

HR 2346

Supplemental Appropriations Act, 2009

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Economics and Public Finance

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Law: 111-32 (Enacted Jun 24, 2009)

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Sponsor

Name: Rep. Obey, David R. [D-WI-7]

Party: Democratic • State: WI • Chamber: House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	May 12, 2009

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
111 HRES 545	Procedurally related	Jun 16, 2009: Motion to reconsider laid on the table Agreed to without objection.
111 HRES 434	Procedurally related	May 14, 2009: Motion to reconsider laid on the table Agreed to without objection.
111 S 1054	Related bill	May 14, 2009: Placed on Senate Legislative Calendar under General Orders. Calendar No. 62.

**(This measure has not been amended since the conference report was filed in the House on June 12, 2009. The summary of that version is repeated here.)**

Supplemental Appropriations Act, 2009 - **Title I: Department of Agriculture** - Appropriates FY2009 funds for title II grants under P.L. 480 (donation of U.S. commodities for emergency and private assistance abroad).

(Sec. 101) Makes unobligated amounts for the emergency conservation program available to the Secretary of Agriculture for natural disaster recovery efforts.

(Sec. 102) Appropriates FY2009 funds for the principal amount of: (1) direct farm ownership loans; (2) direct operating loans; and (3) unsubsidized guaranteed operating loans.

(Sec. 103) Appropriates FY2009 funds for loan costs, including loan modifications, for: (1) direct farm ownership loans; (2) direct operating loans; and (3) unsubsidized guaranteed operating loans.

**Title II: Department of Commerce** - Makes supplemental appropriations for FY2009 to the Department of Commerce (to remain available until September 30, 2010) for economic development assistance programs.

**Department of Justice** - Makes supplemental appropriations for FY2009 (to remain available until September 30, 2010) to the Department of Justice (DOJ) for: (1) the Federal Detention Trustee; (2) legal activities; (3) the United States Marshals Service; (4) the National Security Division; (5) the Federal Bureau of Investigation (FBI); (6) the Drug Enforcement Administration (DEA); (6) the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF); (7) the Federal Prison System; and (8) the Office of Inspector General (rescinds specified funds appropriated under the Supplemental Appropriations Act, 2008, for such Office).

**Title III: Department of Defense** - Makes supplemental appropriations for FY2009 to the Department of Defense (DOD) for: (1) military personnel in the Army, Navy, Marine Corps, and Air Force (military departments); (2) operation and maintenance for the military departments, DOD, the reserves, and the Army National Guard; (3) the Afghanistan Security Forces Fund; (4) the Pakistan Counterinsurgency Fund; (5) procurement for the military departments, DOD, and National Guard and reserve equipment; (6) the Mine Resistant Ambush Protected Vehicle Fund; (7) research, development, test and evaluation (RDT&E) for the military departments and DOD; (8) Defense Working Capital Funds; (9) the Defense Health Program; (10) drug interdiction and counter-drug activities; (11) the Joint Improvised Explosive Device Defeat Fund; and (12) the Office of Inspector General.

(Sec. 302) Authorizes the Secretary of Defense (Secretary, for purposes of this title), in the national interest, to transfer between appropriations up to \$2.5 billion of the funds made available to DOD in this Act. Requires congressional notification of each transfer.

(Sec. 306) Makes funds appropriated to the Iraq Security Forces Fund under the Supplemental Appropriations Act, 2008 available under this Act, through FY2010, for such Fund.

(Sec. 308) Authorizes the Secretary to purchase motor vehicles for use by DOD military and civilian employees in Iraq and Afghanistan, with a cost limit of \$75,000 per vehicle.

(Sec. 309) Rescinds specified funds from various accounts under prior defense appropriations Acts.

(Sec. 310) Appropriates funds for DOD for the payment of stop-loss special pay for members (including reserve and retired personnel) who served for an extended period between September 11, 2001, and September 30, 2009, under the President's stop-loss authority. Makes such payment \$500 for each month that the member was retained on active duty under the stop-loss authority. Requires a report from the Secretary to the congressional defense and appropriations committees on the implementation of the retroactive stop-loss benefit.

(Sec. 311) Repeals a provision of the National Defense Authorization Act for Fiscal Year 2004 providing certain limitations on the retirement of C-5A aircraft. Allows the Secretary of the Air Force to retire such aircraft after certain certification to the defense and appropriations committees.

(Sec. 312) Prohibits funds under this title from being used to: (1) provide award fees to defense contractors contrary to award limitations under the National Defense Authorization Act, Fiscal Year 2007; or (2) finance programs or activities denied by Congress in FY2008 or FY2009 appropriations to DOD or to initiate a procurement or RDT&E new start program without prior written notification to the defense and appropriations committees.

(Sec. 314) Prohibits funds from being obligated or expended to: (1) establish any military installation or base for providing for the permanent stationing of U.S. Armed Forces in Iraq; or (2) exercise U.S. control over any oil resource of Iraq.

(Sec. 315) Prohibits funds from being used to establish any military installation or base for providing for the permanent stationing of U.S. Armed Forces in Afghanistan.

(Sec. 316) Directs the Secretary to provide quarterly to Congress, through FY2010, a detailed, month-by-month description of the transition of U.S. military forces, equipment, and contractors out of Iraq. Extends a related report requirement under the Supplemental Appropriations Act, 2008.

(Sec. 317) Repeals a provision of the Supplemental Appropriations Act, 2008 which requires reports from the Secretary on individual transition readiness assessments by unit of Iraq and Afghan security forces. Revises generally reports concerning the use of certain security forces funds.

(Sec. 318) Requires the Secretary, in making deductions from retired or retainer pay for individuals who previously received certain separation pay or incentives, to take into account the financial ability of the member to pay and to avoid undue financial hardship on the member and the member's dependents.

(Sec. 319) Directs the President to submit quarterly to specified Members and committees of Congress a detailed report on the prisoner population at the detention facility at Naval Station Guantanamo Bay, Cuba.

**Title IV: Department of Defense - Civil** - Authorizes additional FY2009 appropriations to the Department of the Army, Corps of Engineers-Civil for: (1) navigation channel dredging and repair to Corps projects damaged by natural disasters; and (2) necessary flood control and coastal emergency expenses relating to the consequences of natural disasters.

Authorizes additional FY2009 appropriations to the Department of Energy (DOE) for: (1) site maintenance activities for the Strategic Petroleum Reserve (SPR); (2) atomic energy defense activities of the National Nuclear Security Administration; and (3) defense nuclear nonproliferation.

(Sec. 401) Amends the American Recovery and Reinvestment Act of 2009 (ARRA) to revise the authorization for the transfer of up to 0.5 % from each amount appropriated to the DOE in such Act to any other account within DOE for management and oversight activities. Specifies only the Secretary of Energy as having that authority, and eliminates the authority of all other heads of federal departments or agencies to do so.

(Sec. 402) Amends the Atomic Energy Defense Act to extend through FY2009 the authority of the Secretary of Energy, under a waiver of federal employment requirements, to establish pay rates for up to 200 DOE positions for scientific, engineering, and technical personnel for safety-related duties at DOE defense nuclear facilities.

(Sec. 403) Amends the Water Resources Development Act of 2007 to deauthorize as of the enactment of such Act the projects for navigation at Northeast Harbor and Tenants Harbor, Maine.

(Sec. 404) Grants the Secretary of the Army and the Secretary of the Interior unlimited reprogramming authority for specified funds provided in ARRA for the Army Corps of Engineers and for Bureau of Reclamation, respectively.

(Sec. 406) Prohibits the provision of funds for activities related to the mission relocation of either the design authority for gas transfer systems or tritium research and development facilities during the current fiscal year until DOE can provide the Senate Appropriations Committee an independent technical mission review and cost analysis by the JASON's as proposed in the Complex Transformation Site-Wide Programmatic Environmental Impact Statement.

(Sec. 407) Modifies the project for ecosystem restoration, Upper Newport Bay, California, to authorize project construction at a total cost of \$50.659 million, with an estimated federal cost of \$32.928 million and a non-federal cost of \$17.731 million.

(Sec. 408) Amends the Omnibus Appropriations Act, 2009, relating to the "Title 17 Innovative Technology Loan Guarantee Program," to state that use of the loan guarantee authority in such Act is not precluded for commitments to guarantee loans for projects as a result of such projects benefiting: (1) from contracts, leases, or other agreements entered into before May 1, 2009, for front-end nuclear fuel cycle projects, where the project licenses DOE technology, and pays royalties to the federal government for it, and the amount of such royalties will exceed the amount of federal spending, if any, under such contracts, leases, or agreements; or (2) from grants or cooperative agreements, to the extent that their obligations have been recorded on or before May 1, 2009.

**Title V: Executive Office of the President and Funds Appropriated to the President** - Makes additional FY2009 appropriations to the National Security Council (NSC) for salaries and expenses, to remain available through FY2010.

Makes additional FY2009 appropriations (including funds transfers) to the U.S. courts of appeals, district courts, and other judicial services for salaries and expenses, to remain available through FY2010. Requires funding to be available for transfer between judiciary accounts to meet increased workload requirements resulting from immigration and other law enforcement initiatives.

Appropriates additional FY2009 funds for salaries and expenses to: (1) the Financial Crisis Inquiry Commission, to remain available through February 15, 2011; and (2) the Securities and Exchange Commission (SEC), to remain available through FY2010.

(Sec. 501) Amends federal judicial code with respect to restoration of judicial survivors' annuities to certain widows and widowers whose annuities are terminated on account of remarriage before age 55. Extends for one additional year the current four-year-before-enactment period of retroactive effect for the right to restoration of annuities.

(Sec. 502) Amends the Financial Services and General Government Appropriations Act, 2009, division D of the Omnibus Appropriations Act, 2009, with respect to appropriations to the District of Columbia under such Act, to incorporate any subsequent budget amendments adopted by the District of Columbia Council.

(Sec. 503) Amends the Financial Services and General Government Appropriations Act, 2009, division D of the Omnibus

Appropriations Act, 2009, to require the set-aside amount for the Federal Communications Commission (FCC) for a State Broadband Data and Development matching grants program to be used to develop a national broadband plan pursuant to title VI of division B of the American Recovery and Reinvestment Act of 2009 and for carrying out any other responsibility pursuant to such title.

(Sec. 504) Amends the Federal Deposit Insurance Act with respect to the maximum annual percentage rate (APR) or amount of interest, discount points, finance charges, or other similar charges that may be charged in certain states upon the establishment in such a state of a branch of any out-of-state insured depository institution pursuant to an interstate bank merger.

Authorizes the legal APR in such a state to equal the greater of state's maximum lawful annual percentage rate or 17%, but only to facilitate: (1) the uniform implementation of federally mandated or federally established programs and related financings, including uniform accessibility of student and mortgage loans as well as safe and affordable federal housing programs; and (2) interstate commerce generally, including consumer loans, in the case of any person or governmental entity (other than certain depository institutions).

Makes nondepository institutions eligible for the same APR, subject to the same conditions.

Applies this authorization only to contracts consummated between enactment of this Act and December 31, 2010.

**Title VI: Department of Homeland Security** - Makes supplemental appropriations to the Department of Homeland Security (DHS) for FY2009 for: (1) United States Customs and Border Protection, including for air and marine interdiction, operations, maintenance, and procurement; (2) United States Immigration and Customs Enforcement; (3) the Coast Guard; and (4) the Federal Emergency Management Agency (FEMA).

(Sec. 601) Directs the Secretary of the department in which the Coast Guard is operating to issue a certificate of documentation with: (1) appropriate endorsement for engaging in the coastwise trade in Alabama for the drydock Alabama; and (2) a coastwise endorsement for the vessel Maryland Independence.

(Sec. 603) Rescinds specified funds previously made available from "FEMA, Disaster Relief" to Mississippi under the Robert T. Stafford Disaster Relief and Emergency Assistance Act for Hurricane Katrina. Appropriates specified funds for "FEMA, State and Local Programs" for a grant to Mississippi for an interoperable communications system.

(Sec. 604) Amends the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 to include within funding for FEMA management and administration funding for activities authorized by the Cerro Grande Fire Assistance Act of 2000.

(Sec. 605) Authorizes the Secretary of Homeland Security (DHS) to make grants under the expansion of pre-September 11, 2001, fire grant program available for the hiring, rehiring, or retention of firefighters.

(Sec. 606) Directs the Administrator of FEMA to extend through March 2010 reimbursement of state-run case management programs related to Hurricanes Katrina and Rita for individuals in such programs on April 30, 2009.

(Sec. 607) Amends the Department of Homeland Security Appropriations Act, 2008 to direct the Secretary, under the FEMA Public Assistance Program, to provide a single payment for any eligible costs for primary or secondary school sites impacted by Hurricanes Katrina or Rita.

(Sec. 608) Provides that, for purposes of qualification for loans made available under the Disaster Assistance Direct Loan

Program relating to a disaster declaration for Texas involving Hurricane Ike, the base period for tax determining loss of revenue may be FY2009 or FY2010.

(Sec. 609) Increases the federal share of assistance under the Stafford Act for damages resulting from Hurricane Ike under specified disaster declarations for Texas, Louisiana, Kentucky, and West Virginia to 90% of costs for the repair, restoration, and replacement of damaged facilities and 100% of costs of assistance essential to meeting immediate threats to life and property and of clearing debris and wreckage.

**Title VII: Department of the Interior** - Appropriates FY2009 funds for wildfire suppression and emergency rehabilitation activities of the Department of the Interior and of the Department of Agriculture.

Provides that: (1) such funds shall only become available if funds provided previously for wildland fire suppression will be exhausted imminently and after the appropriate Secretary notifies the House and Senate Committees on Appropriations of such need; and (2) such funds may be transferred to the Secretary of Agriculture and specified amounts of such funds may be transferred to the Secretary of the Interior to enhance federal wildland fire suppression activities.

(Sec. 701) Amends the Omnibus Appropriations Act, 2009 to provide \$1,000 per eligible employee for Individual Learning Accounts for full-time equivalent employees of the Agency for Toxic Substances and Disease Registry.

**Title VIII: Department of Health and Human Services** - Makes supplemental appropriations for FY2009 to the Department of Health and Human Services (HHS) for: (1) the Administration for Children and Families for Refugee and Entrant Assistance for necessary expenses for unaccompanied alien children; and (2) the Public Health and Social Services Emergency Fund to prepare for and respond to an influenza pandemic.

(Sec. 803) Authorizes the Commissioner of the Rehabilitation Services Administration or the Director of a designated state unit to allocate funds appropriated under the American Reinvestment and Recovery Act of 2009 for the Centers for Independent Living Program among centers in a state without regard to the priority for funding new centers if the allocation is consistent with the provisions of the state plan and approved by the Commissioner.

**Title IX: Legislative Branch** - Makes additional appropriations to the Capitol Police General Expenses account to purchase and install a new radio system for the U.S. Capitol police, to remain available through FY2012.

Prohibits the Chief of the Capitol Police from obligating such funds without approval of an obligation plan by the congressional appropriations committees.

Appropriates additional funds to the Congressional Budget Office (CBO) for salaries and expenses, to remain available through FY2010.

**Title X: Department of Defense** - Makes supplemental appropriations to DOD for FY2009 for: (1) military construction for the military departments and DOD; (2) the North Atlantic Treaty Organization (NATO) Security Investment Program; and (3) the Department of Defense Base Closure Account 2005.

(Sec. 1001) Prohibits funds from being used to disestablish, reorganize, or relocate the Armed Forces Institute of Pathology, except for the Armed Forces Medical Examiner and the National Museum of Health and Medicine, until the President has established a Joint Pathology Center which is performing at minimum requirements set forth under the National Defense Authorization Act for Fiscal Year 2008.

(Sec. 1002) Entitles to educational assistance for service in the Armed Forces after September 11, 2001, any child of a

person who, on or after such date, dies in the line of duty while serving on active duty. Terminates such entitlement 15 years after the individual's 18th birthday.

**Title XI: Department of State** - Makes FY2010 appropriations for the Department of State (Department) for: (1) administration of foreign affairs and diplomatic and consular programs; (2) the Office of Inspector General; (3) U.S. embassy security, construction, and maintenance; (4) international peacekeeping; (5) operating and international development expenses of the United States Agency for International Development (USAID), and the Office of Inspector General; (6) global health and child survival; (7) international disaster assistance; (8) the Economic Support Fund; (9) assistance for Europe, Eurasia, and Central Asia; (10) international narcotics control and law enforcement; (11) nonproliferation, anti-terrorism, and demining; (12) migration and refugee assistance; (13) international military education and training; (14) foreign military financing grants; and (15) international peacekeeping operations.

Establishes, and makes FY2010 appropriations for, the Pakistan Counterinsurgency Capability Fund.

(Sec. 1101) Extends certain authorities necessary to expend Department and foreign assistance funds.

(Sec. 1102) Makes Economic Support Fund amounts under this title for Afghanistan available, to the maximum extent practicable, in a manner that utilizes Afghan entities and emphasizes the participation of Afghan women and directly improves the security, economic and social well-being, and political status, of Afghan women and girls.

Provides that funds for Afghanistan may be used to conduct procurements and to award assistance in which: (1) competition is limited to products, services, or sources from Afghanistan; (2) noncompetitive contract or assistance procedures are used; or (3) preference is provided for products, services, or sources from Afghanistan.

States that not more than \$20 million of funds appropriated under this title should be made available to acquire property for diplomatic facilities in Afghanistan.

Authorizes funds under this title to be made available for the United Nations Development Program (UNDP) in Afghanistan if the Secretary of State (Secretary) reports to the appropriate congressional committees that UNDP is cooperating with USAID to investigate UNDP expenditures of USAID funds associated with the Quick Impact Program in Afghanistan.

Obligates funds for the National Solidarity Program.

(Sec. 1103) Allocates specified fund amounts.

(Sec. 1104) Directs the Secretary to provide detailed spending plans to the Senate and House Appropriations Committees (Committees) on the uses of funds appropriated in this title.

(Sec. 1105) Makes specified Economic Support Fund amounts under this title available for vulnerable populations in developing countries impacted by the global financial crisis that: (1) have a 2007 per capita Gross National Income of \$3,705 or less; (2) have seen a contraction in predicted growth rates of 2% or more since 2007; and (3) demonstrate consistent improvement on the democracy and governance indicators as measured by the Millennium Challenge Corporation 2009 Country Scorebook. Transfers specified funds for such assistance.

Directs the Secretary to submit a spending plan to the Committees prior to the initial obligation of funds detailing fund use on a country-by-country and project-by-project basis.

(Sec. 1106) Requires that: (1) to the maximum extent practicable Iraqi assistance shall be made in a manner that utilizes Iraqi entities; (2) appropriations for Iraq shall be in accordance with the Department's "Guidelines for Government of Iraq Financial Participation in United States Government-Funded Civilian Foreign Assistance Programs and Projects"; and (3) certain funds shall be set aside for targeted development programs and activities in areas of conflict in Iraq.

(Sec. 1107) Prohibits funds under this title from being made available to Hamas or any Hamas-controlled entity.

Authorizes assistance for a power-sharing government if the President certifies that such government, including all of its ministers or other equivalent officials, has publicly acknowledged Israel's right to exist and is adhering to all previous agreements with the U.S. government, the government of Israel, and the international community.

Directs the Secretary, in the event of a presidential certification, to report quarterly to the Committees on such government's compliance with these requirements.

(Sec. 1108) Provides that unless designated otherwise the authorities and conditions contained in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 shall apply to funds appropriated by this title, except with respect to funds made available for macroeconomic growth assistance for Zimbabwe and certain assistance for Iraq.

(Sec. 1109) Amends the International Development Association Act to authorize the U.S. Governor of the International Development Association to contribute to the 15th replenishment of the Association. Authorizes appropriations.

Authorizes the Secretary of the Treasury to contribute to the Association for debt relief funding under the Multilateral Debt Relief Initiative in the period governed by the 15th replenishment of the Association. Authorizes appropriations. Amends the African Development Fund Act to authorize the U.S. Governor of the African Development Fund to contribute to the 11th replenishment of the Fund. Authorizes appropriations.

Authorizes the Secretary of the Treasury to contribute to the Fund for the purpose of funding debt relief under the Multilateral Debt Relief Initiative. Authorizes appropriations.

(Sec. 1110) Amends the International Financial Institutions Act to direct the Secretary of the Treasury to instruct: (1) the U.S. Executive Directors at the International Bank for Reconstruction and Development, the International Development Association, and the International Finance Corporation to seek to make specified changes in the "Doing Business Report" of the World Bank; and (2) the U.S. Executive Directors at the World Bank to seek to enhance transparency of the World Bank Inspection Panel process.

Defines "World Bank" as the International Bank for Reconstruction and Development and the International Development Association.

(Sec. 1111) Amends the International Financial Institutions Act to direct the Secretary of the Treasury to seek to ensure that multilateral development banks: (1) implement greenhouse gas accounting in analyzing project benefits and costs; and (2) expand climate change mitigation activities.

(Sec. 1112) Directs the Secretary of the Treasury to seek to ensure that multilateral development banks: (1) make timely, public disclosure of their operating budgets; (2) evaluate the development impact of selected bank projects and financing operations; and (3) and integrate Extractive Industry Transparency Initiative (EITI) principles into related projects.

(Sec. 1113) Extends comparability pay adjustments to certain Foreign Service members assigned abroad.



(Sec. 1114) Authorizes certain migration and refugee assistance funds to be made available to the United Nations Relief and Works Agency (UNRWA) for activities in the West Bank and Gaza.

(Sec. 1115) Amends the Omnibus Appropriations Act, 2009 to increase the limit on Economic Support Fund amounts available to Egypt for democracy, human rights, and governance programs.

Applies the regular notification procedures to funds transferred from a federal department or agency to the Department or USAID.

Extends through October 1, 2010, the authority of the Secretary and the Administrator of USAID to recruit retired Foreign Service or Civil Service employees as reemployed annuitants to serve in Pakistan, Iraq, or Afghanistan. (Current law authorizes annuitants to serve in Iraq and Afghanistan.)

Authorizes funds to be used through October 1, 2010, for recruitment, relocation, and retention bonuses to Foreign Service members, other than chiefs of mission and ambassadors at large, who are on official duty in Iraq, Afghanistan, or Pakistan.

Authorizes certain military funds to be used for medical and rehabilitation assistance for Colombian security force members who have suffered severe injuries.

(Sec. 1116) Directs the President to report to the appropriate congressional committees regarding: (1) whether the governments of Afghanistan and Pakistan are demonstrating the necessary commitment, conduct, and unity of purpose to warrant the continuation of the President's policy announced on March 27, 2009; and (2) U.S. policy objectives with respect to Afghanistan and Pakistan and the metrics to be utilized to assess progress toward achieving such objectives.

**Title XII: Department of Transportation** - Makes supplemental appropriations for FY2009 to the Department of Transportation (DOT) for the essential air service program.

Rescinds specified amounts from those authorized to the Federal Aviation Administration (FAA) for FY2008 for the airport improvement program (AIP), including grants for airport planning and development and noise compatibility planning and programs.

(Sec. 1201) Amends the Safe, Accountable, Flexible, Efficient Transportation Equity Act: Legacy for Users (SAFETEA-LU) to change requirements for expenditures to requirements for allocations with respect to federal highway emergency relief program funds for the repair and strengthening of roads in closed basins at Devils Lake, North Dakota. (Currently expenditures are limited to \$10 million during any fiscal year and to \$70 in total. These amounts are now converted to allocations.)

(Sec. 1202) Allows transit agencies to use up to 10% of urbanized and other-than-urbanized formula grant funds appropriated under the American Recovery and Reinvestment Act of 2009 (ARRA) for operating costs of equipment and facilities for use in public transportation projects or intercity bus service. Allows the federal share, at recipient option, to be 100%.

(Sec. 1203) Amends the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 to replace the allocation for public housing agency (PHA) project-based vouchers under the section 8 rental assistance program with an allocation for tenant-based rental assistance (including administrative expenses) for areas impacted by Hurricanes Katrina and Rita.

(Sec. 1204) Amends the ARRA to make a technical amendment to the requirement that housing credit agencies in each state distribute funds for capital investments in low-income housing tax credit projects under the home investment partnerships program competitively to owners of low-income housing projects that have received an award of low-income housing tax credits. Specifies Gulf Opportunity Zone (GO Zone) low-income housing tax credits among such credits.

(Sec. 1205) Subjects to prevailing wage requirements under the Davis-Bacon Act certain ARRA funds made available for: (1) PHA capital and management activities (subject to certain community service requirements as well); (2) the community development block grant (CDBG) program under the Housing and Community Development Act of 1974; and (3) Native American Housing Block Grants and housing entities eligible for assistance for Native Hawaiian housing authorized under the Native American Housing Assistance and Self-Determination Act of 1996.

**Title XIII: Consumer Assistance to Recycle and Save Program** - Consumer Assistance to Recycle and Save Act of 2009 - (Sec. 1302) Establishes in the National Highway Traffic Safety Administration (NHTSA) a voluntary Consumer Assistance to Recycle and Save Program through which the Secretary of Transportation shall: (1) authorize the issuance of an electronic voucher to offset the purchase or lease price for a new fuel efficient automobile upon the surrender of an eligible trade-in vehicle to a participating dealer; (2) register dealers for Program participation; (3) make electronic payments to them for eligible transactions they accept between specified dates; and (4) establish and provide for the enforcement of measures to prevent and penalize fraud under the Program.

Prescribes requirements, including combined fuel economy, for \$3,500 and \$4,500 vouchers to offset the purchase or lease price for a qualifying passenger automobile or truck.

Limits: (1) the use of vouchers to purchases or qualifying leases of new fuel efficient vehicles that occur between July 1, 2009, and November 1, 2009; and (2) their number to one per customer (including joint registered owners of a single eligible trade-in vehicle).

Requires a dealer to certify about each eligible trade-in vehicle that the dealer: (1) has not and will not sell, lease, exchange, or otherwise dispose of the vehicle for use as an automobile anywhere in the world; and (2) will transfer the vehicle (including the engine block) to an entity that will ensure that the vehicle will be crushed or shredded within the Program period, and has not been, and will not be, sold, leased, exchanged, or otherwise disposed of for use as an automobile anywhere in the world.

Prescribes standards which any regulations issued by the Secretary for the Program must meet.

Makes it unlawful for any person to violate this Act or any regulations issued under it, particularly by fraud. Prescribes civil penalties for any such violation.

Directs the Secretary to make Program information available on an Internet website and through other means.

Requires the Secretary to: (1) maintain a database of vehicle identification numbers (VINs) of all new fuel efficient vehicles purchased or leased and eligible trade-in vehicles disposed of under the Program; and (2) report to Congress on the Program's efficacy.

Excludes from the income of the purchaser of a vehicle, for all state and federal programs (and from gross income for federal tax purposes), any voucher issued under the Program or any payment made for one.

Authorizes appropriations.

**Title XIV: Other Matters:** Appropriates FY2009 funds for: (1) an increase in the U.S. quota of the International Monetary Fund (IMF); and (2) loans to the IMF.

(Sec. 1401) Amends the Bretton Woods Agreements Act to authorize the Secretary of the Treasury to instruct the U.S. Executive Director to consent to: (1) certain IMF amendments expanding the resources of the New Arrangements to Borrow; and (2) the provision of certain loan funds.

(Sec. 1402) Authorizes the U.S. Governor of the IMF to agree to: (1) specified amendments to the Articles of Agreement; and (2) an increase in the U.S. quota of the IMF.

Authorizes the Secretary to instruct the U.S. Executive Director of the IMF to vote to approve the sale of a certain amount of IMF gold.

(Sec. 1403) Directs the Secretary to report to the appropriate congressional committees detailing the steps taken: (1) to coordinate World Bank and IMF activities; and (2) by the Department of the Treasury and IMF to increase IMF oversight.

(Sec. 1404) Amends the International Financial Institutions Act to direct the Secretary to instruct U.S. executive directors at certain international financial institutions to use U.S. influence to oppose the provision of loans or other funds to a country whose government has repeatedly provided support for acts of international terrorism.

#### **General Provisions - This Act**

(Sec. 14101) States that no part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

(Sec. 14102) Designates, with specified exceptions, each amount in: (1) this Act as being for overseas deployments; and (2) each amount in titles I, II, IV, V, VII, VIII, IX, XII, XIII, XIV, and VI as necessary to meet emergency needs.

(Sec. 14103) Prohibits any funds from being used to release an individual who is detained, as of the date of enactment of this Act, at Naval Station Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia. Prohibits any such release for the purpose of detaining or prosecuting any such individual until 45 days after Congress receives from the President a plan regarding the proposed disposition. Requires the plan to include: (1) the risk to national security posed by the transfer; (2) costs associated with transferring an individual; (3) the legal rationale and associated court demands for transfer; (4) a plan to mitigate transfer risk; and (5) a copy of a notification to the governor of the state to which an individual will be transferred (or Mayor, with respect to the District of Columbia) with a certification by the Attorney General that the individual poses little or no security risk.

Prohibits any funds from being used to transfer or release such an individual to the country of such individual's nationality or last residence, or to any country other than the United States, unless the President submits to Congress, at least 15 days prior to such release or transfer: (1) the name of the individual and the country involved; (2) an assessment of the risk to U.S. national security posed by the transfer or release, as well as actions taken to mitigate such risk; and (3) the terms of any agreement with another country for the acceptance of such individual, including any financial assistance related to the agreement.

Directs the President, prior to termination of detention operations at Guantanamo Bay, to report to Congress describing the disposition or legal status of each individual detained there.

## Actions Timeline

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- **Jun 24, 2009:** Signed by President.
- **Jun 24, 2009:** Became Public Law No: 111-32.
- **Jun 19, 2009:** Presented to President.
- **Jun 18, 2009:** Conference report considered in Senate. (consideration: CR S6772-6793)
- **Jun 18, 2009:** Motion to waive all applicable points of order under Rule XLIV on Conference Report with respect to the measure agreed to in Senate by Yea-Nay Vote. 60 - 36. Record Vote Number: 209. (consideration: CR S6772, S6788-6789)
- **Jun 18, 2009:** Cloture motion on the Conference Report to accompany the bill withdrawn by unanimous consent in Senate. (consideration: CR S6789)
- **Jun 18, 2009:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 91 - 5. Record Vote Number: 210.(consideration: CR S6793)
- **Jun 18, 2009:** Senate agreed to conference report by Yea-Nay Vote. 91 - 5. Record Vote Number: 210. (consideration: CR S6793)
- **Jun 18, 2009:** Message on Senate action sent to the House.
- **Jun 18, 2009:** Cleared for White House.
- **Jun 17, 2009:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Jun 17, 2009:** Conference report considered in Senate. (consideration: CR S6710)
- **Jun 17, 2009:** Cloture motion on the Conference Report to accompany the bill presented in Senate. (consideration: CR S6710; text: CR S6710)
- **Jun 16, 2009:** Rule H. Res. 545 passed House.
- **Jun 16, 2009:** Mr. Obey brought up conference report H. Rept. 111-151 for consideration under the provisions of H. Res. 545. (consideration: CR H6865-6885)
- **Jun 16, 2009:** DEBATE - The House proceeded with one hour of debate on the conference report to accompany H.R. 2346.
- **Jun 16, 2009:** The previous question was ordered without objection. (consideration: CR H6884)
- **Jun 16, 2009:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 226 - 202 (Roll no. 348).
- **Jun 16, 2009:** On agreeing to the conference report Agreed to by the Yeas and Nays: 226 - 202 (Roll no. 348).
- **Jun 16, 2009:** Motions to reconsider laid on the table Agreed to without objection.
- **Jun 15, 2009:** Rules Committee Resolution H. Res. 545 Reported to House. Rule provides for consideration of the conference report to H.R. 2346. Conference report shall be considered as read and shall be debatable for one hour, equally divided and controlled.
- **Jun 12, 2009:** Mr. Obey asked unanimous consent that managers on the part of the House have until 11:59 p.m. on June 12 to file a conference report on H.R. 2346. Agreed to without objection.
- **Jun 12, 2009:** Conference report filed: Conference report H. Rept. 111-151 filed.(text of conference report: CR H6683-6741)
- **Jun 12, 2009:** Conference report H. Rept. 111-151 filed. (text of conference report: CR H6683-6741)
- **Jun 11, 2009:** Mr. Obey asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference. (consideration: CR H6545-6550)
- **Jun 11, 2009:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection.
- **Jun 11, 2009:** Mr. Lewis (CA) moved that the House instruct conferees. (consideration: CR H6545-6550; text: CR H6545)
- **Jun 11, 2009:** DEBATE - The House proceeded with one hour of debate on the Lewis (CA) motion to instruct conferees on H.R. 2346. The instructions contained in the motion seek to require the managers on part of the House agree to funding levels that will result in a total funding level that does not exceed the total funding level provided in the Senate amendment.
- **Jun 11, 2009:** The previous question was ordered without objection. (consideration: CR H6549)
- **Jun 11, 2009:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Lewis (CA) Motion to Instruct Conferees, the Chair put the question on adoption, and by voice vote announced that the noes had prevailed. Mr. Lewis (CA) objected to the vote on the grounds that a quorum was not present, and the Chair postponed further

proceedings until later in the legislative day.

- **Jun 11, 2009:** Considered as unfinished business. (consideration: CR H6550)
- **Jun 11, 2009:** On motion that the House instruct conferees Agreed to by the Yeas and Nays: 267 - 152 (Roll no. 329). (consideration: CR H6550)
- **Jun 11, 2009:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 11, 2009:** The Speaker appointed conferees: Obey, Murtha, DeLauro, Lowey, Edwards (TX), Lewis (CA), Young (FL), and Granger.
- **Jun 11, 2009:** Conference committee actions: Conferees agreed to file conference report.
- **Jun 11, 2009:** Conferees agreed to file conference report.
- **May 26, 2009:** Message on Senate action sent to the House.
- **May 21, 2009:** Considered by Senate. (consideration: CR S5770-5804)
- **May 21, 2009:** Cloture on the bill invoked in Senate by Yea-Nay Vote. 94 - 1. Record Vote Number: 200. (consideration: CR S5771; text: CR S5771)
- **May 21, 2009:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 86 - 3. Record Vote Number: 202.
- **May 21, 2009:** Passed Senate with an amendment by Yea-Nay Vote. 86 - 3. Record Vote Number: 202.
- **May 21, 2009:** Senate insists on its amendment, asks for a conference, appoints conferees Inouye; Byrd; Leahy; Harkin; Mikulski; Kohl; Murray; Dorgan; Feinstein; Durbin; Johnson; Landrieu; Reed; Lautenberg; Nelson NE; Pryor; Tester; Specter; Cochran; Bond; McConnell; Shelby; Gregg; Bennett; Hutchison; Brownback; Alexander; Collins; Voinovich; Murkowski. (consideration: CR S5804)
- **May 20, 2009:** Considered by Senate. (consideration: CR S5650-5683, S5685)
- **May 19, 2009:** Measure laid before Senate by unanimous consent. (consideration: CR S5589-5607)
- **May 19, 2009:** Cloture motion on the bill presented in Senate. (consideration: CR S5607)
- **May 14, 2009:** Rule H. Res. 434 passed House.
- **May 14, 2009:** Considered under the provisions of rule H. Res. 434. (consideration: CR H5607-5632)
- **May 14, 2009:** Rule provides for consideration of H.R. 2346 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report shall be considered as adopted. All points of order against provisions of the bill, as amended, are waived.
- **May 14, 2009:** Pursuant to the provisions of H. Res. 434, the amendment printed in House Report 111-107 is considered adopted.
- **May 14, 2009:** DEBATE - The House proceeded with one hour of debate on H.R. 2346.
- **May 14, 2009:** The previous question was ordered pursuant to the rule. (consideration: CR H5630)
- **May 14, 2009:** Mr. Rogers (KY) moved to recommit with instructions to Appropriations. (consideration: CR H5630-5632; text: CR H5630)
- **May 14, 2009:** DEBATE - The House proceeded with 10 minutes of debate on the Rogers (KY) motion to recommit with instructions. The instructions contained in the motion seek to require the Committee on Appropriations to report the same back to the House with amendments.
- **May 14, 2009:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H5631)
- **May 14, 2009:** On motion to recommit with instructions Failed by the Yeas and Nays: 191 - 237 (Roll no. 264).
- **May 14, 2009:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 368 - 60 (Roll no. 265).(text: CR H5608-5616)
- **May 14, 2009:** On passage Passed by the Yeas and Nays: 368 - 60 (Roll no. 265). (text: CR H5608-5616)
- **May 14, 2009:** Motion to reconsider laid on the table Agreed to without objection.
- **May 14, 2009:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 2346.
- **May 14, 2009:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 63.
- **May 13, 2009:** Rules Committee Resolution H. Res. 434 Reported to House. Rule provides for consideration of H.R. 2346 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments.

All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report shall be considered as adopted. All points of order against provisions of the bill, as amended, are waived.

- **May 12, 2009:** Introduced in House
- **May 12, 2009:** The House Committee on Appropriations reported an original measure, H. Rept. 111-105, by Mr. Obey.
- **May 12, 2009:** Placed on the Union Calendar, Calendar No. 51.