

PROVIDING FOR CONSIDERATION OF H.R. 5212, MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2005, FOR ADDITIONAL DISASTER ASSISTANCE RELATING TO STORM DAMAGE, AND FOR OTHER PURPOSES

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OCTOBER 6 (legislative day, OCTOBER 5), 2004.—Referred to the House Calendar and ordered to be printed

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Mr. PUTNAM, from the Committee on Rules,  
submitted the following

R E P O R T

[To accompany H. Res. 819]

The Committee on Rules, having had under consideration House Resolution 819, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for the consideration of H.R. 5212, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes, under a modified closed rule. The rule waives all points of order against consideration of the bill. The rule provides one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule provides for consideration of the amendment printed in this report if offered by Representative Hensarling of Texas or his designee, which shall be considered as read, shall not be subject to a demand for division of the question, and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in this report.

Finally, the rule provides one motion to recommit with or without instructions.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

*Rules Committee record vote No. 320*

Date: October 6, 2004 (legislative day of October 5, 2004).

Measure: H.R. 5212—making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes.

Motion by: Mr. Frost.

Summary of motion: To make in order and grant the appropriate waivers for the amendment offered by Representative Stenholm which adds a new title to the bill which provides for nationwide crop loss disaster assistance for weather-related losses for the FY03 and FY04 crop years.

Results: Defeated 2 to 8.

Vote by Members: Linder—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Putnam—Nay; Frost—Yea; Hastings (FL)—Yea; Dreier—Nay.

*Rules Committee record vote No. 321*

Date: October 6, 2004 (legislative day of October 5, 2004).

Measure: H.R. 5212—making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes.

Motion by: Mr. Frost.

Summary of motion: To make in order and grant the appropriate waivers for the amendment offered by Representative Doyle which allows for one time grants to small businesses who are located outside a federal flood plain, but in a federal or state disaster area, and suffered flood damage as a result of the 2004 hurricane season.

Results: Defeated 3 to 8.

Vote by Members: Linder—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Putnam—Nay; Frost—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

*Rules Committee record vote No. 322*

Date: October 6, 2004 (legislative day of October 5, 2004).

Measure: H.R. 5212—making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes.

Motion by: Mr. McGovern.

Summary of motion: To make in order and grant the appropriate waivers for the amendment offered by Representative DeLauro which includes \$600 million emergency Low-Income Home Energy Assistance Program (LIHEAP) funding. The emergency funds would not be offset.

Results: Defeated 3 to 8.

Vote by Members: Linder—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Putnam—Nay; Frost—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

*Rules Committee record vote No. 323*

Date: October 6, 2004 (legislative day of October 5, 2004).

Measure: H.R. 5212—making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes.

Motion by: Mr. Hastings of Florida.

Summary of motion: To make in order and grant the appropriate waivers for the amendment in the nature of a substitute offered by Representative Boyd which provides roughly \$12.9 billion for disaster relief in Florida and other states. This package is roughly \$2 billion more than the President's supplemental requests. Include roughly \$486 million more than the President for agricultural disaster assistance; \$455 million more than the President for reconstruction of military installations and housing; and \$750 million more than the President to fund highway repair grants.

Results: Defeated 3 to 8.

Vote by Members: Linder—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Putnam—Nay; Frost—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

#### SUMMARY OF AMENDMENT MADE IN ORDER UNDER THE RULE

Hensarling: Fully offsets the cost of the supplemental with a proportional reduction of FY05 discretionary funding once enacted. Funding for defense, homeland security and veterans would be specifically exempt.

#### TEXT OF AMENDMENT MADE IN ORDER UNDER THE RULE

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. (a) OFFSETTING GOVERNMENT-WIDE RESCISSION.—Of the discretionary budget authority provided in appropriation Acts for fiscal year 2005, there is rescinded the total amount determined by the Director of the Office of Management and Budget to be required to offset the discretionary budget authority that is provided in this Act and designated as an emergency requirement.

(b) APPLICATION.—The rescission made by subsection (a)—

(1) shall take effect immediately after the enactment of all of the regular appropriation Acts for fiscal year 2005 (whether enacted separately, included in a consolidated appropriations law, or covered by a continuing appropriations law that funds programs through the end of the fiscal year);

(2) shall not apply to the discretionary budget authority provided for the Departments of Defense, Homeland Security, and Veterans Affairs; and

(3) shall be applied proportionately to the discretionary budget authority provided for each other department, agency, instrumentality, and entity of the Federal Government.

(e) REPORT.—The Director of the Office of Management and Budget shall include in the President's budget submission for fiscal year 2006 a report specifying the reductions made to each account, program, project, and activity pursuant to this section.