

H. Rept. 109-359, Conference Report  
Accompanying the Department of Defense,  
Emergency Supplemental Appropriations  
to Address Hurricanes in the Gulf of Mexico,  
and Pandemic Influenza Act, 2006

Excerpts Pertaining to  
Employment and Training Administration  
(See Bookmarks)

109TH CONGRESS }  
1st Session }

HOUSE OF REPRESENTATIVES

{ REPORT  
109-359

MAKING APPROPRIATIONS FOR THE DEPARTMENT OF  
DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER  
30, 2006, AND FOR OTHER PURPOSES

DECEMBER 18, 2005.—Ordered to be printed

Mr. YOUNG of Florida, from the committee of conference,  
submitted the following

CONFERENCE REPORT

[To accompany H.R. 2863]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2863) “making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes”, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

**DIVISION A**

**DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006**

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, for military functions administered by the Department of Defense and for other purposes, namely:*

**TITLE I**

**MILITARY PERSONNEL**

**MILITARY PERSONNEL, ARMY**

*For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (includ-*

JOINT EXPLANATORY STATEMENT

DIVISION A

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2863), making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Department of Defense Appropriations Act, 2006, incorporates some of the provisions of the House and Senate versions of the bill as well as some matters under the jurisdiction of the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the House Committee on Appropriations that were addressed in the House in H.R. 2528. The language and allocations set forth in House Report 109–119 and Senate Report 109–141, and the relevant language and allocations set forth in House Report 109–95, should be complied with unless specifically addressed in the accompanying conference report and statement of managers to the contrary.

The Senate amendment deleted the entire House bill after the enacting clause and inserted new language. The conference agreement includes revised language.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

The conferees agree that for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 2006, the accompanying House and Senate Committee reports, the conference report and accompanying joint explanatory statement of the managers of the Committee of Conference, the related classified annexes and reports, and the P–1 and R–1 budget justification documents as subsequently modified by Congressional action. The following exception to the above definition shall apply: for the Military Personnel and the Operation and Maintenance accounts, the term “program, project, and activity” is defined as the appropriations accounts contained in the Department of Defense Appropriations Act.

## CHAPTER 6

## DEPARTMENT OF LABOR

## EMPLOYMENT AND TRAINING ADMINISTRATION

## TRAINING AND EMPLOYMENT SERVICES

The conference agreement includes a supplemental appropriation of \$125,000,000 for the Employment and Training Administration to award national emergency grants related to the consequences of hurricanes in the Gulf of Mexico in calendar year 2005. These funds may be used to replace grant funds previously obligated to the impacted areas.

## STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

The conference agreement includes language that extends the availability of funds provided under this heading in Public Law 108-447, which have been allocated to the States of Alabama, Louisiana, and Mississippi. The funding shall remain available for obligation by those States through September 30, 2006 and funds used for automation by those States shall remain available through September 30, 2008.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****ADMINISTRATION FOR CHILDREN AND FAMILIES****SOCIAL SERVICES BLOCK GRANT**

The conference agreement includes a supplemental appropriation of \$550,000,000 for the Social Services Block Grant (SSBG). The conferees note that the hurricanes in the Gulf of Mexico in calendar year 2005 have imposed extreme demands for social and health care services in affected States. States may use SSBG funds for a wide array of human services.

In addition to other uses, the conferees intend these funds to be available to help meet the health care needs of people affected by the hurricanes in the Gulf of Mexico in calendar year 2005 and lacking health insurance or other adequate access to care, and to help health care "safety net" providers restore and resume their operations. Accordingly, the conferees have included bill language intended to remove any uncertainties as to the eligibility of health care providers and facilities (including mental health providers and facilities) to receive Social Services Block Grant funds from this appropriation. Examples of institutions that could receive these funds include community health centers, rural hospitals and clinics, community mental health centers, public hospitals, and other providers with substantial percentages of uninsured patients. In addition to helping meet health care needs arising from the hurricanes, funds may be made available for repairs or reconstruction needed to allow health centers and similar providers to resume or expand operations, or to help key providers meet salary and other costs associated with resuming or restoring health services.

\$125M NEGs:  
Division B,  
Title I (Hurricanes),  
Ch 6, Dept. of Labor

lation areas. The conferees direct the Federal Highway Administration to administer the rescission by allowing each State maximum flexibility in making adjustments among the apportioned highway programs.

**FEDERAL RAILROAD ADMINISTRATION**

**EFFICIENCY INCENTIVE GRANTS TO THE NATIONAL RAILROAD  
PASSENGER CORPORATION**

**(RESCISSION)**

The conference agreement rescinds \$8,300,000 from Efficiency Incentive Grants to the National Railroad Passenger Corporation and repeals section 135 of Division A of Public Law 109–115.

Across-the-Board 1% Rescission:  
Division B,  
Title III, Ch 8

**CHAPTER 8**

**GOVERNMENT-WIDE RESCISSIONS**

The conference agreement includes a 1 percent across-the-board rescission to discretionary budgetary resources provided in fiscal year 2006 regular appropriations Acts, as well as to any previously enacted fiscal year 2006 advance appropriation and to any contract authority subject to limitation. The rescission does not apply to the Department of Veterans Affairs or spending designated as an emergency requirement.

**TITLE IV—HURRICANE EDUCATION RECOVERY ACT**

**SUBTITLE A—ELEMENTARY AND SECONDARY EDUCATION HURRICANE  
RELIEF**

The conference agreement includes language that authorizes assistance to elementary and secondary students and schools impacted by the hurricanes in the Gulf of Mexico in calendar year 2005. Funding to carry out this authority is included in chapter 6 of title I.

**SUBTITLE B—HIGHER EDUCATION HURRICANE RELIEF**

The conference agreement includes temporary waivers to and modifications of certain higher education act requirements in order to provide flexibility to and ease financial burdens on postsecondary students and institutions impacted by the hurricanes in the Gulf of Mexico in calendar year 2005.

**SUBTITLE C—EDUCATION AND RELATED PROGRAMS HURRICANE  
RELIEF**

The conference agreement includes language to extend certain deadlines of the individuals with disabilities education act and waivers relating to Head Start and the Child Care and Development Block Grant. This language is included to facilitate assistance related to the hurricanes in the Gulf of Mexico in calendar year 2005.

TITLE V—GENERAL PROVISIONS AND TECHNICAL  
CORRECTIONS

The conference agreement includes a provision relating to the availability of funds.

The conference agreement includes a provision relating to any reference to “this Act”.

The conference agreement includes a provision removing the authority to make further transfers to or from the Emergency Response Fund.

The conference agreement includes a technical correction regarding funds appropriated to the Cooperative State Research Education and Extension Service.

The conference agreement includes a technical correction to the Energy and Water Development Appropriations Act, 2005, relating to the Animas-La Plata project.

The conference agreement includes a technical correction to the Energy and Water Development Appropriations Act, 2006, relating to the San Gabriel Basin Restoration Fund.

The conference agreement includes a technical correction to the Energy and Water Development Appropriations Act, 2006, relating to the Placer County, California, wastewater treatment project.

The conference agreement includes a technical correction to the Energy and Water Development Appropriations Act, 2006, relating to the Central New Mexico Project.

The conference agreement includes a provision correcting an enrollment error in the Energy and Water Development Appropriations Act, 2006, relating to a Hurricane Protection Study in Louisiana.

The conference agreement includes a technical correction to the Energy and Water Development Appropriations Act, 2006, related to the Western Area Power Administration.

The conference agreement includes a general provision making \$50,000,000 available to the New York State Uninsured Employers Fund and \$75,000,000 to the Centers for Disease Control and Prevention for purposes related to the September 11, 2001 terrorist attacks. These funds replace \$125,000,000 included in the supplemental appropriations for New York State made following the September 11th attacks that were unable to be spent for administering worker compensation claims and were rescinded in the regular FY 2006 Labor-HHS-Education Appropriations Act.

The conference agreement includes language that amends the Flexibility for Displaced Workers Act (Public Law 109–72) to strike “Hurricane Katrina” and insert “hurricanes in the Gulf of Mexico in calendar year 2005” each place it appears.

The conference agreement includes a provision that amends section 124 of Public Law 109–114.

The conference agreement includes a provision that amends section 128 of Public Law 109–114.

The conference agreement includes a provision that makes a technical correction to a military construction project in Public Law 109–114.

The conference agreement includes a provision that makes a technical correction to the short title of Public Law 109–114.

\$50M WCP:  
Division B, Title V,  
Sec. 5011