers. Funds provided under this heading shall be in addition to a state's regular program allocation.

Rural Housing Assistance Grants

The conference agreement provides an additional \$13,000,000 for "Rural Housing Assistance Grants", to remain available until expended, for damages resulting from natural disasters, of which \$8,000,000 shall be for grants and contracts for very low-income housing repair, made by the Rural Housing Service, and of which \$5,000,000 shall be for domestic farm labor housing grants and contracts. Funds provided under this heading shall be in addition to a state's regular program allocation.

GENERAL PROVISIONS

SEC. 101. The conference agreement provides supplemental disaster assistance for losses due to hurricanes and tropical storms, including related conditions such as flooding. The conference agreement provides funding for losses under current law including, but are not limited to: cotton, peanuts, tobacco, clams, oysters and other shellfish, hay and forage, sod, tropical aquaculture, shrimp, lobster and other fish. ①

The conference agreement includes a provision to offset the cost of this program.

SEC. 102. The conference agreement provides supplemental disaster assistance to compensate first processors and producers for losses due to hurricanes and tropical storms.

SEC. 103. – The conference agreement provides that the Secretary of Agriculture shall carry out a dairy loss program.

~~SEC. 104. – The conference agreement provides that the Secretary of Agriculture shall carry out a tree assistance program.~~

⁴
SEC. 105. – The conference agreement provides that the Secretary of Agriculture shall carry out a cottonseed assistance program. The conferees expect the Secretary to distribute the funds in a similar manner to that utilized previously to deliver the cottonseed assistance.

⁵
SEC. 106. – The conference agreement provides that certain sections are to remain available until expended and are designated as an emergency requirement.

⁶
SEC. 107. – The conference agreement provides that certain communities in Burlington and Camden Counties (NJ), affected by the 1,000-year flood which occurred on July 12, 2004, are deemed to be rural areas during fiscal year 2005 for certain rural development programs.

⁷
SEC. 108. – The conference agreement authorizes financial and technical assistance to the Hope Mills Dam (NC) project.

INSERT 4A

~~SEC. 109. – The conference agreement includes a provision limiting spending from the Food Security Act of 1985.~~

4A

SEC. 108. The conference agreement provides \$90,000,000 to the fund established by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to make payments with respect to 2004 hurricane losses.

SEC. 109. The conference agreement provides not more than \$4,000,000 for the Farm Service Agency to cover administrative expenses associated with the implementation of sections 101 and 102 of this chapter.

INSERT 4B

Insert 4B

4B

SEC. 110. – The conference agreement provides \$10,000,000 to provide assistance for timber losses.

SEC. 111. – The conference agreement provides \$8,500,000 for assistance to pecan producers.

DEPARTMENT OF JUSTICE

Federal Prison System

Salaries and Expenses

The conference agreement includes \$5,500,000 for the Salaries and Expenses account of the Federal Prison System. The conferees understand that the amounts provided will fund salaries and other expenses related to repairing and replacing roofs and fences, cleaning up prison facilities, detailing medical staff to assist disaster victims, and transporting and relocating almost 5,000 Federal inmates from institutions affected by Hurricane Ivan and related storms.

Federal Prison System

Buildings and Facilities

The conference agreement includes \$18,600,000 for the Buildings and Facilities account of the Federal Prison System. The conferees understand that the amounts provided will fund roof repair, building and perimeter fence repair and replacement, and clean-up activities at numerous Federal prison facilities in Florida, Alabama, and Georgia that sustained damage in Hurricane Ivan and related severe storms.

\$9,000,000 for reseeding, rehabilitation and restoration of oyster reefs in Alabama, Florida, Louisiana, and Mississippi due to damage from Hurricane Ivan;

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Operations, Research, and Facilities

The conference agreement includes \$7,900,000 for the Operations, Research and Facilities account of the National Oceanic and Atmospheric Administration. (16)

The conference agreement supports \$1,200,000 to address damage to National Oceanic and Atmospheric Administration facilities and assets, including repairs for laboratory facilities, weather radio towers, and marine buoys, as well as costs associated with hurricane preparations; \$2,900,000 to address impacts to endangered species, including assessment and restoration efforts for impaired habitat and Endangered Species Act responsibilities associated with disaster clean-up; and \$3,800,000 to address hurricane forecasting needs.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Procurement, Acquisition and Construction

The conference agreement includes \$3,800,000 for the Procurement, Acquisition and Construction account of the National Oceanic and Atmospheric Administration. The conference agreement provides \$300,000 for hurricane

prediction technology requirements and \$3,500,000 for airborne Doppler radar used for hurricane precipitation and wind field forecasting.

Small Business Administration
Disaster Loans Program Account

The conference agreement includes \$929,000,000 for the Disaster Loans Program Account for loan subsidy costs and associated administrative expenses. The amounts provided will allow the Small Business Administration (SBA) to make disaster loans to individuals and businesses in the wake of Hurricanes Charley, Frances, Ivan, Jeanne, and other natural disasters. The conferees understand that the funding requirements for these storms will far exceed the five-year average of disaster loan-making activity resulting in the necessity for emergency appropriations. The amounts provided will allow the SBA to make approximately \$5,500,000,000 of loans to individuals and businesses.

CHAPTER 3

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE-MILITARY

Chapter 3 of the conference agreement recommends \$909,400,000 for the Department of Defense in support of specific security, temporary relocation,

cleanup, repair, and other related activities taken by the military services and defense activities in preparation for and recovery from Hurricanes Charley, Frances, Ivan, and Jeanne, Tropical Storm Bonnie, and other natural disasters.

Within the total amount provided, \$762,800,000 is provided to the operation and maintenance appropriations for cleanup and repair of storm damage. Of this amount, the conferees have provided \$662,800,000 directly to the military services and the Defense Health Program to meet the most immediate and urgent needs.

The conferees recommend \$100,000,000 for the Operation and Maintenance, Defense-Wide account, with transfer authority available to the Secretary of Defense to maximize the Department of Defense's capability to allocate funds in the proper amounts and accounts. The Secretary of Defense may transfer these funds to appropriations for military personnel; operation and maintenance; the Defense Health Program; and working capital funds. Fifteen days prior written notification to the congressional defense committees is required before making transfers.

The conferees have provided \$140,000,000 in the Procurement, Defense-Wide account with the authority to transfer funds to other accounts. These funds may be transferred to appropriations for operation and maintenance; procurement; and research, development, test and evaluation. Fifteen days prior written notification to the congressional defense committees is required. The conferees

have directed five transfers of funds from the Procurement, Defense-Wide account, to other procurement and research and development accounts, to support specific purposes related to recovery from hurricanes, tropical storms and other natural disasters.

The following table provides details of the supplemental appropriations in this chapter.

[In thousands of dollars]

Account	Request	Recommended
Military Personnel:		
Military Personnel, Navy.....	1,000	0
Military Personnel, Air Force.....	13,225	0
Reserve Personnel, Air Force.....	0	0
Total Military Personnel.....	14,225	0
Operation and Maintenance:		
O&M, Army.....	2,844	8,600
¹ [Ft. Bragg: COSCOM Barracks repair and renovation, \$5,600]		
O&M, Navy.....	404,591	458,000
O&M, Marine Corps.....		1,300
O&M, Air Force.....	128,672	165,400
¹ [CENTCOM Facilities Repair and Modification, \$6,000]		
¹ [CENTCOM Communications Repairs and Modification, \$1,300]		
¹ [MacDill AFB Storm Damage Recovery and Repair, \$8,500]		
¹ [Avon Park Range Storm Damage Recovery and Repair, \$1,100]		
O&M, Defense-Wide.....	172,506	100,000
O&M, Army Reserve.....	1,442	1,400
O&M, Navy Reserve.....	399	1,000
O&M, Air Force Reserve.....		2,400
O&M, Army National Guard.....	3,350	10,500
¹ [Florida Army National Guard facilities repair, \$7,000]		
O&M, Air National Guard.....	1,085	2,200
Total Operation and Maintenance.....	714,889	750,800
Procurement:		
Other Procurement, Air Force.....	2,500	2,500
Procurement, Defense-Wide.....	102,500	140,000
¹ [Transfer: OPAF - Hurricane Tracking Equipment, \$10,500]		
¹ [Transfer: MPAF - Satellite Launch Delays, \$10,000]		
¹ [Transfer: OPAF - Satellite Launch Delays, \$10,000]		
¹ [Transfer: OPAF - CENTCOM COOP, \$18,700]		
¹ [Transfer: Eglin AFB Laboratory and Test Range Equipment, \$20,000]		
Total Procurement.....	105,000	142,500

[In thousands of dollars]

Account	Request	Recommended
Revolving and Management Funds:		
Defense Working Capital Fund.....	77,000	4,100
¹ [Working Capital Fund, Defense-Wide, \$2,000].....		
¹ [Navy Working Capital Fund, \$2,100].....		
Total Revolving and Management Funds.....	<u>77,000</u>	<u>4,100</u>
Other Department of Defense Programs:		
Defense Health Program.....	10,286	12,000
Total Other DoD Programs.....	<u>10,286</u>	<u>12,000</u>
Grand Total, Emergency Appropriations, Chapter 3.....	921,400	909,400
Transfer Authority, New Appropriations, This Chapter, Section 305		200,000
Additional Transfers:		
Section 307:		
Procurement, Marine Corps		7,000
O&M, Marine Corps		-7,000
RDT&E, Defense-Wide		5,950
O&M, Army		-5,950
Department of Veterans Affairs, Medical Services		500
DHP		-500
O&M, Army National Guard		1,400
O&M, Army		-1,400

[In thousands of dollars]

Account	Request	Recommended
Summary of Appropriations, Chapter 3, By Component		
Total Army	7,636	20,500
Total Navy	405,990	459,000
Total Marine Corps	0	1,300
Total Air Force	145,482	172,500
Total Other Defense and O&M, D-W	362,292	256,100
	<u>921,400</u>	<u>909,400</u>

Notes:

¹ Congressional Interest Items for the purpose of the Base for Reprogramming (DD 1414). Items must be carried on the DD 1414 at the stated amount.

CHAPTER 3 REPORTING REQUIREMENTS

The conferees direct the Secretary of Defense during fiscal year 2005 to submit to the congressional defense committees no later than December 1, 2004, a quarterly comprehensive report on the distribution of funds by account and the purposes for which the funds have been used. This report shall detail both actual and projected obligations of appropriations provided in this chapter.

PERSONNEL EVACUATION COSTS

The President requested \$12,125,000 to cover costs associated with the evacuation of military dependents during the recent hurricanes. The conferees provide the flexibility to reimburse the Services for fiscal year 2004 military personnel costs from funds provided in Operation and Maintenance, Defense-Wide, in order to preclude an Anti-deficiency Act violation in the Military Personnel accounts.

DELAWARE AIR NATIONAL GUARD

The conferees are aware of recent storm damage to facilities and equipment at the Air National Guard Headquarters in New Castle, Delaware. The conferees are aware that estimates of damages are still being assessed, and have provided the flexibility from funds made available in Operation and Maintenance, Defense-Wide and Procurement, Defense-Wide to repair facilities and repair or replace aircraft damaged in the tornado.

M-4 RIFLE REQUIREMENTS FOR OIF AND OEF

The conferees strongly encourage the Department of Defense to address current wartime needs for M-4 rifles and direct the Army to provide a report to the congressional defense committees outlining the requirements for M-4 rifles with respect to future Operation Iraqi Freedom and Operation Enduring Freedom deployments. This report should be submitted no later than November 15, 2004.

XM-8 FAMILY OF WEAPONS

The conferees support the Army's plans to begin fielding the XM-8 as the eventual replacement for the M-16 and M-4 families of weapons. Accordingly, the conferees strongly encourage the Department of Defense to accelerate the fielding of the XM-8 family of weapons from funds provided in the Department of Defense

Appropriations Act for fiscal year 2005 (Public Law 108-287). The conferees direct the Army to provide a report to the congressional defense committees, not later than November 15, 2004, on plans to begin fielding the XM-8 family of weapons.

FORCE PROTECTION UPGRADES FOR EUROPEAN HOSPITALS

The conferees are aware of significant force protection and facility code requirements at Landstuhl Army Medical Center, Naval Hospital Sigonella and Naval Hospital Rota. The conferees recommend and encourage the Department of Defense to fund these urgent upgrades needed to continue providing quality patient protection.

GENERAL PROVISIONS – THIS CHAPTER

The conferees include a new general provision which provides that appropriations provided in this chapter are available for obligation until September 30, 2005, unless otherwise so provided.

The conferees include a new general provision which provides that funds appropriated in this chapter, or made available by the transfer of funds in or

pursuant to this chapter, for intelligence activities are deemed to be authorized for purposes of section 504 of the National Security Act of 1947.

The conferees include a new general provision which prohibits the use of funds provided in this chapter to finance programs or activities denied by Congress for fiscal years 2004 or 2005 and requires written notification prior to initiating new start programs.

The conferees include a new general provision which amends Section 8007 of the Department of Defense Appropriations Act, 2005 (Public Law 108-287), by striking the words "in session".

In the classified annex accompanying Public Law 108-287, the conferees provided certain guidance regarding Section 8090(b) of said Act. The conferees express their intent to further address the issues raised in that annex in subsequent fiscal year 2005 appropriations legislation.

The conferees include a new general provision which provides the Secretary of Defense with \$200,000,000 in additional transfer authority, only for funds in this chapter, and only to meet hurricane and other natural disaster-related expenses.

The conferees include a new general provision which amends section 9010(b) of the Department of Defense Appropriations Act for a citation change.

The conferees include a new general provision which makes certain technical adjustments, transfers funds, and adjusts restrictions in the Department

of Defense Appropriations Act, 2005 (Public Law 108-287). The general provision increases the number of armored passenger vehicles that may be purchased under Other Procurement, Army from 1 to 21; increases the maximum allowable cost from \$200,000 to \$275,000; and provides that vehicles purchased in excess of one may only be in direct support of force protection requirements. Additionally, it directs the following transfers of funds.

To: "Research, Development, Test and Evaluation, Defense-Wide, 2005/2006", \$5,950,000, only for the National Media Exploitation Center for improved data and media capture, transformation and categorization activities;

From: "Operation and Maintenance, Army", \$5,950,000.

To: "Procurement, Marine Corps, 2005/2007", \$7,000,000, only for purchasing additional force protection x-ray imaging units for deployment to the Iraqi theater of operations.

From: "Operation and Maintenance, Marine Corps", as provided in title IX of Public Law 108-287, \$7,000,000.

To: The Department of Veterans Affairs, under the heading, "Medical Services", \$500,000 only to allow White River Junction-Fort Ethan Allen Community Based Outpatient Clinic and the Vermont National Guard to purchase Veterans Administration health care services that provide Guardsmen and their family members the utmost in-patient care.

From: "Defense Health Program", Operation and Maintenance, \$500,000, from an appropriation in House Report 108-622 for the same purposes.

To: "Operation and Maintenance, Army National Guard", \$1,400,000, only for the Construction Transition Program, as described in House Report 108-283.

From: "Operation and Maintenance, Army", \$1,400,000.

In addition, this provision amends Section 9014 of Public Law 108-287 to make clear the intent of the conferees this section's authority providing the Secretary of Defense with discretionary authority to present patriotic materials, including a United States flag, to military personnel who participate in Operation Enduring Freedom or Operation Iraqi Freedom.

The conferees include a new general provision which increases the authority provided in section 9007 of Public Law 108-287 for the Commanders' Emergency Response Program (CERP) from \$300,000,000 to \$500,000,000.

The conferees include a new general provision to make a technical adjustment to section 9006 of Public Law 108-287 to clarify a definition to include the Iraqi Armed Forces.

CHAPTER 4

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

General Investigations

The conference agreement provides for an additional \$400,000 for General Investigations to update studies where necessitated by storm damage to shore protection projects, including the feasibility study for Walton County, Florida.

Construction, General

The conference agreement provides an additional \$62,600,000 for Construction, General to provide for the repair of storm damage to authorized shore protection projects, and for time-sensitive data collection and analysis of the performance of shore protection projects, including the development of a three-dimensional physics-based analytical model.

Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky,
Louisiana, Mississippi, Missouri and Tennessee

The conference agreement provides for an additional \$6,000,000 for Flood Control, Mississippi River and Tributaries, for levee and revetment repair and for emergency dredging.

Operation and Maintenance, General

The conference agreement provides for an additional \$ [REDACTED] for ^(145,400,000) Operation and Maintenance, General for repair of ^{storm} damage to authorized Federal projects.

Flood Control and Coastal Emergencies

The conference agreement provides for an additional \$148,000,000 for Flood Control and Coastal Emergencies for emergency expenses for repair of damage to Flood Control and Hurricane Shore Protection Projects by storms and other natural disasters. Funding for the Flood Control and Coastal Emergencies appropriation account includes funds to restore ^{Flood control and} damaged hurricane and storm ~~damage reduction~~ projects to their pre-storm condition.

[^]
Shore protection

CHAPTER 5

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

The conference agreement appropriates \$100,000,000 for necessary expenses to respond to the disasters caused by hurricanes and tropical storms in the Caribbean region. Language is included designating funding for emergency and overseas contingency operations.

The funds appropriated by this paragraph are made available notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.

CHAPTER 6

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

The conferees agree to provide \$33,367,310 for expenses resulting from the recent natural disasters in the southeastern United States, such as Hurricanes Charley, Frances, Ivan, and Jeanne. Funds are available until expended.

EMERGENCY PREPAREDNESS AND RESPONSE

DISASTER RELIEF

The conferees agree to provide an additional \$6,500,000,000 for disaster relief activities associated with declared disasters, such as Hurricanes Frances, Ivan, and Jeanne. Funds are available until expended.

The conferees direct the Emergency Preparedness and Response (EP&R) Directorate to work with Putnam County, Illinois, to ensure the costs for damage caused by the tornado of April 2004, which are not covered by insurance and eligible under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), are promptly paid; to work with the City of Asheville, North Carolina, to ensure that the costs for damage caused by Hurricane Frances, which are eligible under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), are promptly paid; and to provide the City of Paso Robles, California, with compensation sufficient to conduct the repairs and retrofitting necessary, as a result of the damage sustained in the 2003 San Simeon earthquake, to bring the Carnegie Library into compliance with current, rather than 1907, state and local building codes and access laws. Furthermore, the conferees agree with the cost estimates and findings in the June 28, 2004 report done by Lotus General Contractors, Inc., with regard to the damages sustained to the main building at Flamson Middle School in the City of

Paso Robles, California, as a direct result of the 2003 San Simeon earthquake, and direct EP&R to use that information to calculate the compensation to be provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to the Paso Robles Joint Unified School District. The conferees also encourage EP&R to work to ensure that the counties of West Virginia receive such assistance as necessary and appropriate to compensate those homeowners and businesses in the federally declared disaster area impacted by the remnants of Hurricane Ivan.

The conferees note the availability of section 404 hazard mitigation grant funding for mitigation projects, including buy-outs of flood-damaged properties, for the states of Nebraska, North Carolina, Maryland, Delaware, and Indiana. The conferees direct EP&R to work with these states to ensure that the counties in those states, which are eligible under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), receive such assistance as necessary and appropriate to compensate homeowners and businesses in the federally declared disaster area. The conferees are also aware that specific communities in Florida have significant amounts of debris as a result of hurricanes Charley, Frances, Ivan and Jeanne. The Department of Homeland Security's Federal Emergency Management Agency (FEMA) has authority under sections 206.223 (b)(3) and 206.224 (b)(2) of title 44, Code of Federal Regulations and internal

guidance to make determinations as to the eligibility of removal of debris from private property. The conferees direct FEMA to use its authority to reimburse local governments for debris removal on privately-owned lands upon finding it is necessary to eliminate an immediate threat to life, public health and safety.

INSERT 24A

CHAPTER 7

DEPARTMENT OF THE INTERIOR

United States Fish and Wildlife Service

Construction

The conference agreement provides an additional \$ [REDACTED] for ^{40,552,000} Construction, to address damages related to hurricanes ^{and} ~~tropical storms~~ flooding events, ~~tornadoes, and super typhoon Chaba~~. While much of the funding is for damages in Florida, ^{several} ~~10~~ States and Puerto Rico ~~and Guam~~ are covered by this appropriation.

National Park Service

Construction

24A

The conferees are aware that funding of activities related to previous federally declared disasters in fiscal years 2003 and 2004 has been temporarily suspended due to the high volume of new federal disasters declared in August and September. This includes disasters outside of the hurricane area and areas where there is a lack of rain. The supplemental appropriations provided are sufficient to not only meet recent disaster needs but also to fully restore funding for ongoing and new projects. The conferees direct EP&R to proceed as quickly as possible to fund all halted or postponed projects, within funds available, and to submit a comprehensive report on the status of any unfunded disaster relief project to the House and Senate Committees on Appropriations no later than February 15, 2005.

The conference agreement provides an additional \$50,802,000 for Construction, to address damages related to hurricanes and flooding events, primarily in Florida, North Carolina, and Tennessee.

United States Geological Survey

Surveys, Investigations, and Research

The conference agreement provides an additional \$1,000,000 for Surveys, Investigations, and Research, to address damages related to hurricanes and flooding events. ~~_____~~

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

Forest Service

State and Private Forestry

The conference agreement provides an additional \$49,100,000 for State and Private Forestry, to address damages related to hurricanes and flooding events, primarily in Florida. Based on current estimates, the conference agreement assumes that this funding includes \$2,100,000 for forest health management, \$10,000,000 for forest stewardship, \$16,000,000 for State fire assistance,

\$4,000,000 for volunteer fire assistance, and \$17,000,000 for urban and community forestry assistance. The Forest Service should notify the House and Senate Committees on Appropriations if the final storm assessments indicate that these funding levels need to be adjusted by more than twenty percent.

National Forest System

The conference agreement provides an additional \$12,153,000 for National Forest System, to address damages related to hurricanes and flooding events in Florida, North Carolina, South Carolina, Tennessee, Georgia, Alabama, Puerto Rico, Mississippi, and Virginia. Based on current estimates, the conference agreement assumes that this funding includes the following funding by activity: \$1,842,000 for forest products; \$1,073,000 for wildlife and fish management; \$1,686,000 for recreation; \$200,000 for inventory and monitoring; \$5,909,000 for vegetation and watershed management; and \$1,443,000 for lands management. The Forest Service should notify the House and Senate Committees on Appropriations if the final storm assessments indicate that these funding levels need to be adjusted by more than twenty percent.

Wildland Fire Management

The conference agreement provides an additional \$1,028,000 for Wildland Fire Management, to address damages related to hurricanes and flooding events.

Capital Improvement and Maintenance

The conference agreement provides an additional \$50,815,000, for Capital Improvement and Maintenance, to address damages related to hurricanes and flooding events in Florida, North Carolina, South Carolina, Tennessee, Georgia, Alabama, Puerto Rico, Mississippi, and Virginia. Based on current estimates, the conference agreement assumes that this funding includes the following funding by activity: \$34,118,000 for roads; \$8,036,000 for trails; and \$8,661,000 facilities. The Forest Service should notify the House and Senate Committees on Appropriations if the final storm assessments indicate that these funding levels need to be adjusted by more than twenty percent.

CHAPTER 8

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DEPARTMENTAL MANAGEMENT

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The conference agreement includes a supplemental appropriation of \$50,000,000 for the Public Health and Social Service Emergency Fund. This additional amount is for hurricane response and relief to aging Americans, children, families, persons with disabilities, low-income individuals, and the communities in which they live. The conferees understand that uses include, but are not be limited to, helping provide nutritional, medical, and social services to affected elderly individuals; providing social services support to communities most affected by Hurricanes Charley, Frances, and Ivan; making available counseling services; helping offset the increase in un-reimbursed health care in affected communities; and addressing storm damage at community health centers in impacted areas. *and Jeanne*

The conferees request that the Secretary report to the Committees on Appropriations of the House of Representatives and the Senate on disbursement of these funds within 90 days of enactment of this Act. The report should include a table listing of the governments and organizations that received grants or other direct assistance from these funds, showing the amount and purpose of each grant or other form of assistance. It should also include a description of any other uses of these funds, such as activities undertaken directly by the Department.

CHAPTER 9

DEPARTMENT OF DEFENSE

Military Construction

Military Construction, Navy and Marine Corps

The conference agreement provides \$138,800,000 for Military Construction, Navy and Marine Corps. These funds are for costs associated with the repair, restoration, or replacement of several facilities damaged or destroyed by Hurricane Ivan at the Pensacola Naval Air Station, Florida. The conference agreement recognizes that replacement of certain facilities may be more advantageous than repair or restoration, but the emergency funds provided are intended to meet capacity that existed before the hurricane, not to meet new requirements. In the event the Secretary of the Navy determines that replacement, rather than repair or restoration, of damaged facilities is warranted, the Secretary is required to provide notification to Congress fourteen days before funds are obligated for the replacement construction project.

Military Construction, Army Reserve

The conference agreement provides \$8,700,000 for Military Construction, Army Reserve. These funds are for costs associated with rebuilding a reserve center damaged by Hurricane Ivan in Pensacola, Florida.

Family Housing Operation and Maintenance, Army

The conference agreement provides \$1,200,000 for Family Housing Operation and Maintenance, Army. These funds are for costs associated with housing repairs at facilities damaged by natural disasters.

Family Housing Operation and Maintenance, Navy and Marine Corps

The conference agreement provides \$9,100,000 for Family Housing Operation and Maintenance, Navy and Marine Corps. These funds are for costs associated with housing repairs at facilities damaged by natural disasters.

Family Housing Operation and Maintenance, Air Force

The conference agreement provides \$11,400,000 for Family Housing Operation and Maintenance, Air Force. These funds are for costs associated with housing repairs at facilities damaged by natural disasters.

Base Realignment and Closure Account

The conference agreement provides \$50,000 to be deposited into the Department of Defense Base Closure Account 1990. These funds are for costs associated with the repair of a perimeter fence destroyed by Hurricane Ivan at Naval Activity Puerto Rico.

CHAPTER 10

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conferees provide \$5,100,000 for FAA "Facilities and equipment", to address expenses resulting from hurricanes Charley, Frances, Ivan, and Jeanne in the southeastern United States. The Administration requested the same amount under FAA "Operations". This funding is consistent with FAA's initial estimates of damage to radars, navigation and communications equipment, air traffic control towers, and other facilities. Funds are designated as an emergency requirement, to

be derived from the airport and airway trust fund, and made available until expended.

EMERGENCY ASSISTANCE TO
~~GRANTS IN AID FOR~~ AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

The conferees provide \$25,000,000 for FAA *Emergency assistance to* ~~“Grants-in-aid-for”~~ airports, to reimburse public use airports for unanticipated capital expenses resulting from hurricanes Charley, Frances, Ivan, and Jeanne in the southeastern United States. Funds are designated as an emergency requirement, to be derived from the airport and airway trust fund, and made available until expended. The distribution of these funds is at the discretion of the Administrator of the Federal Aviation Administration.

FEDERAL HIGHWAY ADMINISTRATION
FEDERAL-AID HIGHWAYS
EMERGENCY RELIEF PROGRAM

(HIGHWAY TRUST FUND)

~~(Including rescission of contract authorization)~~

The conferees provide \$1,202,000,000 to fund emergency expenses resulting from hurricanes Charley, Frances, Gaston, Ivan, and Jeanne, and other eligible activities authorized by 23 U.S.C. 125. Funds are to be derived from the highway trust fund and made available until expended. The bill provides funding to respond to the backlog of emergency needs arising largely from natural disasters in 2004 and prior years. As requested, the conference agreement exempts expenses for projects related to hurricanes Charley, Frances, Ivan, and Jeanne from the statutory cap of \$100,000,000 per disaster, per state, because current estimates indicate that valid needs may exceed that cap. Consistent with the purpose of these funds, the entire amount has been designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95.

EXECUTIVE OFFICE OF THE PRESIDENT

UNANTICIPATED NEEDS

The conferees provide \$70,000,000, as requested, for "Unanticipated Needs", to reimburse the American Red Cross for reimbursement of disaster relief and recovery expenses and emergency services associated with hurricanes Charley, Frances, Ivan, and Jeanne. The appropriation designates such expenses as an emergency requirement; stipulates that funds may be disbursed to any authorized federal agency; limits agency administrative costs to 3 percent; and requires the head of the U. S. Government Accountability Office to audit the use of such funds.

CHAPTER 11

DEPARTMENT OF VETERANS AFFAIRS

Veterans Health Administration

Medical Services

The conferees have provided \$38,283,000 for medical services for hurricane and tropical storm related expenses. The amount provided is the same as the *amount requested by the President.* ~~original request of September 14, 2004 and expenses identified as a result of subsequent storms, requested on September 27, 2004.~~

Medical Administration

The conferees have provided \$1,940,000 for medical administration for expenses incurred in response to hurricane relief efforts and other expenses. The amount provided is the same as the *amount requested by the President.* ~~original request of September 14, 2004 and expenses identified as a result of subsequent storms, requested on September 27, 2004.~~

Medical Facilities

The conferees have provided \$46,909,000 for medical facilities for hurricane and tropical storm related expenses at VA facilities. The amount provided is the same as the *amount requested by the President.* ~~original request of September 14, 2004 and expenses identified as a result of subsequent storms, requested on September 27, 2004.~~

DEPARTMENTAL ADMINISTRATION

General Operating Expenses

The conferees have provided \$545,000 for general operating expenses. The amount provided is the same as requested by the President ~~on September 27, 2004.~~

National Cemetery Administration

The conferees have provided \$50,000 for the National Cemetery Administration for clean-up and repairs at national cemeteries damaged during hurricanes and related tropical storms. The amount provided is the same as requested by the President ~~on September 27, 2004.~~

Construction, Minor Projects

The conferees have provided \$36,343,000 for construction, minor projects to support repairs to ~~national cemeteries~~ ^{VA facilities} damaged during hurricanes and related tropical storms. The amount provided is ~~\$36,193,000 more than~~ ^{the same as} requested by the President ~~on September 27, 2004.~~

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

Community Development Fund

The agreement provides \$150,000,000 for disaster relief, long-term recovery, and mitigation in communities affected by disasters designated by the President ~~during fiscal year 2004.~~ ^{between August 31, 2003 and October 1, 2004}. The amount has been designated by the President as an emergency requirement.

In allocating these funds, the Department of Housing and Urban Development should work closely with the Federal Emergency Management Agency to ensure that these funds are used solely for disaster relief and are provided to areas facing the greatest need. The conferees direct HUD, prior to the allocation of funds, to provide the Committees on Appropriations with an explanation of the purpose for which funds are requested and how the activity or program was affected by the disaster. In addition, HUD is to continue to provide the Committees with quarterly reports on the use of CDBG funds provided for disaster relief.

INDEPENDENT AGENCIES

Environmental Protection Agency

Buildings and Facilities

The conferees have included \$3,000,000 for the repair of the Environmental Protection Agency's Gulf Ecology Division Facilities in Gulf Breeze, Florida.

National Aeronautics and Space Administration

Space Flight Capabilities

The conferees have provided a total of \$ ~~126~~,000,000 for repair of NASA facilities damaged during recent hurricanes and related events. The amount provided is ~~\$59,000,000 above the budget request of \$126,000,000.~~ *the same as the budget request.* The extra amount provided will allow NASA to bring various buildings at the Kennedy Space center to standards developed after Hurricane Andrew and will therefore ~~minimize damage from subsequent hurricanes or storms.~~

GENERAL PROVISION – THIS CHAPTER

(transfer of funds)

The conferees have included a general provision which provides authority for the Secretary of Veterans Affairs to transfer funds from “Medical services” to “General operating expenses” for the purpose of expediting the processing of benefits claims.

CHAPTER 12

GENERAL PROVISION – THIS ACT

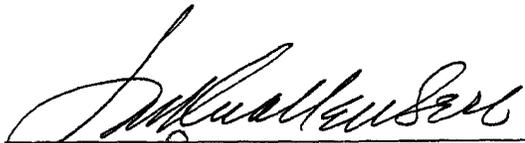
The conference agreement includes section 1201, regarding the availability of funds.

EMERGENCY DESIGNATIONS

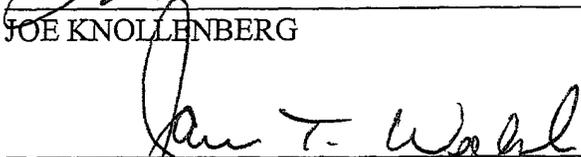
For purposes of section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108-287, funds appropriated in this ~~title~~ ^{Division} are provided in response to a situation which poses a direct threat to life and property, is sudden, is an urgent and compelling need, is unpredictable, and is not permanent in nature.

Managers on the part of the
HOUSE

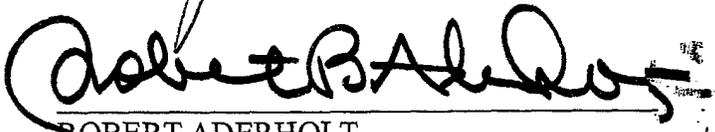
Managers on the part of the
SENATE

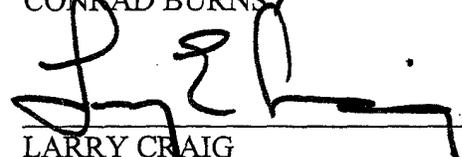

JOE KNOLLENBERG


KAY BAILEY HUTCHISON


JAMES WALSH


CONRAD BURNS


ROBERT ADERHOLT


LARRY CRAIG


KAY GRANGER


MIKE DEWINE

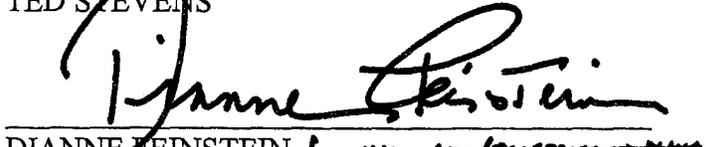

VIRGIL GOODE


SAM BROWNBACK

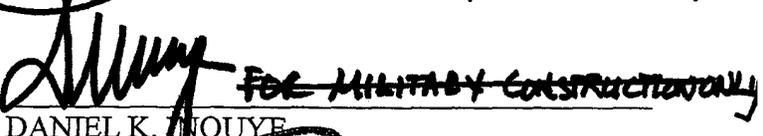

DAVID VITTER

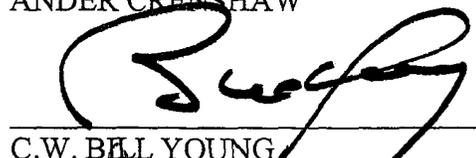

TED STEVENS

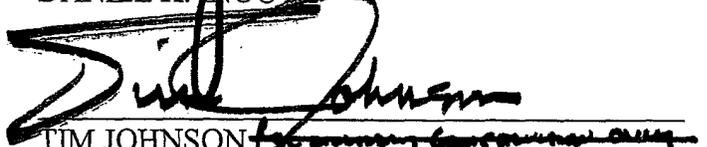

JACK KINGSTON

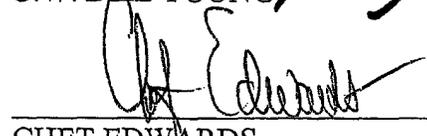

DIANNE FEINSTEIN ~~for military construction~~

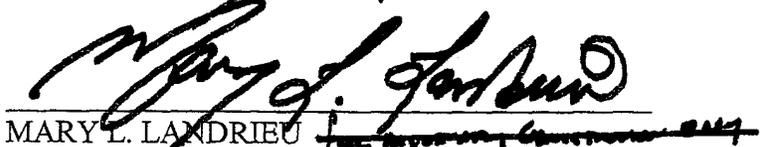

ANDER CRENSHAW

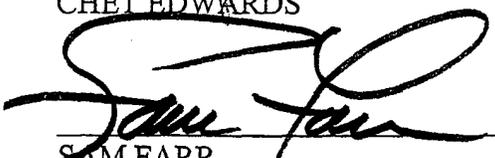

DANIEL K. ROUYE ~~FOR MILITARY CONSTRUCTION ONLY~~

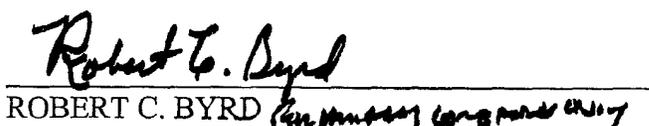

C.W. BILL YOUNG


TIM JOHNSON ~~for military construction only~~


CHET EDWARDS


MARY L. LANDRIEU ~~for military construction only~~


SAM FARR


ROBERT C. BYRD ~~for military construction only~~

Allen Boyd

ALLEN BOYD

Sanford D. Bishop, Jr.

SANFORD D. BISHOP, JR.

Norman D. Dicks

NORMAN D. DICKS

~~DAVID R. OBEY~~