

108TH CONGRESS  
2D SESSION

# H. R. 5072

Making emergency supplemental appropriations for the fiscal year ending September 30, 2004, for additional disaster assistance relating to hurricane damage, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 2004

Mr. YOUNG of Florida introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

Making emergency supplemental appropriations for the fiscal year ending September 30, 2004, for additional disaster assistance relating to hurricane damage, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       fiscal year ending September 30, 2004, to provide emer-  
6       gency supplemental appropriations for additional disaster

1 assistance relating to hurricane damage, and for other  
2 purposes, namely:

## 3 CHAPTER 1

### 4 SMALL BUSINESS ADMINISTRATION

#### 5 DISASTER LOANS PROGRAM ACCOUNT

6 For an additional amount for “Disaster Loans Pro-  
7 gram Account” for the cost of direct loans, \$248,000,000,  
8 to remain available until expended: *Provided*, That such  
9 costs, including the cost of modifying such loans, shall be  
10 as defined in section 502 of the Congressional Budget Act  
11 of 1974.

12 In addition, for an additional amount for “Disaster  
13 Loans Program Account” for administrative expenses to  
14 carry out the disaster loan program, \$209,000,000, to re-  
15 main available until expended, which may be transferred  
16 to the appropriations for “Salaries and Expenses”: *Pro-*  
17 *vided*, That no funds shall be transferred to the appropria-  
18 tions for “Salaries and Expenses” for indirect administra-  
19 tive expenses: *Provide further*, That the amounts provided  
20 under this heading are designated as an emergency re-  
21 quirement pursuant to section 402 of S. Con. Res. 95  
22 (108th Congress), as made applicable to the House of  
23 Representatives by H. Res. 649 (108th Congress) and ap-  
24 plicable to the Senate by section 14007 of Public Law  
25 108–287.

1 CHAPTER 2  
2 DEPARTMENT OF DEFENSE  
3 OPERATION AND MAINTENANCE

4 OPERATION AND MAINTENANCE, DEFENSE-WIDE

5 For an additional amount for “Operation and Main-  
6 tenance, Defense-Wide”, \$72,500,000, to remain available  
7 until September 30, 2005 for emergency expenses result-  
8 ing from natural or other disasters, for the costs of repairs  
9 to structures and equipment, evacuation, base prepara-  
10 tion, base recovery, and delayed satellite launches: *Pro-*  
11 *vided*, That the amounts provided herein are designated  
12 as an emergency requirement pursuant to section 402 of  
13 S. Con. Res. 95 (108th Congress), as made applicable to  
14 the House of Representatives by H. Res. 649 (108th Con-  
15 gress) and applicable to the Senate by section 14007 of  
16 Public Law 108–287: *Provided further*, That the Secretary  
17 of Defense may transfer these funds to appropriations for  
18 military personnel; operation and maintenance; procure-  
19 ment; and family housing: *Provided further*, That funds  
20 transferred shall be merged with and made available for  
21 the same purposes and for the same time period as the  
22 appropriation to which transferred: *Provided further*, That  
23 this transfer authority is in addition to any other transfer  
24 authority available to the Department of Defense.

1 CHAPTER 3  
2 CORPS OF ENGINEERS—CIVIL WORKS  
3 OPERATION AND MAINTENANCE, GENERAL

4 For an additional amount for “Operation and Main-  
5 tenance”, to dredge navigation channels and repair other  
6 Corps projects in southern and eastern States affected by  
7 natural disasters, \$30,000,000, to remain available until  
8 expended: *Provided*, That the amounts provided herein are  
9 designated as an emergency requirement pursuant to sec-  
10 tion 402 of S. Con. Res. 95 (108th Congress), as made  
11 applicable to the House of Representatives by H. Res. 649  
12 (108th Congress) and applicable to the Senate by section  
13 14007 of Public Law 108–287.

14 FLOOD CONTROL AND COASTAL EMERGENCIES  
15 For an additional amount for “Flood Control and  
16 Coastal Emergencies”, as authorized by section 5 of the  
17 Flood Control Act of August 16, 1941, as amended (33  
18 U.S.C. 701n) for emergency response to and recovery from  
19 coastal storm damages and flooding in southern and east-  
20 ern states caused by natural disasters, \$88,000,000, to re-  
21 main available until expended: *Provided*, That the  
22 amounts provided herein are designated as an emergency  
23 requirement pursuant to section 402 of S. Con. Res. 95  
24 (108th Congress), as made applicable to the House of  
25 Representatives by H. Res. 649 (108th Congress) and ap-

1 plicable to the Senate by section 14007 of Public Law  
2 108–287.

## 3 CHAPTER 4

### 4 DEPARTMENT OF HOMELAND SECURITY

#### 5 UNITED STATES COAST GUARD

##### 6 OPERATING EXPENSES

7 For an additional amount for “Operating Expenses”  
8 for expenses resulting from the recent natural disasters  
9 in the southeastern United States, \$8,000,000, to remain  
10 available until expended: *Provided*, That the amounts pro-  
11 vided herein are designated as an emergency requirement  
12 pursuant to section 402 of S. Con. Res. 95 (108th Con-  
13 gress), as made applicable to the House of Representatives  
14 by H. Res. 649 (108th Congress) and applicable to the  
15 Senate by section 14007 of Public Law 108–287.

#### 16 EMERGENCY PREPAREDNESS AND RESPONSE

##### 17 DISASTER RELIEF

18 For an additional amount for “Disaster Relief”,  
19 \$2,000,000,000, to remain available until expended: *Pro-*  
20 *vided*, That the amounts provided herein are designated  
21 as an emergency requirement pursuant to section 402 of  
22 S. Con. Res. 95 (108th Congress), as made applicable to  
23 the House of Representatives by H. Res. 649 (108th Con-  
24 gress) and applicable to the Senate by section 14007 of  
25 Public Law 108–287.

1 CHAPTER 5  
2 DEPARTMENT OF THE INTERIOR  
3 FISH AND WILDLIFE SERVICE  
4 CONSTRUCTION

5 For an additional amount for “Construction”,  
6 \$13,900,000, to remain available until expended: *Pro-*  
7 *vided*, That the amounts provided herein are designated  
8 as an emergency requirement pursuant to section 402 of  
9 S. Con. Res. 95 (108th Congress), as made applicable to  
10 the House of Representatives by H. Res. 649 (108th Con-  
11 gress) and applicable to the Senate by section 14007 of  
12 Public Law 108–287.

13 NATIONAL PARK SERVICE  
14 CONSTRUCTION

15 For an additional amount for “Construction”,  
16 \$7,400,000, to remain available until expended: *Provided*,  
17 That the amounts provided herein are designated as an  
18 emergency requirement pursuant to section 402 of S. Con.  
19 Res. 95 (108th Congress), as made applicable to the  
20 House of Representatives by H. Res. 649 (108th Con-  
21 gress) and applicable to the Senate by section 14007 of  
22 Public Law 108–287.

1 CHAPTER 6  
2 DEPARTMENT OF HEALTH AND HUMAN  
3 SERVICES  
4 DEPARTMENTAL MANAGEMENT  
5 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY  
6 FUND

7 For an additional amount for “Public Health and So-  
8 cial Services Emergency Fund” to support aging services,  
9 social services and health services associated with natural  
10 disaster recovery and response efforts, \$50,000,000, to re-  
11 main available until expended: *Provided*, That the  
12 amounts provided herein are designated as an emergency  
13 requirement pursuant to section 402 of S. Con. Res. 95  
14 (108th Congress), as made applicable to the House of  
15 Representatives by H. Res. 649 (108th Congress) and ap-  
16 plicable to the Senate by section 14007 of Public Law  
17 108–287.

18 CHAPTER 7  
19 EXECUTIVE OFFICE OF THE PRESIDENT  
20 UNANTICIPATED NEEDS

21 For an additional amount for “Unanticipated  
22 Needs”, not to exceed \$70,000,000, to remain available  
23 until September 30, 2005, for the American Red Cross  
24 for reimbursement of disaster relief and recovery expendi-  
25 tures and emergency services associated with Hurricanes

1 Charley, Frances, and Ivan, and only to the extent funds  
 2 are not made available for those activities by other Federal  
 3 sources: *Provided*, That these funds may be administered  
 4 by any authorized Federal Government agency to meet the  
 5 purposes of this provision and that total administrative  
 6 costs shall not exceed three percent of the total appropria-  
 7 tion: *Provided further*, That the Comptroller General shall  
 8 audit the use of these funds by the American Red Cross:  
 9 *Provided further*, That the amounts provided herein are  
 10 designated as an emergency requirement pursuant to sec-  
 11 tion 402 of S. Con. Res. 95 (108th Congress), as made  
 12 applicable to the House of Representatives by H. Res. 649  
 13 (108th Congress) and applicable to the Senate by section  
 14 14007 of Public Law 108–287.

## 15 CHAPTER 8

### 16 DEPARTMENT OF VETERANS AFFAIRS

#### 17 VETERANS HEALTH ADMINISTRATION

#### 18 MEDICAL SERVICES

19 For an additional amount for “Medical Services” for  
 20 expenses related to the recent natural disasters in the  
 21 Southeast, \$5,800,000, to remain available until Sep-  
 22 tember 30, 2005: *Provided*, That the amounts provided  
 23 herein are designated as an emergency requirement pursu-  
 24 ant to section 402 of S. Con. Res. 95 (108th Congress),  
 25 as made applicable to the House of Representatives by H.



1 Res. 649 (108th Congress) and applicable to the Senate  
2 by section 14007 of Public Law 108–287.

3 MEDICAL ADMINISTRATION

4 For an additional amount for “Medical Administra-  
5 tion” for expenses related to the recent natural disasters  
6 in the Southeast, \$1,500,000, to remain available until  
7 September 30, 2005: *Provided*, That the amounts provided  
8 herein are designated as an emergency requirement pursu-  
9 ant to section 402 of S. Con. Res. 95 (108th Congress),  
10 as made applicable to the House of Representatives by H.  
11 Res. 649 (108th Congress) and applicable to the Senate  
12 by section 14007 of Public Law 108–287.

13 MEDICAL FACILITIES

14 For an additional amount for “Medical Facilities” for  
15 expenses related to the recent natural disasters in the  
16 Southeast, \$16,800,000, to remain available until ex-  
17 pended: *Provided*, That the amounts provided herein are  
18 designated as an emergency requirement pursuant to sec-  
19 tion 402 of S. Con. Res. 95 (108th Congress), as made  
20 applicable to the House of Representatives by H. Res. 649  
21 (108th Congress) and applicable to the Senate by section  
22 14007 of Public Law 108–287.

1       DEPARTMENT OF HOUSING AND URBAN  
2                   DEVELOPMENT  
3       COMMUNITY PLANNING AND DEVELOPMENT  
4                   COMMUNITY DEVELOPMENT FUND

5       For an additional amount for “Community Develop-  
6 ment Fund”, as authorized under title I of the Housing  
7 and Community Development Act of 1974 (Act), for emer-  
8 gency expenses resulting from natural disasters in Florida,  
9 except those activities reimbursable by the Federal Emer-  
10 gency Management Agency or available through the Small  
11 Business Administration, and for reimbursement for ex-  
12 penditures incurred from the regular Community Develop-  
13 ment Block Grant formula allocation used to achieve these  
14 same purposes, \$150,000,000, to remain available until  
15 September 30, 2007: *Provided*, That the amounts provided  
16 herein are designated as an emergency requirement pursu-  
17 ant to section 402 of S. Con. Res. 95 (108th Congress),  
18 as made applicable to the House of Representatives by H.  
19 Res. 649 (108th Congress) and applicable to the Senate  
20 by section 14007 of Public Law 108–287: *Provided fur-*  
21 *ther*, That such funds may be awarded to the State of  
22 Florida for affected areas: *Provided further*, That notwith-  
23 standing 42 U.S.C. 5306(d)(2), the State of Florida is au-  
24 thorized to provide such assistance to entitlement commu-  
25 nities: *Provided further*, That in administering these funds

1 for economic revitalization activities in Florida, the Sec-  
2 retary may waive, or specify alternative requirements for,  
3 any provision of any statute or regulation that the Sec-  
4 retary administers in connection with the obligation by the  
5 Secretary or the use by the recipient of these funds (except  
6 for requirements related to fair housing, nondiscrimina-  
7 tion, labor standards, and the environment), upon a find-  
8 ing that such waiver is required to facilitate the use of  
9 such funds, and would not be inconsistent with the overall  
10 purpose of the statute or regulation: *Provided further*,  
11 That for activities funded by amounts provided herein, the  
12 Secretary may waive, on a case-by-case basis and upon  
13 such other terms as the Secretary may specify, in whole  
14 or in part, the requirements that activities principally ben-  
15 efit persons of low- and moderate-income pursuant to 42  
16 U.S.C. 5301(c) and 5304(b)(3): *Provided further*, That  
17 the Secretary shall publish in the Federal Register any  
18 waiver of any statute or regulation authorized under this  
19 heading no later than 5 days before the effective date of  
20 such waiver.

21 NATIONAL AERONAUTICS AND SPACE

22 ADMINISTRATION

23 SPACE FLIGHT CAPABILITIES

24 For an additional amount for “Space Flight Capabili-  
25 ties”, to repair facilities damaged and take other emer-

1 gency measures due to the effects of hurricanes,  
2 \$126,000,000, to remain available until expended: *Pro-*  
3 *vided*, That the amounts provided herein are designated  
4 as an emergency requirement pursuant to section 402 of  
5 S. Con. Res. 95 (108th Congress), as made applicable to  
6 the House of Representatives by H. Res. 649 (108th Con-  
7 gress) and applicable to the Senate by section 14007 of  
8 Public Law 108–287.

9       This Act may be cited as the “Emergency Supple-  
10 mental Appropriations for Hurricane Disaster Assistance  
11 Act, 2004”.

