

HR 2863

Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Armed Forces and National Security

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Sponsor

Name: Rep. Young, C. W. Bill [R-FL-10]

Party: Republican • **State:** FL • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Jun 10, 2005
Appropriations Committee	Senate	Markup by	Sep 26, 2005

Subjects & Policy Tags

No subjects or policy tags are listed for this bill.

Related Bills

Bill	Relationship	Last Action
109 SCONRES 74	Related bill	Dec 22, 2005: Message on Senate action sent to the House.
109 HRES 639	Procedurally related	Dec 19, 2005: Motion to reconsider laid on the table Agreed to without objection.
109 HRES 315	Procedurally related	Jun 16, 2005: Motion to reconsider laid on the table Agreed to without objection.

Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 - **Division A: Department of Defense Appropriations Act, 2006** - Department of Defense Appropriations Act, 2006 - **Title I: Military Personnel** - Appropriates funds for FY2006 for active-duty and reserve personnel in the Army, Navy, Marine Corps, and Air Force, and for National Guard personnel in the Army and Air Force.

Title II: Operation and Maintenance - Appropriates funds for FY2006 for operation and maintenance (O&M) for the Army, Navy, Marine Corps, and Air Force, the defense agencies, the reserve components, and the Army and Air National Guard. Appropriates funds for: (1) the United States Court of Appeals for the Armed Forces; (2) environmental restoration for the Army, Navy, Air Force, defense-wide, and at formerly used defense sites; (3) overseas humanitarian, disaster, and civic aid; and (4) former Soviet Union threat reduction.

Title III: Procurement - Appropriates funds for FY2006 for procurement by the Armed Forces of aircraft, missiles, weapons, tracked combat vehicles, ammunition, shipbuilding and conversion, and other procurement. Appropriates funds for: (1) defense-wide procurement; (2) National Guard and reserve equipment; and (3) certain procurements under the Defense Production Act of 1950.

Title IV: Research, Development, Test and Evaluation - Appropriates funds for FY2006 for research, development, test and evaluation (RDT&E) by the Armed Forces and defense agencies. Appropriates funds for the Director of Operational Test and Evaluation.

Title V: Revolving and Management Funds - Appropriates funds for the Defense Working Capital funds and programs under the National Defense Sealift Fund.

Title VI: Other Department of Defense Programs - Appropriates funds for: (1) the Defense Health Program; (2) the destruction of lethal chemical agents and munitions; (3) drug interdiction and counter-drug activities, defense; and (4) the Office of the Inspector General.

Title VII: Related Agencies - Appropriates funds for: (1) the Central Intelligence Agency Retirement and Disability System Fund; and (2) the Intelligence Community Management Account.

Title VIII: General Provisions - Specifies authorized, restricted, and prohibited uses of appropriated funds.

(Sec. 8008) Authorizes procurement funds to be used for a multiyear procurement contract for: (1) UH-60/MH-60 helicopters; (2) the C-17 Globemaster; (3) Apache Block II conversion; and (4) the modernized target acquisition designation sight/pilot night vision sensor.

(Sec. 8010) Prohibits, during FY2006, the management by end strengths of Department of Defense (DOD) civilian personnel.

(Sec. 8011) Prohibits the use of funds from this or any other Act to initiate a new installation overseas without a 30-day advance notification to the congressional appropriations committees.

(Sec. 8024) Authorizes DOD to incur obligations of up to \$350 million for DOD military compensation, military construction projects, and supplies and services in anticipation of receipts of contributions from the government of Kuwait.

(Sec. 8026) Prohibits the use of funds from this Act to establish a new federally funded research and development center (FFRDC). Limits federal compensation paid to FFRDC members or consultants. Prohibits the use of FY2006 funds for new building construction, cost-sharing payments for projects funded by government grants, absorption of cost overruns, or certain charitable contributions. Limits the staff years of technical effort that may be funded for FFRDCs from FY2006 funds. Reduces by \$46 million the total amount appropriated in this Act for FFRDCs.

(Sec. 8027) Provides Buy American requirements with respect to the DOD procurement of carbon, alloy, or armor steel plating.

(Sec. 8030) Requires the Secretary of Defense (Secretary) to report to Congress on the amount of DOD purchases from foreign entities in FY2006.

(Sec. 8032) Directs the Secretary to include within each fiscal year budget the amounts requested for administrative activities of DOD, the military departments, and the defense agencies.

(Sec. 8035) Authorizes the Secretary of the Air Force to convey to Indian tribes located in North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units currently located at Grand Forks and Minot Air Force Bases that are excess to the needs of the Air Force. Requires the Operation Walking Shield Program to resolve any housing unit conflicts arising after such conveyance.

(Sec. 8040) Earmarks funds appropriated under this Act for the mitigation of adverse environmental impacts in Indian lands resulting from DOD activities.

(Sec. 8041) Prohibits the use of funds: (1) by a DOD entity without compliance with the Buy American Act; (2) to establish additional field operating agencies of DOD elements, except for those funded within the National Foreign Intelligence Program and certain Army field operating agencies; (3) for assistance to the Democratic People's Republic of North Korea, unless specifically appropriated for such purpose; and (4) to reduce civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level.

(Sec. 8045) Rescinds specified funds from various accounts under prior defense appropriations Acts.

(Sec. 8052) Prohibits the transfer to any other department or agency, except as specifically provided in an appropriations law, of funds available to DOD or the Central Intelligence Agency (CIA) for drug interdiction or counter-drug activities.

(Sec. 8053) Earmarks specified Army O&M funds for soliciting donations to support construction and operation of the National Museum of the United States Army at Fort Belvoir, Virginia.

(Sec. 8059) Prohibits current fiscal year DOD funds from being obligated or expended to transfer to another nation or international organization defense articles or services for use in any United Nations (UN) peacekeeping or peace enforcement operation, or for any other international peacekeeping, peace enforcement, or humanitarian assistance operation, unless specified congressional committees are notified 15 days in advance of such transfer.

(Sec. 8067) Prohibits the use of this Act's funds to approve or license the sale of the F/A-22 advanced tactical fighter to any foreign government.

(Sec. 8068) Authorizes the Secretary, on a case-by-case basis, to waive limitations on the procurement of defense items from a foreign country if: (1) the Secretary determines that such limitations would invalidate cooperative or reciprocal trade agreements for the procurement of defense items; and (2) such country does not discriminate against the same or

similar defense items procured in the United States for that country. Provides exceptions.

(Sec. 8069) Prohibits the use of appropriated funds to support a unit of the security forces of a foreign country if credible information exists that such unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken. Requires the monitoring of such information. Authorizes the Secretary to waive such prohibition under extraordinary circumstances (requiring a report to the defense committees on any such waiver).

(Sec. 8075) Prohibits appropriated funds from being used for a mission critical or mission essential financial management information technology system that is not registered with the DOD Chief Information Officer. Prohibits such a system from receiving a Milestone A or B approval, or full rate production approval, until the Chief Information Officer certifies to the defense committees that the system is being developed in accordance with the Clinger-Cohen Act of 1996.

(Sec. 8078) Prohibits appropriated funds from being used to transfer to any nongovernmental entity specified armor-piercing ammunition, except to an entity performing demilitarization services for DOD.

(Sec. 8079) Authorizes the Chief of the National Guard Bureau to waive payment for the lease of non-excess DOD personal property to certain youth, social, or fraternal nonprofit organizations.

(Sec. 8084) Authorizes appropriations to DOD for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(Sec. 8085) Authorizes the Secretary to carry out a program to distribute surplus DOD dental and medical equipment to Indian Health Service facilities and federally-qualified health centers.

(Sec. 8086) Reduces by: (1) \$265.00 million the total amount of O&M funds appropriated in this Act, to reflect savings attributable to efficiencies and management improvements in the funding of miscellaneous or other contracts in the military departments; and (2) \$100 million the total amount appropriated in this Act, to limit excessive growth in the procurement of advisory and assistance services.

(Sec. 8088) Earmarks specified RDT&E funds for producing Arrow missile components in the United States and Arrow missile components and missiles in Israel to meet Israel's defense requirements.

(Sec. 8089) Makes Navy shipbuilding and conversion funds available to fund prior-year shipbuilding cost increases, allocating such funds among specified naval accounts.

(Sec. 8090) Authorizes the Secretary of the Navy to settle any and all admiralty claims arising out of the collision involving the U.S.S. GREENEVILLE and the EHIME MARU.

(Sec. 8094) Reduces the total amount appropriated in this Act for O&M by \$250 million, to reflect cash balance and rate stabilization adjustments in DOD Working Capital funds.

(Sec. 8095) Appropriates funds to DOD for a grant to the nonprofit Center for Military Recruitment, Assessment and Veterans Employment.

(Sec. 8096) Directs: (1) DOD and the Army to make future budgetary and programming plans to fully finance the Non-Line of Sight Objective Force cannon and resupply vehicle program in order to field such system in FY2010; and (2) the Army to ensure that budgetary and programmatic plans will provide for no fewer than seven Stryker Brigade Combat Teams.

(Sec. 8098) Appropriates funds to DOD for 21 specified grants by the Secretary.

(Sec. 8100) Requires the FY2007 defense budget to include separate budget justification documents for costs of U.S. Armed Forces' participation in contingency operations for the military personnel, O&M, and procurement accounts.

(Sec. 8101) Prohibits funds from being used for RDT&E, procurement, or deployment of nuclear armed interceptors of a missile defense system.

(Sec. 8102) Earmarks O&M funds for the Regional Defense Counter-terrorism Fellowship Program.

(Sec. 8104) Prohibits the availability of funds from this Act for integration of foreign intelligence information unless such information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities.

(Sec. 8106) Prohibits DOD funds from being obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet. Requires command and control relationships which existed on October 1, 2004, to remain in force unless changes are specifically authorized in a subsequent Act.

(Sec. 8107) Requires Ready Reserve members who are called or ordered to active duty in time of national emergency to be notified in writing of their expected mobilization period at the time they are called or ordered. Allows the Secretary to waive such requirement in order to respond to a national security emergency or to meet dire operational requirements.

(Sec. 8109) Reduces the total amount appropriated in this Act for: (1) O&M, by \$92 million, to limit excessive growth in the travel and transportation of persons; and (2) Army and Marine Corps procurement, by \$361 million.

(Sec. 8110) Appropriates funds to provide assistance to public schools that have unusually high concentrations of special needs military dependents enrolled, with special consideration with respect to overseas assignments.

(Sec. 8112) Authorizes the Secretary, during FY2007-FY2008, to transfer up to \$20 million of unobligated balances in expiring Army RDT&E accounts to a current Army RDT&E appropriation account, to be used only for the continuation of the Army Venture Capital Fund demonstration.

(Sec. 8113) Earmarks specified appropriated funds to maintain an attrition reserve force of 18 B-52 aircraft. Directs the Secretary of the Air Force to maintain a total B-52 force of 94, including the 18 reserve, during FY2006.

(Sec. 8114) Authorizes the use of Air Force O&M funds to complete a phased repair project to the infrastructure of the operational ranges managed by the Air Force in Alaska.

(Sec. 8116) Directs the Secretary to make specified transfers between naval shipbuilding and conversion accounts.

(Sec. 8117) Expresses the sense of the Senate that: (1) any request for funds for a fiscal year after FY2006 for an ongoing military operation overseas, including operations in Afghanistan and Iraq, should be included in the annual budget of the President submitted to Congress; (2) the President should submit a budget request for FY2006 setting forth estimates for FY2006 ongoing military operations overseas; and (3) any funds provided for a fiscal year for ongoing military operations should be provided in appropriations Acts through appropriations to specific accounts.

(Sec. 8118) Amends the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 to extend through April 1, 2006, the period for DOD reimbursement to a member of the Armed Forces for the cost of any protective, safety, or health equipment purchased in anticipation of, or during deployment in connection with, Operations Noble Eagle,

Enduring Freedom, or Iraqi Freedom.

(Sec. 8119) Prohibits transfer from the Army of program authority over current tactical unmanned aerial vehicles.

(Sec. 8120) Directs the Secretary to report to the defense committees on the status of review and implementation of certain recommendations of the Comptroller General concerning transition assistance for members of the reserves and National Guard.

(Sec. 8121) Authorizes the Secretary of the Navy to donate the World War II-era marine railway located at the U.S. Naval Academy in Annapolis, Maryland, to the Richardson Maritime Heritage Center in Cambridge, Maryland.

(Sec. 8122) Authorizes the Secretary to present promotional materials, including a U.S. flag, to any member who participates in Operations Enduring Freedom or Iraqi Freedom in conjunction with any week-long national observation and day of national celebration.

(Sec. 8124) Amends the National Defense Authorization Act for Fiscal Year 2004 to increase the pay scale for the position of Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff. Increases the personal money allowance with respect to such position.

(Sec. 8125) Reduces by specified amounts the total amount appropriated in titles II, III, and IV, to reflect savings from revised economic assumptions.

(Sec. 8126) Support Our Scouts Act of 2005 - Prohibits any federal law from being construed to limit any federal agency from providing any form of support for a youth organization (including the Boy Scouts of America (Boy Scouts) or any group officially affiliated with the Boy Scouts) that would result in that federal agency providing less support to that youth organization (or any similar organization chartered under federal law relating to that youth organization) than was provided during the preceding fiscal year.

Directs the Secretary to provide at least the same level of support for a national or world Boy Scout Jamboree as was provided for the preceding national or world Jamboree (with an authorized waiver for national security purposes).

Amends the Housing and Community Development Act of 1974 to prohibit any state or unit of general local government that has a designated open forum, limited public forum, or nonpublic forum and that is a recipient of assistance under such Act from denying equal access or a fair opportunity to meet to, or discriminate against, any youth organization, including the Boy Scouts or any group officially affiliated with the Boy Scouts, that wishes to conduct a meeting or otherwise participate in any of such forums.

(Sec. 8127) Directs the Secretary to prescribe regulations under which certain service members (and their families) who incurred an injury or illness while on active duty after September 11, 2001, may accept gifts from nonprofit organizations, private parties, and other sources outside of DOD (other than foreign governments and their agents).

(Sec. 8129) Directs the present incumbent Attending Physician at the U.S. Capitol to continue on active duty until ten years after the enactment of this Act.

Title IX: Additional Appropriations - Appropriates additional funds, to be designated for contingency operations related to the global war on terrorism, to DOD for: (1) military personnel; (2) O&M; (3) the Iraq Freedom Fund; (4) procurement, including National Guard and Reserve equipment; (5) RDT&E for the Army, Air Force, and defense-wide; (6) Defense Working Capital funds; and (7) drug interdiction and counter-drug activities, defense.

(Sec. 9003) Authorizes the Secretary, in the national interest, to transfer between appropriations up to \$2.5 billion of the funds made available to DOD in this title. Requires congressional notification of each transfer.

(Sec. 9006) Authorizes the Secretary to use, from O&M funds appropriated in this title, up to \$500 million for each of the following purposes: (1) to train, equip, and provide related assistance to the military or security forces of Iraq and Afghanistan to enhance their capability to combat terrorism and to support U.S. military operations in Iraq and Afghanistan; and (2) fund the Commander's Response Program (urgent humanitarian relief and reconstruction in Iraq and Afghanistan).

(Sec. 9008) Authorizes amounts provided in this title for operations in Iraq and Afghanistan to be used for the purchase of up to 20 heavy and light armored vehicles for force protection purposes, notwithstanding price or other limitations.

(Sec. 9009) Allows O&M funds appropriated in this title to be used to provide supplies, services, transportation, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan.

(Sec. 9010) Requires quarterly reports from the Secretary to Congress, through FY 2006, containing performance indicators and measures for progress toward military and political stability in Iraq.

(Sec. 9012) States that amounts appropriated or otherwise made available in this title are designated as making appropriations for contingency operations related to the global war on terrorism.

Title X: Matters Relating to Detainees - Detainee Treatment Act of 2005 - (Sec. 1002) Prohibits any person in the custody or effective control of DOD, or under detention in a DOD facility, from being subject to any treatment or technique of interrogation not authorized and listed in the U.S. Army Field Manual on Intelligence Interrogation.

(Sec. 1003) Prohibits any individual in the custody or physical control of the U.S. government, regardless of nationality or physical location, from being subject to cruel, inhuman, or degrading treatment or punishment.

(Sec. 1004) Provides as a defense in any civil action or criminal prosecution against an officer, employee, member of the Armed Forces, or other agent of the United States who is a U.S. person (officer or employee) arising out of the officer's or employee's engaging in specific operational practices that involve the detention and interrogation of aliens determined by the President to be engaged in or associated with international terrorist activity that poses a serious, continuing threat to the United States, and that were officially authorized and determined to be lawful at the time they were conducted, that the officer or employee did not know that the practices were unlawful and a person of ordinary sense and understanding would not know that the practices were unlawful. Requires good faith reliance on advice of counsel to be an important factor in assessing whether a person of ordinary sense and understanding would have known the practices to be unlawful.

(Sec. 1005) Directs the Secretary to submit to the defense and judiciary committees a report setting forth the procedures: (1) of the DOD Combatant Status Review Tribunals and Administrative Review Boards in operation at Guantanamo Bay, Cuba, for determining the status of detainees held there or to provide an annual review to determine the need to continue to detain an alien who is a detainee; and (2) in operation in Afghanistan and Iraq for a determination of the status of aliens detained in the custody or control of DOD in those countries. Requires such procedures to: (1) provide for periodic review of any new evidence relating to the enemy combatant status of a detainee; and (2) assess whether any statement from a detainee was obtained as a result of coercion and the probative value of such a statement. Requires an annual report from the Secretary to Congress on the annual review process for aliens in the custody of DOD outside the United States. Gives the U.S. Court of Appeals for the District of Columbia exclusive jurisdiction to determine the validity of any

final decision of a Combatant Status Review Tribunal that an alien is properly detained as an enemy combatant. Outlines provisions concerning claim limitations, scope of review, and the review of final decisions of military commissions.

(Sec. 1006) Directs the Secretary to require that all U.S. military, civilian, and contractor personnel, as well as Iraqi military forces trained by DOD, receive training regarding the international obligations and laws applicable to the humane detention of detainees, including protections afforded under the Geneva Conventions and the Convention Against Torture. Requires the U.S. Army Field Manual on Intelligence Interrogation to be translated into Arabic and any other appropriate language for use by members of the Iraqi military forces.

Division B: Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 - Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 - Appropriates funds for FY2006 to address hurricanes in the Gulf of Mexico and pandemic influenza.

Title I: Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico - Chapter I: Department of Agriculture - Appropriates funds for the following Department of Agriculture programs and services: (1) executive operations; (2) working capital fund; (3) agricultural buildings and facilities; (4) Rural Community Advancement Program; (5) Rural Housing Insurance Fund Program Account; (6) rural housing assistance grants; (7) Rural Electrification and Telecommunications Loans Program Account; and (8) Food and Nutrition Service Commodity Assistance Program.

General Provisions: This Chapter - (Sec. 101) Appropriates funds, to remain available until expended, to provide assistance under the emergency conservation program for expenses resulting from hurricanes that occurred during the 2005 calendar year (2005 hurricanes).

Requires the Secretary of Agriculture (Secretary in this chapter) to make payments to nursery, oyster, and poultry producers to pay up to 90% of the cost of emergency measures to rehabilitate public and private oyster reefs or farmland damaged by 2005 hurricanes.

Prohibits the Secretary from using more than \$20 million of funds made available under this section to provide poultry recovery assistance to poultry growers who suffered uninsured losses to poultry houses in counties affected by 2005 hurricanes. Limits the amount of the assistance to the lesser of: (1) 50% of the total costs associated with the reconstruction or repair of a poultry house; or (2) \$50,000 for each poultry house.

Prescribes eligibility requirements for a private nonindustrial forest landowner to receive payments under this section.

Requires the Secretary to make payments to private nonindustrial forest landowners to pay up to \$150 per acre for up to 75% of the cost of reforestation, rehabilitation, and related measures.

Provides that noncompliance with eligibility requirements for the erodible land and wetland conservation and reserve program under the Food Security Act of 1985 shall not prevent an agricultural producer from receiving such assistance.

(Sec. 102) Appropriates funds, to remain available until expended, to provide assistance under the emergency watershed protection program to repair damages resulting from 2005 hurricanes.

Requires the Secretary to make payments to landowners and land users to pay for up to 75% of the cost resulting from damage caused by 2005 hurricanes or a related condition.

Authorizes the Secretary, acting through the Natural Resources Conservation Service, to provide financial and technical

assistance to remove and dispose of debris and animal carcasses that could adversely affect health and safety on nonfederal land in a hurricane-affected county.

Designates the amount provided under this section as an emergency requirement pursuant to H.Con.Res. 95, 109th Congress (FY2006 congressional budget).

(Sec. 103) Authorizes the use of funds appropriated under this Act to the Secretary to reimburse accounts of the Secretary that have been used to pay costs incurred to respond to damage caused by 2005 hurricanes if those costs could have been paid with such appropriated funds if such costs had arisen after the enactment of this Act.

(Sec. 104) Permits the transfer of funds provided for such hurricanes under the headings "Rural Housing Insurance Fund" and "Rural Housing Assistance Grants" between such accounts at the Secretary's discretion.

(Sec. 105) Authorizes the Secretary, with respect to the counties affected by such hurricanes and for any individuals who resided in such counties at the time of the disaster, for a six-month period that begins upon the enactment of this Act, to: (1) convert into rural housing vouchers any rental assistance under the Housing Act of 1949 allocated for a property that is not decent, safe, and sanitary because of the disaster; (2) guarantee loans under such Act to repair and rehabilitate single-family residences and refinance any loan made to a single-family resident used to acquire or construct the single-family residence, if such residence meets the Act's requirements; (3) waive the application of the rural area or similar limitations under any program funded through an appropriations Act and administered by the Rural Development Mission Area; (4) issue housing vouchers (except that the Secretary may assist low-income families and persons whose residence has become uninhabitable or inaccessible as a result of a 2005 hurricane, provided that the required use of such disaster assistance in the Act shall not apply); (5) provide loans, loan guarantees, and grants from the Renewable Energy System and Energy Efficiency Improvements Program authorized in the Farm Security and Rural Investment Act of 2002 to any rural business with a cost share requirement of up to 50%, without regard to any limitation of the grant amount, which may include businesses processing unsegregated solid waste and paper; (6) provide grants under the Value-added Agricultural Product Market Development Grant Program and Rural Cooperative Development Grant Program without regard to any grant amount limitations or matching requirements; and (7) provide grants under the Community Facilities Grant Program without regard to any graduated funding requirements, grant amount limitations, or matching requirements.

Designates the amount provided under this section as an emergency requirement pursuant to the FY2006 congressional budget.

(Sec. 106) Makes a technical amendment to the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2006 (Public Law 109-97) with respect to the \$12 million limitation on the expenditure for personnel salaries and expenses of certain funds initially made available for FY2006 by the Biomass Research and Development Act of 2000.

(Sec. 107) Amends the Food Security Act of 1985 to require the Secretary, during calendar year 2006, to carry out an emergency pilot forestry conservation reserve program in states that have suffered damage to merchantable timber in counties affected by 2005 hurricanes.

Authorizes an owner or operator to enroll in such program private nonindustrial forest land experiencing a loss of 35% or more of merchantable timber in a county, subject to certain eligibility requirements.

Authorizes contracts of up to 10 years duration between the Secretary and the owner or operator of private nonindustrial

forest land under which, in return for annual payments, the owner or operator shall: (1) restore the land to the way it existed before hurricane damages, or to the maximum extent practicable with other native species; and (2) establish temporary vegetative cover to prevent soil erosion.

Requires the Secretary to use \$404.1 million, to remain available until expended, of funds of the Commodity Credit Corporation (CCC) to carry out the program.

Designates the amount provided under this section as an emergency requirement pursuant to the FY2006 congressional budget.

Chapter 2: Department of Defense - Appropriates funds for DOD for active duty and reserve personnel in the Army, Navy, Marine Corps, and Air Force and for National Guard personnel in the Army and Air Force.

Appropriates funds for operation and maintenance of the Army, Navy, Marine Corps, Air Force, defense-wide, Army Reserve, Navy Reserve, Marine Corps Reserve, Air Force Reserve, Army National Guard, and Air National Guard.

Appropriates funds for procurement by the Armed Forces of weapons, tracked combat vehicles, ammunition, aircraft, shipbuilding and for other procurement. Authorizes funds for: (1) defense-wide procurement; and (2) National Guard and reserve equipment.

Appropriates funds for: (1) research, development, test, and evaluation by the Navy, Air Force, and defense-wide; (2) Defense Working Capital Funds; (3) Surcharge Collections, Sales of Commissary Stores, Defense; (4) the Defense Health Program; and (5) the Office of the Inspector General.

General Provisions: This Chapter - (Sec. 201) Authorizes the Secretary of Defense (Secretary under this chapter) to transfer funds made available to DOD in this chapter between such appropriations, under specified conditions.

Designates the amount provided under this section as an emergency requirement pursuant to the FY2006 congressional budget.

(Sec. 202) Authorizes the Secretary to permit a member of the Armed Forces on active duty who performed duties in support of disaster relief operations in connection with 2005 hurricanes in the Gulf of Mexico, and who would otherwise lose any accumulated leave in excess of 60 days at the end of FY2005, to retain an accumulated leave total up to 120 days. Declares lost any leave in excess of 60 days accumulated under this section unless used by the member before FY2008.

(Sec. 203) Authorizes the Secretary to prescribe a temporary adjustment in the geographic location rates of the basic allowance for housing in a military housing area located within a 2005 hurricane major disaster area in the Gulf of Mexico.

Prohibits such adjustments after September 30, 2006, or any extension of assistance to individual households beyond January 1, 2007.

(Sec. 204) Authorizes the obligation or expenditure of appropriations under this chapter notwithstanding the National Security Act of 1947. (Thus permits the obligation or expenditure of appropriations available to a congressional intelligence committee for an intelligence or intelligence-related activity even though the use of such funds for such activities was not specifically authorized by Congress.)

(Sec. 205) Reduces the total amount appropriated or otherwise made available in this chapter by \$737.89 million, except

with respect to the Defense Health Program account.

Chapter 3: Department of Defense - Civil - Appropriates funds for: (1) investigations; (2) construction; (3) Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee; (4) operation and maintenance; (5) Flood Control and Coastal Emergencies; and (6) general expenses.

Chapter 4: Department of Homeland Security - Appropriates funds for: (1) customs and border protection; (2) Immigration and Customs Enforcement; (3) the U.S. Coast Guard; (4) the U.S. Secret Service; (5) the Office for Domestic Preparedness; (6) the Federal Emergency Management Agency (FEMA); and (7) the Disaster Assistance Direct Loan Program Account.

General Provision: This Chapter - (Sec. 401) Authorizes the Secretary of the Department of Homeland Security to permit a member on active duty who performed duties in support of Hurricanes Katrina or Rita disaster relief operations and would otherwise lose any accumulated leave in excess of 60 days at the end of FY2005, to retain an accumulated leave total up to 120 days. Declares lost any leave in excess of 60 days accumulated under this section unless used by the member before FY2008.

Chapter 5: Department of the Interior - Appropriates funds to the Department of the Interior for: (1) the U.S. Fish and Wildlife Service and the National Park Service for construction; (2) the U.S. Geological Survey for surveys, investigations, and research; (3) the Minerals Management Service for royalty and offshore minerals management; and (4) the Environmental Protection Agency (EPA) for the Leaking Underground Storage Tank Program.

Appropriates funds to the Department of Agriculture's Forest Service for: (1) state and private forestry; (2) the National Forest System; and (3) capital improvement and maintenance.

Chapter 6: Department of Labor - Appropriates funds to the Department of Labor for the Employment and Training Administration for training and employment services, and for state unemployment insurance and employment service operations.

Appropriates funds to: (1) the Department of Health and Human Services for the Administration for Children and Families for Social Services Block Grant and for Children and Families Services Programs; and (2) the Department of Education.

Chapter 7: Department of Defense - Appropriates funds to the Department of Defense for: (1) military construction in the Navy, Marine Corps, Air Force, defense-wide, Army National Guard, Air National Guard, and Naval Reserve; (2) family housing construction in the Navy, Marine Corps, and Air Force; and (3) family operation and maintenance in the Navy, Marine Corps, and Air Force.

Appropriates funds to the Department of Veterans Affairs for: (1) the Veterans Health Administration for medical services; (2) general operating expenses; (3) the National Cemetery Administration; (4) construction, major and minor projects; (5) the Armed Forces Retirement Home.

General Provisions: This Chapter - (Sec. 701) Waives the limitation on federal contributions to a state for an armory or readiness center with respect to projects appropriated in this chapter.

(Sec. 702) Declares that, for any real property expressly granted to the United States since January 1, 1980, for use as or in connection with a Navy homeport subject to a reversionary interest retained by the grantor, and serving as the site of or being used by a naval station subsequently closed or realigned pursuant to the Defense Base Closure and Realignment Act of 1990, as amended, the right of the United States to any consideration or repayment for the fair

market value of the real property as improved shall be released, relinquished, waived, or otherwise permanently extinguished.

(Sec. 703) Authorizes the Secretary of Veterans Affairs (Secretary in this section through section 706) to make a grant to a veteran whose home was previously adapted under a grant for specially adapted housing for disabled veterans, in the event the adapted home was destroyed or substantially damaged in the 2005 hurricane disaster area in the Gulf of Mexico. Makes such grant available to acquire: (1) a suitable housing unit with special fixtures or movable facilities made necessary by the veteran's disability; and (2) necessary land.

(Sec. 704) Authorizes the Secretary to extend the payment of subsistence allowance for up to an additional two months while a veteran, displaced from the disaster area as a result of the 2005 hurricanes, is satisfactorily following a program of employment services, in any case where the veteran has received a grant for specially adapted housing for disabled veterans.

(Sec. 705) Makes the annual limitation on the number of veterans participating in programs of independent living services and assistance inapplicable in any case where certain veterans with a serious employment handicap resulting in substantial part from a service-connected disability have been displaced or otherwise adversely affected in the 2005 hurricane disaster areas in the Gulf of Mexico.

(Sec. 706) Authorizes the Secretary to provide or assist in providing an eligible disabled veteran or Armed Forces member with a second automobile or other conveyance if: (1) the Secretary receives satisfactory evidence that the automobile or other conveyance previously purchased with certain federal assistance was destroyed as a result of the 2005 hurricanes in the Gulf of Mexico, and through no fault of the eligible person; and (2) that person does not otherwise receive from a property insurer compensation for the loss.

Terminates the Secretary's authority under sections 703 through 705 at the end of FY2006.

Designates the amount provided under this section as an emergency requirement pursuant to the FY2006 congressional budget.

Chapter 8: Department of Justice Legal Activities - Appropriates funds to the Department of Justice for: (1) salaries and expenses of U.S. Attorneys, the U.S. Marshals Service, the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATFE); (2) the federal prison system for buildings and facilities; and (3) the Office of Justice Programs for state and local law enforcement assistance.

Appropriates funds to: (1) the Department of Commerce for the National Oceanic and Atmospheric Administration (NOAA) for operations, research, and facilities and for procurement, acquisition and construction; (2) the National Aeronautics and Space Administration (NASA) for exploration capabilities; and (3) the Small Business Administration (SBA) for the Office of Inspector General and the Disaster Loans Program Account.

General Provisions: This Chapter - (Sec. 801) Makes funds available out of the unobligated balances available under "National Institute of Standards and Technology, Industrial Technology Services" for the Hollings Manufacturing Extension Partnership Program, to assist manufacturers recovering from the 2005 hurricanes in the Gulf of Mexico.

(Sec. 802) Requires the Attorney General to transfer to the "Narrowband Communications/Integrated Wireless Network" account all funds made available in this Act for the purchase of portable and mobile radios and related infrastructure.

Chapter 9: Department of Transportation - Appropriates funds to the Department of Transportation for: (1) the Federal Aviation Administration (FAA) for facilities and equipment; (2) the Federal Highway Administration for the Emergency Relief program; and (3) the Maritime Administration for operations and expenses.

Appropriates funds to: (1) the Department of Housing and Urban Development for public and Indian housing for tenant-based rental assistance and for community planning and development for the Community Development Fund; (2) the Judiciary for salaries and expenses of courts of appeals, district courts, and other judicial services; and (3) the General Services Administration (GSA) for the federal buildings fund.

Designates the amount provided under this section as an emergency requirement pursuant to the FY2006 congressional budget.

Administrative Provisions - (Sec. 901) Authorizes the Secretary of Housing and Urban Development for calendar year 2006, in order to assist public housing agencies located within the most heavily impacted 2005 hurricane disaster areas of Louisiana and Mississippi, to permit a public housing agency to combine assistance (the Capital Fund, the Operating Fund, and the tenant-based assistance (voucher program)) provided under the United States Housing Act of 1937 to facilitate the prompt, flexible, and efficient use of funds to assist families who were receiving housing assistance immediately before the hurricanes and were displaced from their housing by them.

(Sec. 902) Requires the Secretary to preserve to the extent feasible all housing within the major 2005 hurricane disaster area that received project-based assistance under the United States Housing Act of 1937, the Cranston-Gonzalez National Affordable Housing Act, the AIDS Housing Opportunity Act, or the Stewart B. McKinney Homeless Assistance Act.

Title II: Emergency Supplemental Appropriations to Address Pandemic Influenza - Chapter 1: Department of Agriculture - Appropriates funds to the Department of Agriculture for: (1) the Office of the Secretary; (2) the agricultural research service; (3) the cooperative state research, education, and extension service; and (4) the animal and plant health inspection service.

Appropriates funds to the Department of Health and Human Services for the Food and Drug Administration (FDA).

Chapter 2: Department of Defense - Appropriates funds to DOD for operation and maintenance defense-wide, and for defense health programs.

Chapter 3: Bilateral Economic Assistance - Appropriates funds for the United States Agency for International Development (USAID) for the Child Survival and Health Programs Fund and for international disaster and famine assistance.

General Provisions: This Chapter - (Sec. 2301) Requires the Administrator of USAID to report to the Appropriations Committees on all projects funded from amounts appropriated by this Act that are administered by that agency, including the: (1) program objectives for each such project; (2) approximate timeline for achieving each of those objectives; (3) amounts obligated and expended for each project; and (4) the current status of program performance with reference to identified program objectives and the timeline for achieving those objectives.

Chapter 4: Department of Homeland Security - Appropriates funds to the Department of Homeland Security for the Office of the Secretary and Executive Management.

Chapter 5: Department of the Interior - Appropriates funds to the Department of the Interior for: (1) the U.S. Fish and

Wildlife Service for resource management; (2) the National Park Service (NPS) for operation of the National Park System; and (3) the U.S. Geological Survey for surveys, investigations, and research.

Chapter 6: Department of Health and Human Services - Appropriates funds to the Department of Health and Human Services for the Office of the Secretary for the Public Health and Social Services Emergency Fund.

Chapter 7: Department of Veterans Affairs - Appropriates funds to the Veterans Health Administration (VHA) for medical services.

Chapter 8: Department of State and Related Agency - Appropriates funds to the Department of State for diplomatic and consular programs and for emergencies in the diplomatic and consular service.

Title III: Rescissions and Offsets - Chapter 1: Department of Agriculture - Rescinds certain unobligated balances available to the Department of Agriculture for: (1) the Natural Resources Conservation Service (Conservation Operations); (2) the Rural Utilities Service (Distance Learning, Telemedicine, and Broadband Program); (3) the Food and Nutrition Service (Food Stamp Program); and (4) the Foreign Agricultural Service (Public Law 480 Title I Ocean Freight Differential Grants).

Chapter 2: Department of Defense - Rescinds certain unobligated balances available to the DOD for disposal and lease of DOD real property and for overseas military facility investment recovery.

Chapter 3: Export-Import Bank of the United States - Rescinds certain unobligated balances available to the Export-Import Bank of the United States for the subsidy appropriation.

Chapter 4: Department of Homeland Security - Rescinds certain unobligated balances available to the Department of Homeland Security for: (1) the U.S. Coast Guard (Operating Expenses); and (2) FEMA (Disaster Relief).

Chapter 5: Department of the Interior - Rescinds certain unobligated balances available to the Department of the Interior for: (1) the Bureau of Land Management (BLM) (Management of Lands and Resources); and (2) the U.S. Fish and Wildlife Service (Landowner Incentive Program and Cooperative Endangered Species Conservation Fund).

Chapter 6: Department of Commerce - Rescinds certain unobligated balances available to: (1) the Department of Commerce for the National Institute of Standards and Technology (Industrial Technology Services); and (2) the Department of State for the Administration of Foreign Affairs (Diplomatic and Consular Programs and Embassy Security, Construction, and Maintenance).

Chapter 7: Department of Transportation - Rescinds certain unobligated balances available to the Department of Transportation for: (1) the Federal Highway Administration (Federal-Aid Highways); and (2) the Federal Railroad Administration (Efficiency Incentive Grants to the National Railroad Passenger Corporation).

Chapter 8: Government-Wide Rescissions - (Sec. 3801) Makes 1% across-the-board rescissions in budget authority for discretionary spending, as well as contract authority, for FY2006.

Exempts discretionary: (1) budget authority designated as an emergency requirement pursuant to the FY2006 congressional budget; and (2) authority appropriated or otherwise made available to the Department of Veterans Affairs.

Title IV: Hurricane Education Recovery Act - Provides regulatory and financial relief for educational institutions and students affected by Hurricane Katrina or Hurricane Rita (a Gulf hurricane disaster). Includes such relief for elementary,

secondary, and higher education, as well as for programs of special education for children with disabilities, Head Start, and child care and development services.

Subtitle A: Elementary and Secondary Education Hurricane Relief - (Sec. 102) Authorizes the Secretary of Education (the Secretary for purposes of this title) to make payments to state educational agencies (SEAs) in Alabama, Louisiana, Mississippi, and Texas to provide immediate services or assistance in restarting school operations to local educational agencies (LEAs) and nonpublic schools that serve a major disaster area related to a Gulf hurricane disaster (hurricane-disaster areas).

Sec. 103) Gives LEAs serving affected disaster areas special hold-harmless provisions for funding under the Elementary and Secondary Education Act of 1965 (ESEA).

(Sec. 104) Provides reciprocity for affected teachers and paraprofessionals with respect to standards of other states. Authorizes the Secretary to delay, for up to one year, certain teacher personnel standards requirements for Alabama, Louisiana, Mississippi, and Texas under ESEA and the Individuals with Disabilities Education Act (IDEA).

(Sec. 105) Authorizes the Secretary to waive or modify, for any grant or other assistance in FY2006, certain requirements relating to maintenance of effort, supplementary use of funds, and matching funds, in order to ease fiscal burdens on entities in states with hurricane-disaster areas.

(Sec. 106) Directs the Secretary to provide assistance, through SEAs and based on demonstrated need, to LEAs serving homeless children and youths displaced by a Gulf hurricane disaster, including identification, enrollment assistance, assessment and school placement assistance, transportation, coordination of school services, supplies, referrals for health, mental health, and other needs. Provides that certain requirements under the McKinney-Vento Homeless Assistance Act shall not apply to such assistance.

(Sec. 107) Directs the Secretary to provide temporary emergency impact aid for affected displaced students to SEAs and LEAs, including eligible BIA-funded schools.

(Sec. 109) Authorizes appropriations.

(Sec. 110) Terminates this subtitle, with a specified exception, on August 1, 2006.

Subtitle B: Higher Education Hurricane Relief - Higher Education Hurricane Relief Act of 2005 - (Sec. 202) Authorizes the Secretary to: (1) waive or modify any statutory or regulatory requirement applicable to the student financial assistance programs under title IV of the Higher Education Act of 1965 (HEA), or any student or institutional eligibility requirements in HEA, as the Secretary deems necessary in connection with a Gulf hurricane disaster; and (2) extend reporting deadlines or waive reporting requirements under specified HEA requirements for an affected institution.

(Sec. 203) Authorizes the Secretary to approve modifications to the requirements for Teacher Quality Enhancement Grants for States and Partnerships under HEA title II part A, at the request of the grantee, to assist: (1) states and LEAs to recruit and retain highly qualified teachers in a school district located in an area affected by a Gulf hurricane disaster; and (2) institutions of higher education located in such area to recruit and retain faculty necessary to prepare teachers and provide professional development.

(Sec. 204) Authorizes the Secretary to modify the required and allowable uses of funds under HEA title IV TRIO and GEAR-UP programs, HEA title III programs for Strengthening Institutions and for Strengthening Historically Black Colleges and Universities, and under any other competitive grant program, at the request of an affected institution or

other grantee, with respect to affected institutions and other grantees located in an area affected by a Gulf hurricane disaster.

(Sec. 205) Deems to be within a financial aid administrator's professional judgment adequately documented adjustments made with respect to the calculation of expected student or parent contribution for an affected student, or for a student or a parent who resides or resided, or was employed, on August 29, 2005, in an area affected by a Gulf hurricane disaster.

(Sec. 206) Directs the Secretary to make special efforts to notify affected students and their parents who qualify for means-tested federal benefit programs of their potential eligibility for a maximum Pell Grant, and to disseminate such informational materials as the Secretary deems appropriate.

(Sec. 207) Makes inapplicable to this subtitle specified regulatory requirements under HEA, the General Education Provisions Act, and federal law relating to administrative rulemaking. Directs the Secretary to make publicly available the waivers, modifications, or extensions granted under this subtitle. Provides that the Secretary is not required to exercise any waiver or modification authority under this subtitle on a case-by-case basis.

(Sec. 208) Terminates the Secretary's authority to issue waivers or modifications under this subtitle at the conclusion of the 2005-2006 academic year.

Subtitle C: Education and Related Programs Hurricane Relief - (Sec. 301) Authorizes the Secretary of Education to enter into agreements, for the 2005-2006 academic year, to extend certain deadlines under the Individuals with Disabilities Education Act (IDEA) related to providing special education and related services for children, including early intervention services for infants and toddlers, to individuals adversely affected by a Gulf hurricane disaster.

(Sec. 302) Directs the Secretary of Health and Human Services (HHS) to provide training and technical assistance, guidance, and resources to address the health and counseling needs of infants, toddlers, and young children affected by a Gulf hurricane disaster, through the Region 4 and Region 6 offices of the Administration for Children and Families, to: (1) Head Start agencies and Early Head Start entities in areas affected by a Gulf hurricane disaster; and (2) affected Head Start agencies and Early Head Start entities. Authorizes providing such training and technical assistance, guidance, and resources: (1) through other regional offices at their request; and (2) by contract or cooperative agreement with qualified national, regional, or local providers.

Authorizes certain waivers for an appropriate period up to September 30, 2006. Directs the Secretary of HHS to waive documentation requirements for individuals adversely affected by a Gulf hurricane disaster who participate in a Head Start or Early Head Start program. Authorizes waiving specified provisions of the Head Start Act for Head Start agencies located in an area affected by a Gulf hurricane disaster, and other affected Head Start agencies and Early Head Start agencies.

Authorizes waiving, for the affected states of Alabama, Florida, Louisiana, Mississippi, and Texas, and for any state serving significant numbers of individuals adversely affected by a Gulf hurricane disaster, requirements of the Child Care and Development Block Grant Act of 1990 (CCDBG) relating to: (1) federal income limitations on, and work requirements applicable to, eligibility to receive such child care services; (2) limitations on the use of certain funds; (3) preventing children designated as evacuees for receiving priority for child care services, except that children residing in a state and currently receiving services should not lose such services to accommodate evacuee children; and (4) required matching funds, including cost sharing by parents receiving child care assistance, under programs administered by the Secretary of HHS.

Authorizes the Secretary of HHS to assist states in providing training, technical assistance, and guidance to eligible child care providers to provide child care services for children and families adversely affected by a Gulf hurricane disaster. Allows such training and technical assistance to be provided through certain types of intermediary organizations.

Title V: General Provisions and Technical Corrections - (Sec. 5003) Prohibits the transfer to or from the Emergency Response Fund of funds appropriated or otherwise made available by the 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States.

(Sec. 5004) Amends the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006 to require funds appropriated to the Cooperative State Research Education and Extension Service for a veterinary medicine loan repayment program to be made available until expended.

(Sec. 5005) Amends the Energy and Water Development Appropriations Act, 2005 with respect to discretionary forgiveness of the obligation of non-Indian sponsors of the Animas-La Plata project for the specified increase, and any effects on it of inflation, in estimated total project costs occurring in 2003

(Sec. 5006) Amends the Energy and Water Development Appropriations Act, 2006 to: (1) require the deposit of certain Department of the Interior, Bureau of Reclamation water and related resources appropriations in the San Gabriel Basin Restoration Fund; (2) transfer certain funds for the Placer County, California, Sub-Regional Wastewater Treatment Project to and merger with certain other construction appropriations; (3) correct the citation to the Water Resources Development Act of 1999 with respect to an increase in the authorization of appropriations for the pilot program to provide environmental assistance to nonfederal interests in Central New Mexico; and (4) revise requirements for the comprehensive hurricane protection (study) analysis and design in South Louisiana.

(Sec. 5010) Makes certain Western Area Power Administration funds available for the operation, maintenance, and purchase, through transfer, exchange, or sale, of one helicopter for replacement only.

(Sec. 5011) Appropriates additional funds to the Department of Labor, to remain available until expended, for payment to the New York State Uninsured Employers Fund for reimbursement of claims related to the September 11, 2001, terrorist attacks and for reimbursement of claims related to the first response emergency services personnel who were injured, were disabled, or died due to such terrorist attacks.

Appropriates additional funds to the Centers for Disease Control and Prevention, to remain available until expended, for purposes related to the September 11, 2001, terrorist attacks.

(Sec. 5012) Amends the Flexibility for Displaced Workers Act (Public Law 109-72) to replace "Hurricane Katrina" with "hurricanes in the Gulf of Mexico in calendar year 2005."

(Sec. 5013) Amends the Military Quality of Life and Veterans Affairs Appropriations Act, 2006 (the Act) to provide that nothing in section 124 of such Act precludes the Secretary of a military department, after notifying the congressional defense committees and waiting 21 days, from using certain funds for the maintenance and repair of General and Flag Officer Quarters at the military service academy under the jurisdiction of that Secretary.

(Sec. 5014) Amends the same Act to allow the obligation or expenditure of funds in 2005 to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for supporting a function that has been approved for realignment to another installation, if such project will support a continuing mission or function at that installation.

Exempts military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality from the prohibitions on the use of such funds.

Requires the Secretary of Defense to notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(Sec. 5015) Reduces the amount in the same Act for "Military Construction, Army" by \$8.1 million for the Special Operations Free Fall Simulator at Yuma Proving Ground, Arizona. Increases the amount provided for such purpose by the same figure for the Upgrade Wastewater Treatment Plant at the same location.

(Sec. 5016) Changes the short title of the Act to "Military Construction, Military Quality of Life and Veterans Affairs Appropriations Act, 2006."

(Sec. 5017) Amends the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 to reduce from \$500,000 to \$250,000 the grant to Warren County, Virginia, for a community enhancement project. Awards a grant of \$250,000 to The ARC of Loudoun County for land acquisition and construction.

Amends the Consolidated Appropriations Act, 2005, the Consolidated Appropriations Act, 2004, and the Consolidated Appropriations Resolution, 2003 to require the Promesa Foundation in the Bronx, New York, to use the grant made available to the Foundation under such Acts to provide financial assistance to New York area families and organizations under a youth sports and recreational initiative (currently, community growth funding).

(Sec. 5018) Amends the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 to make a technical correction regarding earmarks under the Act for discretionary grants under the heading "State and Local Law Enforcement Assistance."

(Sec. 5019) Transfers as a direct lump-sum payment to the University of Alaska the unobligated and unexpended balances of the amount appropriated to the United States-Canada Railroad Commission by the Supplemental Appropriations Act, 2001 for the feasibility study about connecting the rail system in Alaska to the North American continental rail system.

(Sec. 5020) Amends the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 to increase the capital investment grants for the Dulles Corridor Rapid Transit Project, Virginia, the Euclid Corridor Transportation Project, Ohio, and the Schuylkill Valley Metro, Pennsylvania.

(Sec. 5021) Provides that, for purposes of compliance with the same Act's prohibition against Internal Revenue Service use of appropriations to reduce taxpayer services, such a reduction shall include, but not be limited to, any reduction in available hours of telephone taxpayer assistance on a daily, weekly and monthly basis below the levels in existence during the month of October 2005.

(Sec. 5022) Amends the statement of the managers accompanying the Consolidated Appropriations Act, 2005 to substitute Sullivan County for Putnam County, Missouri, as the location of the renewable energy and rural economic development projects for which construction funds are earmarked for the Green Hills Regional Planning Commission.

(Sec. 5023) Amends the statement of the managers accompanying the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 to revise

certain earmarks to designate: (1) Esperanza Community Housing Corporation, Los Angeles, California, for the Mercado La Paloma project in lieu of Esperanza Mercado Project, California, for the Esperanza Community Maple-Mae Project; (2) Bloomfield-Garfield Association in Pittsburgh, Pennsylvania, for acquisition and demolition in lieu of Gwen's Girls, Inc. in Pittsburgh, Pennsylvania, for construction of a residential facility; (3) Solutions Development Inc. of Holyoke, Massachusetts, for facility renovations in lieu of the City of Holyoke, Massachusetts, for renovations of a facility for Solutions Development Corporation; (4) Village of Riverdale, Illinois, for planning, design, acquisition, and demolition in lieu of the City of Harvey, Illinois, for demolition and redevelopment of property to aid the community; (5) UNC Asheville Science and Multimedia Center, City of Asheville, North Carolina, for the construction of a new science and multi-media building in lieu of the City of Asheville, North Carolina, for the renovation of the Asheville Veterans Memorial Stadium; and (6) Northfield Park District of Illinois (currently, Village of Northfield, Illinois) for construction of pedestrian and bicycle paths as well as other infrastructure improvements to the Northfield Park District.

Makes technical corrections to specifications of certain earmarked projects for the City of Shorter, Alabama, the Chicago, Illinois, Parks District, and the City of Fairway, Kansas.

(Sec. 5024) Amends the statement of the managers accompanying the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2005, Division I of the Consolidated Appropriations Act, 2005, to replace the earmark of specified funds for the Metropolitan Development Association in Syracuse, New York for the Essential New York Initiative with earmarks (whose sum equals the same do

Actions Timeline

- **Dec 30, 2005:** Signed by President.
- **Dec 30, 2005:** Signed by President.
- **Dec 30, 2005:** Became Public Law No: 109-148.
- **Dec 30, 2005:** Became Public Law No: 109-148.
- **Dec 28, 2005:** Presented to President.
- **Dec 28, 2005:** Presented to President.
- **Dec 22, 2005:** Pursuant to the provisions of S. Con. Res. 74, enrollment corrections on H.R. 2863 have been made.
- **Dec 22, 2005:** Message on Senate action sent to the House.
- **Dec 21, 2005:** Conference report considered in Senate. (consideration: CR S14221-14233)
- **Dec 21, 2005:** Cloture on the conference report not invoked in Senate by Yea-Nay Vote. 56 - 44. Record Vote Number: 364. (consideration: CR S14233)
- **Dec 21, 2005:** Motion by Senator Frist to reconsider the vote by which cloture was not invoked (Record Vote Number 364) made in Senate.
- **Dec 21, 2005:** Motion by Senator Frist to reconsider the vote by which cloture was not invoked (Record Vote Number 364) withdrawn in Senate.
- **Dec 21, 2005:** Cloture motion on the conference report withdrawn by unanimous consent in Senate. (consideration: CR 12/22/2005 S14241-14254)
- **Dec 21, 2005:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 93 - 0. Record Vote Number: 366.(consideration: CR 12/22/2005 S14254)
- **Dec 21, 2005:** Senate agreed to conference report by Yea-Nay Vote. 93 - 0. Record Vote Number: 366. (consideration: CR 12/22/2005 S14254)
- **Dec 21, 2005:** Cleared for White House.
- **Dec 19, 2005:** Rules Committee Resolution H. Res. 639 Reported to House. Rule provides for consideration of the conference report to H.R. 2863.
- **Dec 19, 2005:** Rule H. Res. 639 passed House.
- **Dec 19, 2005:** Mr. Young (FL) brought up conference report H. Rept. 109-359 for consideration under the provisions of H. Res. 639. (consideration: CR H12244-12269)
- **Dec 19, 2005:** DEBATE - The House proceeded with one hour of debate on the conference report to accompany H.R. 2863.
- **Dec 19, 2005:** Mr. Obey moved to recommit to the conference committee. (consideration: CR H12267-12269; text: CR H12267)
- **Dec 19, 2005:** Mr. Obey moved to recommit the conference report to the conference with instructions to the managers on the part of the House not to include Chapter 8 of Title III of Division B.
- **Dec 19, 2005:** The previous question on the motion to recommit to conference committee was ordered without objection.
- **Dec 19, 2005:** On motion to recommit to conference committee Failed by the Yeas and Nays: 183 - 231 (Roll no. 668). (consideration: CR H12268)
- **Dec 19, 2005:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 308 - 106, 2 Present (Roll no. 669).(consideration: CR H12269)
- **Dec 19, 2005:** Motions to reconsider laid on the table Agreed to without objection.
- **Dec 19, 2005:** On agreeing to the conference report Agreed to by the Yeas and Nays: 308 - 106, 2 Present (Roll no. 669). (consideration: CR H12269)
- **Dec 19, 2005:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Dec 19, 2005:** Motion to proceed to to the conference report on the measure considered in Senate by Yea-Nay Vote. 94 - 1. Record Vote Number: 359.
- **Dec 19, 2005:** Conference report considered in Senate. (consideration: CR S14014)
- **Dec 19, 2005:** Cloture motion on the conference report presented in Senate. (consideration: CR S14014)
- **Dec 18, 2005:** Conference report filed: Conference report H. Rept. 109-359 filed.(text of conference report: CR H12293-12641)
- **Dec 18, 2005:** Conference report H. Rept. 109-359 filed. (text of conference report: CR H12293-12641)
- **Dec 14, 2005:** Mr. Young (FL) moved that the House disagree to the Senate amendment, and agree to a conference.

(consideration: CR H11580-11583)

- **Dec 14, 2005:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection.
- **Dec 14, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 14, 2005:** Mr. Murtha moved that the House instruct conferees. (consideration: CR H11580-11583; text: CR H11580)
- **Dec 14, 2005:** DEBATE - The House proceeded with one hour of debate on the Murtha motion to instruct conferees. The instructions contained within the motion seek to direct the managers on the part of the House to agree to the provisions contained in section 8154 of the Senate amendment, relating to uniform standards for the interrogation of persons under the detention of the Department of Defense; and agree to section 8155 of the Senate amendment, relating to prohibition on cruel, inhuman, or degrading treatment or punishment of persons under custody or control of the United States government.
- **Dec 14, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate the Chair put the question on agreeing to the motion to instruct conferees and by voice vote announced that the noes had prevailed. Mr. Murtha demanded the yeas and nays and the Chair postponed further proceedings until later in the legislative day.
- **Dec 14, 2005:** Mr. Young (FL) moved that the House close portions of the conference. (consideration: CR H11583-115884)
- **Dec 14, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 14, 2005:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of the Murtha motion to instruct conferees which had been debated earlier and on certain motions to suspend the rules which had also been debated earlier and on which, further proceedings had been postponed.
- **Dec 14, 2005:** On motion that the House instruct conferees Agreed to by the Yeas and Nays: 308 - 122 (Roll no. 630). (consideration: CR H11584-11585)
- **Dec 14, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 14, 2005:** The Speaker appointed conferees: Young (FL), Hobson, Bonilla, Frelinghuysen, Tiahrt, Wicker, Kingston, Granger, Walsh, Aderholt, Lewis (CA), Murtha, Dicks, Sabo, Visclosky, Moran (VA), Kaptur, Edwards, and Obey.
- **Oct 7, 2005:** Considered by Senate. (consideration: CR S11247-11275)
- **Oct 7, 2005:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay. 97 - 0. Record Vote Number: 254.(text: CR S11256-11275)
- **Oct 7, 2005:** Passed Senate with an amendment by Yea-Nay. 97 - 0. Record Vote Number: 254. (text: CR S11256-11275)
- **Oct 7, 2005:** Senate insists on its amendment, asks for a conference, appoints conferees Stevens; Cochran; Specter; Domenici; Bond; McConnell; Shelby; Gregg; Hutchison; Burns; Inouye; Byrd; Leahy; Harkin; Dorgan; Durbin; Reid; Feinstein; Mikulski.
- **Oct 6, 2005:** Considered by Senate. (consideration: CR S11174-11205)
- **Oct 5, 2005:** Considered by Senate. (consideration: CR S11061-11120)
- **Oct 5, 2005:** Cloture on the bill invoked in Senate by Yea-Nay Vote. 95 - 4. Record Vote Number: 252. (consideration: CR S11118; text: CR S11118)
- **Oct 4, 2005:** Considered by Senate. (consideration: CR S10916-10922, S10925-10968)
- **Oct 4, 2005:** Cloture motion on the bill presented in Senate. (consideration: CR S10967; text: CR S10967)
- **Oct 3, 2005:** Considered by Senate. (consideration: CR S10814-10818)
- **Sep 30, 2005:** Considered by Senate. (consideration: CR S10780, S10781-10783)
- **Sep 29, 2005:** Measure laid before Senate by unanimous consent. (consideration: CR S10656-10688, S10699-10705; text of measure as reported in Senate: CR S10656-10683)
- **Sep 29, 2005:** By Senator Stevens from Committee on Appropriations filed written report. Report No. 109-141.
- **Sep 29, 2005:** By Senator Stevens from Committee on Appropriations filed written report. Report No. 109-141.
- **Sep 28, 2005:** Committee on Appropriations. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Sep 28, 2005:** Committee on Appropriations. Reported by Senator Stevens with an amendment in the nature of a substitute. Without written report.
- **Sep 28, 2005:** Committee on Appropriations. Reported by Senator Stevens with an amendment in the nature of a substitute. Without written report.
- **Sep 28, 2005:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 230.

Sep 26, 2005: Committee on Appropriations Subcommittee on Defense. Approved for full committee consideration with an amendment in the nature of a substitute favorably.

- **Jun 21, 2005:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **Jun 20, 2005:** Considered under the provisions of rule H. Res. 315. (consideration: CR H4727-4783; text of Title I as reported in House: CR H4737, H4739; text of Title II as reported in House: CR H4739-4740; text of Title III as reported in House: CR H4742-4744; text of Title IV as reported in House: CR H4744, H4745, H4747; text of Title V as reported in House: CR H4747; text of Title VI as reported in House: CR H4747; text of Title VII as reported House: CR H4747; text of Title VIII as reported in House: CR H4747-4755; text of Title IX as reported in House: CR H4755-4757, H4758-4759)
- **Jun 20, 2005:** Rule provides for consideration of H.R. 2863. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **Jun 20, 2005:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 315 and Rule XVIII.
- **Jun 20, 2005:** The Speaker designated the Honorable Dave Camp to act as Chairman of the Committee.
- **Jun 20, 2005:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2863.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Jackson-Lee amendment under the five-minute rule.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Spratt amendment under the five-minute rule.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Kucinich amendment under the five-minute rule.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Jackson-Lee amendment under the five-minute rule.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Inslee amendment under the five-minute rule.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Kucinich amendment under the five-minute rule.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Hunter amendment under the five-minute rule.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole continued to proceed with debate on the underlying Hunter amendment and the Obey perfecting amendment under the five-minute rule.
- **Jun 20, 2005:** PROCEDURE IN DEBATE - During the course of debate on the Hunter amendment and the Obey perfecting amendment, exception was taken to certain remarks and a demand was made for the words to be taken down.
- **Jun 20, 2005:** UNANIMOUS CONSENT TO WITHDRAW WORDS - After a period of time, permission to withdraw certain remarks delivered during debate was granted by unanimous consent. The Committee of the Whole continued to proceed with debate on the pending amendments.
- **Jun 20, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the underlying Hunter amendment and the perfecting Obey amendment, the Chair put the question on adoption of the Obey amendment and by voice vote, announced that the noes had prevailed. Mr. Obey demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of both amendments until later in the legislative day.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Pelosi amendment under the five-minute rule, pending reservation of a point of order.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Doggett amendment under the five-minute rule.
- **Jun 20, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Doggett amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Doggett demanded a recorded vote and the Chair postponed further proceedings until later in the legislative day. The point of no quorum was considered as withdrawn.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Defazio amendment under the five-minute rule.
- **Jun 20, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Defazio amendment, the Chair put

the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Defazio demanded a recorded vote and the Chair postponed further proceedings until later in the legislative day.

- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Markey amendment under the five-minute rule.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Velazquez amendment under the five-minute rule.
- **Jun 20, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Velazquez amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Velazquez demanded a recorded vote and the Chair postponed further proceedings until later in the legislative day.
- **Jun 20, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Obey amendment under the five-minute rule, pending reservation of a point of order.
- **Jun 20, 2005:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jun 20, 2005:** Mr. Young (FL) moved for the Committee of the Whole to rise and report.
- **Jun 20, 2005:** On motion to rise and report Agreed to by voice vote.
- **Jun 20, 2005:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2863.
- **Jun 20, 2005:** The previous question was ordered pursuant to the rule. (consideration: CR H4782)
- **Jun 20, 2005:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Jun 20, 2005:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 398 - 19 (Roll no. 287).
- **Jun 20, 2005:** On passage Passed by the Yeas and Nays: 398 - 19 (Roll no. 287).
- **Jun 20, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 16, 2005:** Rule H. Res. 315 passed House.
- **Jun 14, 2005:** Rules Committee Resolution H. Res. 315 Reported to House. Rule provides for consideration of H.R. 2863. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **Jun 10, 2005:** Introduced in House
- **Jun 10, 2005:** The House Committee on Appropriations reported an original measure, H. Rept. 109-119, by Mr. Young (FL).
- **Jun 10, 2005:** The House Committee on Appropriations reported an original measure, H. Rept. 109-119, by Mr. Young (FL).
- **Jun 10, 2005:** Placed on the Union Calendar, Calendar No. 67.