

DIVISION B—DISASTER RELIEF AND RECOVERY  
SUPPLEMENTAL APPROPRIATIONS ACT, 2008

Disaster Relief  
and Recovery  
Supplemental  
Appropriations  
Act, 2008.

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I—RELIEF AND RECOVERY FROM NATURAL  
DISASTERS

CHAPTER 1—AGRICULTURE AND RURAL DEVELOPMENT

DEPARTMENT OF AGRICULTURE

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$5,000,000, to remain available until expended, for oversight of disaster- and emergency-related funding provided by this chapter.

AGRICULTURAL RESEARCH SERVICE

BUILDINGS AND FACILITIES

For an additional amount for “Buildings and Facilities”, \$5,000,000, to remain available until expended, for the repair and reconstruction of buildings damaged by natural disasters occurring during 2008.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$5,000,000, to remain available through September 30, 2010, for pathogen surveillance and eradication to address confirmed or suspected outbreaks.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

For an additional amount for the “Emergency Watershed Protection Program”, \$100,000,000, to remain available until expended, for disaster recovery operations.

**FARM SERVICE AGENCY**

**EMERGENCY CONSERVATION PROGRAM**

**For an additional amount for “Emergency Conservation Program”, \$115,000,000, to remain available until expended.**

## RURAL DEVELOPMENT PROGRAMS

## RURAL DEVELOPMENT DISASTER ASSISTANCE FUND

For grants, and for the cost of direct and guaranteed loans, for authorized activities of agencies of the Rural Development Mission Area, \$150,000,000, to remain available until expended, which shall be allocated as follows: \$59,000,000 for single and multi-family housing activities; \$40,000,000 for community facilities activities; \$26,000,000 for utilities activities; and \$25,000,000 for business activities: *Provided*, That such funds shall be for areas affected by hurricanes, floods, and other natural disasters occurring during 2008 for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974: *Provided further*, That the cost of such direct and guaranteed loans, including the cost of modifying loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That the Secretary of Agriculture may reallocate funds made available in this paragraph among the 4 specified activities, if the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate not less than 15 days prior to such reallocation.

Notification.  
Deadline.

In addition, for an additional amount for grants, and for the cost of direct and guaranteed loans, for authorized activities of the Rural Housing Service, \$38,000,000, to remain available until expended, for single and multi-family housing activities: *Provided*, That such funds shall be for areas affected by Hurricanes Katrina and Rita: *Provided further*, That the cost of such direct and guaranteed loans, including the cost of modifying loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

## GENERAL PROVISIONS, THIS CHAPTER

## (INCLUDING TRANSFERS OF FUNDS)

7 USC 6945.

SEC. 10101. (a) RURAL DEVELOPMENT DISASTER ASSISTANCE FUND.—Hereafter, there is established in the Treasury a fund entitled the “Rural Development Disaster Assistance Fund”.

(b) PURPOSE AND AVAILABILITY OF FUND.—Subject to subsection (d), amounts in the Rural Development Disaster Assistance Fund shall be available to the Secretary of Agriculture, until expended, to provide additional amounts for authorized activities of agencies of the Rural Development Mission Area in areas affected by a disaster declared by the President or the Secretary of Agriculture. Amounts so provided shall be in addition to any other amounts available to carry out the activity.

(c) WAIVER OF ACTIVITY OR PROJECT LIMITATIONS.—The Secretary of Agriculture may waive any limits on population, income, or cost-sharing otherwise applicable to an activity or project for which amounts in the Rural Development Disaster Assistance Fund will be obligated under subsection (b), except that, if the amounts proposed to be obligated in connection with the disaster would exceed the amount specified in subsection (h), the notification required by that subsection shall include information and justification with regard to any waivers to be granted under this subsection.

(d) TREATMENT OF CERTAIN AMOUNTS IN FUND.—Amounts appropriated directly to the Rural Development Disaster Assistance Fund by this Act or any subsequent Act for a specific purpose

shall be available only for that purpose until such time as the transfer authority provided by subsection (f) takes effect with regard to the amounts. Only subsection (c), including the notification requirements of such subsection, and subsections (g) and (i) apply to amounts described in this subsection.

Applicability.

(e) TRANSFER OF PRIOR APPROPRIATIONS TO FUND.—The Secretary of Agriculture may transfer to the Rural Development Disaster Assistance Fund, and merge with other amounts generally appropriated to the Fund, the available unobligated balance of any amounts that were appropriated before the date of the enactment of this Act for programs and activities of the Rural Development Mission Area to respond to a disaster and were designated by the Congress as an emergency requirement if, in advance of the transfer, the Secretary determines that the unobligated amounts are no longer needed to respond to the disaster for which the amounts were originally appropriated and the Secretary provides a certification of this determination to the Committees on Appropriations of the House of Representatives and the Senate.

Certification.

(f) TRANSFER OF OTHER APPROPRIATIONS TO FUND.—Unless otherwise specifically provided in an appropriations Act, the Secretary of Agriculture may transfer to or within the Rural Development Disaster Assistance Fund, and merge with other amounts generally appropriated to the Fund, the available unobligated balance of any amounts that are appropriated for fiscal year 2009 or any subsequent fiscal year for programs and activities of the Rural Development Mission Area to respond to a disaster and are designated by the Congress as an emergency requirement if, in advance of the transfer, the Secretary determines that the unobligated amounts are no longer needed to respond to the disaster for which the amounts were originally appropriated and the Secretary provides a certification of this determination to the Committees on Appropriations of the House of Representatives and the Senate. A transfer of unobligated amounts with respect to a disaster may not be made under this subsection until after the end of the two-year period beginning on the date on which the amounts were originally appropriated for that disaster.

Certification.

(g) ADMINISTRATIVE EXPENSES.—In addition to any other funds available to the Secretary of Agriculture to cover administrative costs, the Secretary may use up to 3 percent of the amounts allocated from the Rural Development Disaster Assistance Fund for a specific disaster to cover administrative costs of Rural Development's State and local offices in the areas affected by the disaster to carry out disaster related activities.

(h) LIMITATION ON PER DISASTER OBLIGATIONS.—Amounts in the Rural Development Disaster Assistance Fund, except for amounts described in subsection (d) that are appropriated to the Fund and obligated in accordance with that subsection, may not be obligated in excess of \$1,000,000 for a disaster until at least 15 days after the date on which the Secretary of Agriculture notifies the Committees on Appropriations of the House of Representatives and the Senate of the Secretary's determination to obligate additional amounts and the reasons for the determination. The Secretary may not obligate more than 50 percent of the funds contained in the Rural Development Disaster Assistance Fund for any one disaster unless the Secretary declares that there is a specific and extreme need that additional funds must be provided in response to such disaster at time of the obligation.

Deadline.  
Notification.