

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006,
AND FOR OTHER PURPOSES

—————
JUNE 8, 2006.—Ordered to be printed
—————

Mr. LEWIS of California, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 4939]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939), “making emergency supplemental appropriations 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 amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I

GLOBAL WAR ON TERROR SUPPLEMENTAL
APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for “Public Law 480 Title II Grants”, during the current fiscal year, not otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, \$350,000,000, to remain available until expended: Provided, That from this amount, to the maximum extent possible, funding shall be used to support the previously approved fiscal year 2006 programs under section 204(a)(2) of the Agricultural Trade Development and Assistance Act of 1954: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$6,587,473,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$1,321,474,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$840,872,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$1,155,713,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, \$140,570,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel, Navy”, \$110,712,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for “Reserve Personnel, Marine Corps”, \$10,627,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for “Reserve Personnel, Air Force”, \$1,940,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, \$111,550,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, \$1,200,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$17,744,410,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$2,696,693,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$1,639,911,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$5,576,257,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$2,830,677,000, of which—

(1) not to exceed \$25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom;

(2) not to exceed \$5,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes;

(3) not to exceed \$740,000,000, to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: Provided, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of

Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph; and

(4) up to \$75,000,000 shall be transferred to the Coast Guard "Operating Expenses" account: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$100,100,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$78,509,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$87,875,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$18,563,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$178,600,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$30,400,000: Provided, That the amount provided under this heading is designated as an emergency requirement pur-

suant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FORMER SOVIET UNION THREAT REDUCTION ACCOUNT

For an additional amount for “Former Soviet Union Threat Reduction Account”, \$44,500,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AFGHANISTAN SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the “Afghanistan Security Forces Fund”, \$1,908,133,000, to remain available until September 30, 2007: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Office of Security Cooperation—Afghanistan, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IRAQ SECURITY FORCES FUND
(INCLUDING TRANSFER OF FUNDS)

For the “Iraq Security Forces Fund”, \$3,007,000,000, to remain available until September 30, 2007: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND
(INCLUDING TRANSFER OF FUNDS)

For the “Joint Improvised Explosive Device Defeat Fund”, \$1,958,089,000, to remain available until September 30, 2008: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That within 60 days of the enactment of this Act,

a plan for the intended management and use of the Fund is provided to the congressional defense committees: Provided further, That the Secretary of Defense shall submit a report not later than 30 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of this Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon determination that all or part of the funds so transferred from this appropriation are not necessary for the purpose provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$345,000,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$203,300,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$1,767,451,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$829,679,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$5,819,645,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$516,869,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$55,200,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$323,256,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$54,640,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$2,577,467,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated

as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$674,815,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$29,047,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$1,500,591,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$331,353,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$54,700,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$124,845,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$382,630,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$148,551,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

*REVOLVING AND MANAGEMENT FUNDS**DEFENSE WORKING CAPITAL FUNDS*

For an additional amount for “Defense Working Capital Funds”, \$516,700,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

*OTHER DEPARTMENT OF DEFENSE PROGRAMS**DEFENSE HEALTH PROGRAM*

For an additional amount for “Defense Health Program”, \$1,153,562,000 for operation and maintenance: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

*DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE**(INCLUDING TRANSFER OF FUNDS)*

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense”, \$150,470,000, to remain available until expended: Provided, That these funds may be used only for such activities related to Afghanistan and the Central Asia area: Provided further, That the Secretary of Defense may transfer such funds only to appropriations for military personnel; operation and maintenance; procurement; and research, development, test and evaluation: Provided further, That the funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the amount provided under this heading is designated as an emergency

requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for “Office of the Inspector General”, \$5,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for the “Intelligence Community Management Account”, \$158,875,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 1201. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to \$2,000,000,000 of the funds made available to the Department of Defense in this chapter: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: Provided further, That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2006, except for the fourth proviso.

(TRANSFER OF FUNDS)

SEC. 1202. Section 8005 of the Department of Defense Appropriations Act, 2006, (Public Law 109-148; 119 Stat. 2680), is amended by striking “\$3,750,000,000” and inserting “\$5,000,000,000”: Provided, That funds previously transferred among appropriations under the authority of section 8005 of Public Law 109-148 pursuant to reprogramming action 06-13PA may be restored to their source appropriations accounts: Provided further, That transfers made pursuant to reprogramming action 06-13PA and transfers back under this section shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under section 8005: Provided further, That the amount made available by the transfer of funds in or pursuant to this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

(TRANSFER OF FUNDS)

SEC. 1203. During fiscal year 2006 and from funds in the Defense Cooperation Account, the Secretary of Defense may transfer not to exceed \$5,800,000 to such appropriations or funds of the Department of Defense as he shall determine for use consistent with the purposes for which such funds were contributed and accepted: Provided, That such amounts shall be available for the same time period as the appropriation to which transferred: Provided further, That the amount made available by the transfer of funds in or pursuant to this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 1204. Section 1005(c)(2) of the National Defense Authorization Act, Fiscal Year 2006 (Public Law 109-163) is amended by striking "\$289,447,000" and inserting "\$345,547,000".

SEC. 1205. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this Act under the heading, "Drug Interdiction and Counter-Drug Activities, Defense", not to exceed \$22,200,000 may be made available for support for counter-drug activities of the Governments of Afghanistan and Pakistan: Provided, That such support shall be in addition to support provided for the counter-drug activities of such Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—

(1) Except as specified in subsections (b)(2) and (b)(3) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85, as amended by Public Law 106-398 and Public Law 108-136), and conditions on the provision of support as contained in section 1033 shall apply for fiscal year 2006.

(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to said Governments for counter-drug activities.

(3) For the Government of Afghanistan, the Secretary of Defense may also provide individual and crew-served weapons, and ammunition for counter-drug security forces.

SEC. 1206. Notwithstanding 10 U.S.C. 2208(l), the total amount of advance billings rendered or imposed for all working capital funds of the Department of Defense in fiscal year 2006 shall not exceed \$1,200,000,000: Provided, That the amounts made available pursuant to this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 1207. In addition to amounts authorized in section 1202(a) of Public Law 109-163, from funds made available in this chapter to the Department of Defense, not to exceed \$423,000,000 may be used to fund the Commander's Emergency Response Program and for a similar program to assist the people of Afghanistan, to remain available until December 31, 2007.

SEC. 1208. Supervision and administration costs associated with a construction project funded with "Afghanistan Security Forces Fund" or "Iraq Security Forces Fund" appropriations may be

obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 1209. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

SEC. 1210. Effective as of January 6, 2006, and as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), subsection (d)(2) of section 1478 of title 10, United States Code, as added by section 664(b) of such Act (119 Stat. 3316), is amended by striking "May 11, 2005" and inserting "August 31, 2005".

(RESCISSIONS)

SEC. 1211. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"Missile Procurement, Air Force, 2006/2008", \$80,000,000;
 "Other Procurement, Air Force, 2005/2007", \$39,400,000.

SEC. 1212. (a) SENSE OF CONGRESS.—Congress recognizes the importance of ensuring that absent uniformed services voters, Department of Defense personnel, and their dependents have the opportunity to exercise their right to vote.

(b) IVAS BALLOT REQUEST PROGRAM.—

(1) The Interim Voting Assistance System (IVAS) Ballot Request Program shall be continued with respect to all absent uniformed services voters, Department of Defense personnel, and dependents covered by the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) with the objective to further improve ballot request procedures and voting assistance with respect to such persons.

(2) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of the program referred to in paragraph (1), including an accounting of the utilization of funds available for the program under subsection (c).

(c) FUNDING.—Of the amounts provided by this chapter, \$2,500,000 shall be available for the program referred to in subsection (b).

SEC. 1213. (a) FINDINGS.—The Senate makes the following findings:

(1) Title IX of the Department of Defense Appropriations Act, 2006 (division A of Public Law 109-148) appropriated \$50,000,000,000 for the cost of ongoing military operations overseas in fiscal year 2006, although those funds were not requested by the President.

(2) The President on February 16, 2006, submitted to Congress a request for supplemental appropriations in the amount of \$67,600,000,000 for ongoing military operations in fiscal year 2006, none of which supplemental appropriations was included in the concurrent resolution on the budget for fiscal year 2006, as agreed to in the Senate on April 28, 2005.

(3) *The President on February 6, 2006, included a \$50,000,000,000 allowance for ongoing military operations in fiscal year 2007, but did not formally request the funds or provide any detail on how the allowance may be used.*

(4) *The concurrent resolution on the budget for fiscal year 2007, as agreed to in the Senate on March 16, 2007, anticipates as much as \$86,300,000,000 in emergency spending in fiscal year 2007, indicating that the Senate expects to take up another supplemental appropriations bill to fund ongoing military operations during fiscal year 2007.*

(b) *SENSE OF SENATE.—It is the sense of the Senate that—*

(1) *any request for funds for a fiscal year after fiscal year 2007 for ongoing military operations in Afghanistan and Iraq should be included in the annual budget of the President for such fiscal year as submitted to Congress under section 1105(a) of title 31, United States Code;*

(2) *any request for funds for such a fiscal year for ongoing military operations should provide an estimate of all funds required in that fiscal year for such operations;*

(3) *any request for funds for ongoing military operations should include a detailed justification of the anticipated use of such funds for such operations; and*

(4) *any funds provided for ongoing military operations overseas should be provided in appropriations Acts for such fiscal year through appropriations to specific accounts set forth in such appropriations Acts.*

CHAPTER 3

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for “Child Survival and Health Programs Fund”, \$7,800,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEVELOPMENT ASSISTANCE

For an additional amount for “Development Assistance”, \$16,500,000, to remain available until September 30, 2007: Provided, That of the funds appropriated under this heading, \$6,000,000 shall be made available for assistance for Guatemala for relief and reconstruction activities related to Hurricane Stan: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “International Disaster and Famine Assistance”, \$161,300,000, to remain available until expended, of which up to \$80,000 may be transferred to and merged with “Operating Expenses of the United States Agency for International Development”, for associated administrative costs: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR
INTERNATIONAL DEVELOPMENT

For an additional amount for “Operating Expenses of the United States Agency for International Development”, \$101,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Economic Support Fund”, \$1,686,000,000, to remain available until September 30, 2007, of which up to \$11,000,000 may be used for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for Afghanistan or otherwise of reducing any amounts owed to the United States or any agency of the United States by Afghanistan: Provided, That such amounts for the costs of modifying direct loans and guarantees shall not be considered “assistance” for the purposes of any provision of law limiting assistance to a country: Provided further, That the last proviso under the heading “Economic Support Fund” in title II of Public Law 109–102 and comparable provisions in prior Acts making appropriations for foreign operations, export financing, and related programs shall no longer be applicable to funds appropriated under such heading in this Act or any prior Act: Provided further, That of the funds available under this heading for assistance for Afghanistan, \$5,000,000 shall be made available for agriculture and rural development programs in Afghanistan to be administered through a national consortium of agriculture colleges and land-grant universities: Provided further, That of the funds available under this heading for assistance for Iraq, not less than \$50,000,000 shall be made available to the United States Agency for International Development for continued support for its Community Action Program in Iraq, of which not less than \$5,000,000 shall be transferred to and merged with funds appropriated under the heading “Iraq Relief and Reconstruction Fund” in chapter 2 of title II of Public Law 108–106 and shall be made available for the Marla Ruzicka Iraqi War Victims Fund: Provided further, That of the funds made available

under this heading for assistance for Iraq, not less than \$50,000,000 shall be made available for programs and activities to promote democracy, the rule of law and reconciliation: Provided further, That funds appropriated under this heading that are made available for police and judicial reform in Haiti shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF STATE

DEMOCRACY FUND

For an additional amount for “Democracy Fund”, \$22,500,000, of which \$20,000,000 shall be made available for programs and activities promoting democracy in Iran and of which \$2,500,000 shall be made available for assistance for the Democratic Republic of the Congo, to remain available until September 30, 2007: Provided, That funds appropriated under this heading shall be made available notwithstanding any other provision of law, and those funds made available to promote democracy in Iran shall be administered by the Middle East Partnership Initiative, in consultation with the Bureau of Democracy, Human Rights, and Labor of the Department of State: Provided further, That funds made available under this heading in this Act shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “International Narcotics Control and Law Enforcement”, \$107,700,000, to remain available until September 30, 2008: Provided, That of the funds appropriated under this heading, not less than \$3,300,000 shall be made available for assistance for the Peace and Justice Unit of the Colombian Fiscalía notwithstanding section 599E of Public Law 109–102: Provided further, That of the funds appropriated under this heading, up to \$13,000,000 is available for procurement of a maritime patrol aircraft for the Colombian Navy and may be transferred to and merged with funds previously appropriated to the “Foreign Military Financing Program” to finance such procurement: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for “Migration and Refugee Assistance”, \$75,700,000, to remain available until September 30, 2007:

Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For an additional amount for “International Affairs Technical Assistance”, \$13,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

PEACEKEEPING OPERATIONS

For an additional amount for “Peacekeeping Operations”, \$178,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1301. Funds appropriated or made available by transfer in this chapter may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956 and section 10 of Public Law 91–672 (22 U.S.C. 2412).

SEC. 1302. (a) Notwithstanding any other provision of law, amounts under the heading “Iraq Relief and Reconstruction Fund” in title II of Public Law 108–106 shall remain available for one additional year from the date on which the availability of funds would otherwise have expired, if such funds are initially obligated before the expiration of the period of availability provided herein: Provided, That notwithstanding section 2207(d) of Public Law 108–106, requirements of section 2207 of Public Law 108–106 shall expire on October 1, 2008.

(b) Chapter 2 of title II of Public Law 108–106 (117 Stat. 1225–1226), as amended by Public Law 108–309 (118 Stat. 1142–1143), is further amended under the heading “Iraq Relief and Reconstruction Fund” by—

(1) striking “\$5,090,000,000” and inserting “\$5,036,000,000” for security and law enforcement;

(2) striking “\$1,960,000,000” and inserting “\$2,349,800,000” for justice, public safety infrastructure, and civil society;

(3) striking “\$4,455,000,000” and inserting “\$4,220,000,000” for the electric sector;

(4) striking “\$1,723,000,000” and inserting “\$1,735,600,000” for oil infrastructure;

(5) striking “\$2,361,000,000” and inserting “\$2,131,100,000” for water resources and sanitation;

(6) striking “\$500,000,000” and inserting “\$465,500,000” for transportation and telecommunications;

(7) striking “\$370,000,000” and inserting “\$333,700,000” for roads, bridges, and construction;

(8) striking “\$793,000,000” and inserting “\$739,000,000” for health care;

(9) striking “\$845,000,000” and inserting “\$805,300,000” for private sector development; and

(10) striking “\$342,000,000” and inserting “\$410,000,000” for education, refugees, human rights, and governance.

SEC. 1303. Of the funds made available for Coalition Solidarity Initiative under the heading “Peacekeeping Operations” in chapter 2 of title II of division A of Public Law 109–13, \$7,000,000 is rescinded.

SEC. 1304. (a) Section 550 of Public Law 109–102 (119 Stat. 2217) is amended to read as follows:

“PROHIBITION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

“SEC. 550. (a) PROHIBITION ON ASSISTANCE.—None of the funds appropriated by this Act or any prior Act making appropriations for foreign operations, export financing, and related programs, may be obligated or expended for assistance for the Palestinian Authority unless the Secretary of State determines, and so reports to the Committees on Appropriations, that the Palestinian Authority has complied with the standards contained in the Quartet’s January 30, 2006 Statement on the Situation in the Middle East that “a future Palestinian government must be committed to nonviolence, recognition of Israel, and acceptance of previous agreements and obligations, including the Roadmap”.

“(b) WAIVER AUTHORITY.—

“(1) The President may waive subsection (a) with respect to the administrative and personal security costs of the Office of the President of the Palestinian Authority, for activities of the President of the Palestinian Authority to promote democracy, peaceful resolution of the Israeli-Palestinian conflict, and the rule of law, and with respect to independent agencies, if the President certifies and reports to the Committees on Appropriations that—

“(A) it is in the national security interest of the United States to provide such assistance;

“(B) as the case may be, the President of the Palestinian Authority, the President’s party, and independent agencies and any members thereof, are not members of, appointed by, or effectively controlled by Hamas or any other foreign terrorist organization; and

“(C) assistance provided under the authority of this subsection will not be transferred or retransferred to any member of Hamas or other foreign terrorist organization or to any entity effectively controlled by Hamas or other foreign terrorist organization.

“(2) Not less than 15 days prior to exercising the authority provided in this subsection, the President shall consult with, and shall provide a written policy justification to, the Commit-

tees on Appropriations of the House of Representatives and the Senate and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

“(c) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations describing how the funds will be spent and the accounting procedures in place to ensure proper oversight and accountability.”

(b) Effective on the date of enactment of this Act, none of the funds appropriated under the heading “Economic Support Fund” in Public Law 109–102 (119 Stat. 2217) or any prior Act making appropriations for foreign operations, export financing and related programs may be obligated for assistance for the West Bank and Gaza until the Secretary of State consults with the Committees on Appropriations, submits a revised plan for such assistance to the Committees on Appropriations, and determines and reports to the Committees on Appropriations that appropriate procedures and safeguards exist to ensure that United States assistance is not provided to or through any individual, private or government entity, or educational institution, that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity.

SEC. 1305. Of the funds appropriated under the heading “Subsidy Appropriation” for the Export-Import Bank of the United States that are available for tied-aid grants in title I of Public Law 107–115 and under such heading in prior Acts making appropriations for foreign operations, export financing, and related programs, \$37,000,000 are rescinded.

SEC. 1306. To the extent not otherwise authorized, supervision and administrative costs of the Department of Defense associated with a construction project funded with the Iraq Relief and Reconstruction Fund may be obligated at the time a construction contract is awarded or, for pre-existing contracts, by September 30, 2006: Provided, That for the purposes of this section, supervision and administration costs include all in-house Government costs.

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for “Operating Expenses”, \$26,692,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 5

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, \$187,100,000, to remain available until September 30, 2007: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That \$50,000,000 of the funds provided under this heading may not be obligated or expended until after that date on which the Secretary of Defense submits a detailed plan for Counter IED/Urban Bypass Roads, Iraq, to the Committees on Appropriations of the House of Representatives and Senate.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force”, \$27,700,000, to remain available until September 30, 2007: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for “Military Construction, Defense-Wide”, \$20,600,000, to remain available until September 30, 2007: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 6

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for “Salaries and Expenses, United States Attorneys”, \$3,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$1,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$85,700,000, to remain available until September 30, 2007: Provided, That no funding provided under this heading shall be available for obligation for a new or enhanced information technology program unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations that the information technology program has appropriate program management and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice and Federal Bureau of Investigation: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$14,200,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$4,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Diplomatic and Consular Programs”, \$1,383,625,000, to remain available until September 30, 2007: Provided, That of the funds available under this heading, not less than \$250,000 shall be made available for the establishment and adequate support, including staffing and travel, of the Office of the Presidential Special Envoy for Sudan: Provided further, That of the amount made available under this heading, \$1,000,000 shall be available for transfer to the United States Institute of Peace: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Office of Inspector General”, \$25,300,000, to remain available until September 30, 2007, of which \$24,000,000 shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for “Educational and Cultural Exchange Programs”, \$5,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for “Contributions for International Peacekeeping Activities”, \$129,800,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for “International Broadcasting Operations” for programs and activities promoting democracy in Iran, \$10,274,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

BROADCASTING CAPITAL IMPROVEMENTS

For an additional amount for “Broadcasting Capital Improvements”, \$25,826,000, to support programming to Iran, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1601. Funds appropriated or made available in this chapter for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947.

SEC. 1602. (a) WAIVER OF ANNUITY LIMITATIONS ON REEMPLOYED FOREIGN SERVICE ANNUITANTS.—Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended to read as follows:

“(g)(1) To facilitate the assignment of persons to Iraq and Afghanistan or to posts vacated by members of the Service assigned to Iraq and Afghanistan, the Secretary of State may waive the application of subsections (a) through (d) on a case-by-case basis for an annuitant reemployed on a temporary basis, or grant authority to the head of an Executive agency to waive the application of subsections (a) through (d) on a case-by-case basis for an annuitant reemployed on a temporary basis—

“(A) if, and for so long as, such waiver is necessary due to an emergency involving a direct threat to life or property or other unusual circumstances; or

“(B) if the annuitant is employed in a position for which there is exceptional difficulty in recruiting or retaining a qualified employee.

“(2) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to subparagraph (B) of paragraph (1), or to grant authority to the head of an Executive agency to waive the application of such subsections to an annuitant under subparagraphs (A) or (B) of such paragraph, shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

“(3) *The Secretary should prescribe procedures for the exercise of any authority under paragraph (1), including criteria for any exercise of authority and procedures for a delegation of authority.*”

(b) **WAIVER OF ANNUITY LIMITATIONS ON REEMPLOYED CIVIL SERVICE ANNUITANTS.**—

(1) **DEPARTMENT OF STATE.**—*Title I of the Department of State Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following new section:*

“**SEC. 61. REEMPLOYMENT OF ANNUITANTS UNDER THE CIVIL SERVICE RETIREMENT SYSTEM AND FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.**

“(a) **AUTHORITY.**—

“(1) **IN GENERAL.**—*To facilitate the assignment of persons to Iraq and Afghanistan or to posts vacated by members of the Service assigned to Iraq and Afghanistan, the Secretary of State may waive the application of the provisions of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis for employment of an annuitant in a position in the Department of State for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.*

“(2) **TERMINATION OF AUTHORITY.**—*The authority of the Secretary under paragraph (1) shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.*

“(b) **PROCEDURES.**—*The Secretary should prescribe procedures for the exercise of any authority under subsection (a), including criteria for any exercise of authority and procedures for a delegation of authority.*

“(c) **ANNUITANTS NOT TREATED AS EMPLOYEES FOR PURPOSES OF RETIREMENT BENEFITS.**—*An employee for whom a waiver under this section is in effect shall not be considered an employee for purposes of subchapter III of chapter 83, or chapter 84 of title 5, United States Code.*”

(2) **UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.**—*Section 625 of the Foreign Assistance Act of 1961 (22 U.S.C. 2385) is amended by adding at the end the following new subsection:*

“(j)(1)(A) *To facilitate the assignment of persons to Iraq and Afghanistan or to posts vacated by members of the Service assigned to Iraq and Afghanistan, the Administrator of the United States Agency for International Development may waive the application of the provisions of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis for employment of an annuitant in a position in the United States Agency for International Development for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.*

“(B) *The authority of the Administrator under subparagraph (A) shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.*

“(2) *The Administrator should prescribe procedures for the exercise of any authority under this subsection, including criteria for any exercise of authority and procedures for a delegation of authority.*”

“(3) *An employee for whom a waiver under this section is in effect shall not be considered an employee for purposes of subchapter III of chapter 83, or chapter 84 of title 5, United States Code.*”

(c) *REPORT ON USE OF ANNUITY LIMITATION WAIVER AUTHORITY.*—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Homeland Security and Government Affairs of the Senate and the Committee on International Relations, the Committee on Appropriations, and the Committee on Government Reform of the House of Representatives a report on the exercise of the waiver authorities provided under section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)), as amended by subsection (a), section 61 of the State Department Basic Authorities Act of 1956, as added by subsection (b)(1), and section 625(j) of the Foreign Assistance Act of 1961, as added by subsection (b)(2). The report shall include the number and type of positions that have been filled under such waiver authority, and the retirement date, former job title, and new job title of each annuitant reemployed under such authority.

(d) *HOME LEAVE PROVISIONS.*—

(1) *TRAVEL EXPENSES FOR REST AND RECUPERATION TRAVEL.*—Section 901(6) of the Foreign Service Act (22 U.S.C. 4081(6)) is amended by striking “unbroken by home leave” each place it appears.

(2) *AUTHORITY TO REQUIRE LEAVES OF ABSENCE.*—Section 903(a) of the Foreign Service Act (22 U.S.C. 4083) is amended by striking “18 months” and inserting “12 months”.

(e) *AUTHORITY TO PROVIDE ACCOMMODATION AND SUBSISTENCE TO INDIVIDUALS SERVING IN IRAQ AND AFGHANISTAN.*—The Secretary of State may provide during any fiscal year, with or without reimbursement, accommodation and subsistence to personnel in Iraq and Afghanistan for whom the Chief of Mission is responsible.

SEC. 1603. (a) *IN GENERAL.*—During fiscal years 2006, 2007, and 2008, the head of an agency may, in the agency head’s discretion, provide to an individual employed by, or assigned or detailed to, such agency allowances, benefits, and gratuities comparable to those provided by the Secretary of State to members of the Foreign Service under section 413 and chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3973; 4081 et seq.), if such individual is on official duty in Iraq or Afghanistan.

(b) *CONSTRUCTION.*—Nothing in this section shall be construed to impair or otherwise affect the authority of the head of an agency under any other provision of law.

(c) *APPLICABILITY OF CERTAIN AUTHORITIES.*—Section 912(a) of the Internal Revenue Code of 1986 shall apply with respect to amounts received as allowances or otherwise under this section in the same manner as section 912 of the Internal Revenue Code of 1986 applies with respect to amounts received by members of the Foreign Service as allowances or otherwise under chapter 9 of title I of the Foreign Service Act of 1980.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$1,800,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE II

FURTHER HURRICANE DISASTER RELIEF AND RECOVERY

CHAPTER 1

DEPARTMENT OF AGRICULTURE

EXECUTIVE OPERATIONS

WORKING CAPITAL FUND

For an additional amount for “Working Capital Fund”, \$25,000,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for “Office of the Inspector General”, \$445,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$10,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

BUILDINGS AND FACILITIES

For an additional amount for “Buildings and Facilities”, \$20,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

For an additional amount for “Emergency Watershed Protection Program”, \$50,955,000, to remain available until expended, for emergency measures in disaster areas affected by Hurricane Katrina and other hurricanes of the 2005 season: Provided, That notwithstanding any other provision of law, the Secretary, acting through the Natural Resources Conservation Service, using funds made available under this heading may provide financial and technical assistance to remove and dispose of debris and animal carcasses that could adversely affect health and safety on non-Federal land in a hurricane-affected county: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$1,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season for State Rural Development offices located in Mississippi and Louisiana: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the cost of community facilities direct loans, loan guarantees, and grants described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$25,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That not to exceed \$5,000,000 shall be available for direct and guaranteed loans: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. 2101. Notwithstanding subsection (b) of section 102 of title I of division B of Public Law 109–148 (119 Stat. 2748), the Secretary of Agriculture may provide financial and technical assistance in carrying out such section in an amount up to 100 percent Federal share, as provided in regulations implementing the emergency watershed protection program: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2102. Notwithstanding any other provision of law, the Chief of the Natural Resources Conservation Service may enter into agreements to donate up to 20 used vehicles currently on loan to organizations or State or local units of government affected by Hurricane Katrina and other hurricanes of the 2005 season.

SEC. 2103. The Secretary of Agriculture may continue to use any of the authorities provided in section 105 of chapter 1 of title I of division B of Public Law 109–148 (119 Stat. 2749–2750), for a period not to exceed 18 additional months: Provided, That the authority provided in subsection (a)(7) of such section may allow funds made available under the Community Facility Grant program to be approved without regard to income limits for purposes related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season for structures designated by a State or local governmental entity as an emergency shelter: Provided further, That the amount provided under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2104. Of the funds appropriated in section 101(a) of chapter 1 of title I of division B of Public Law 109–148 (119 Stat. 2747), to provide assistance under the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.), \$38,000,000 are transferred to the National Oceanic and Atmospheric Administration in the Department of Commerce for activities involving oysters: Provided, That the amount transferred under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2105. Section 101(b) of chapter 1 of title I of division B of Public Law 109–148 (119 Stat. 2747) is amended—

- (1) in the heading, by striking “, Oyster,”;
- (2) in the matter preceding paragraph (1)—
 - (A) by striking “, oyster,”; and
 - (B) by striking “public and private oyster reefs or”;
- (3) in paragraph (3), by adding “and” at the end;
- (4) by striking paragraph (4); and
- (5) by redesignating paragraph (5) as paragraph (4).

SEC. 2106. Funds made available for the wildlife habitat incentive program established under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1) under section 211(b) of the Agricultural Risk Protection Act of 2000 (Public Law 106–224; 7 U.S.C. 1421 note) and section 820 of the Agriculture, Rural Development,

Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-59) shall remain available until expended to carry out obligations made for fiscal year 2001 and are not available for new obligations.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$2,125,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$22,002,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$3,992,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$21,610,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, \$4,071,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con.

Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$10,200,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$2,176,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$94,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$1,304,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$1,408,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$29,913,000, to remain available until September 30, 2007,

for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$37,359,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$12,755,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$1,277,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$42,307,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$700,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina

and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$9,136,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$579,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$899,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SHIPBUILDING AND CONVERSION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Shipbuilding and Conversion, Navy", \$775,236,000, to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, which shall be available for transfer within this account to replace destroyed or damaged equipment; prepare and recover naval vessels under contract; and provide for cost adjustments for naval vessels for which funds have been previously appropriated: Provided, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers within this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$85,040,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$13,000,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$2,797,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$12,000,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$6,250,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$730,000, to remain available until Sep-

tember 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$1,222,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for "National Defense Sealift Fund", \$10,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TRUST FUNDS

GENERAL FUND PAYMENT, SURCHARGE COLLECTIONS, SALES OF COMMISSARY STORES, DEFENSE

For an additional amount for "General Fund Payment, Surcharge Collections, Sales of Commissary Stores, Defense", \$10,530,000, to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$33,881,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for "Office of the Inspector General", \$326,000, to remain available until September 30, 2007, for nec-

essary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 2201. Upon his determination that such action is necessary to ensure the appropriate allocation of funds provided to the Department of Defense in this chapter and in chapter 2, title I of this Act, the Secretary of Defense may transfer up to \$150,000,000 between appropriations made available for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and revolving and management funds: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense.

SEC. 2202. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

SEC. 2203. Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available under the heading “Shipbuilding and Conversion, Navy” in chapter 2 of title II of this Act, or under said heading in chapter 2 of title I of the Emergency Supplemental Appropriations Act to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 (division B of Public Law 109–148; 119 Stat. 2757), not less than \$140,000,000 shall be made available for infrastructure improvements at Gulf Coast shipyards that have existing Navy shipbuilding contracts and that were damaged by Hurricane Katrina in calendar year 2005.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

For an additional amount for “Investigations” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$3,300,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, utilizing \$3,300,000 of the funds provided herein shall develop a comprehensive plan, at full Federal expense, to deauthorize deep draft naviga-

tion on the Mississippi River-Gulf Outlet, Louisiana, extending from the Gulf of Mexico to the Gulf Intracoastal Waterway: Provided further, That, not later than 6 months after the date of enactment of this Act, the Secretary shall submit an interim report to Congress comprising the plan: Provided further, That the Secretary shall refine the plan, if necessary, to be fully consistent, integrated, and included in the final report to be issued in December 2007 for the Louisiana Coastal Protection and Restoration Plan: Provided further, the Secretary shall provide to the Congress a report, by not later than 90 days after the date of enactment of this Act, describing, for the period beginning on the date on which the individual system components for hurricane and storm damage reduction were constructed and ending on the date on which the report is prepared, the difference between the vertical settlement of the system that is attributable to the settling of levees and floodwalls or subsidence versus the vertical grade deficiencies that are attributable to new storm data that may require a higher level of vertical protection in order to comply with 100-year floodplain certification and standard project hurricane.

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$549,400,000, to remain available until expended, of which up to \$20,200,000 may be used to reduce the risk of storm damage to the greater New Orleans metropolitan area, at full Federal expense, by restoring the surrounding wetlands through measures to begin to reverse wetland losses in areas affected by navigation, oil and gas, and other channels and through modification of the Caernarvon Freshwater Diversion structure or its operations; at least \$495,300,000 shall be used consistent with the cost-sharing provisions under which the projects were originally constructed to raise levee heights where necessary and otherwise enhance the existing Lake Pontchartrain and Vicinity project and the existing West Bank and Vicinity project to provide the levels of protection necessary to achieve the certification required for participation in the National Flood Insurance Program under the base flood elevations current at the time of this construction: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That \$1,500,000 shall be for the North Padre Island, Texas project: Provided further, That \$30,400,000 is available for flood control work in the Sacramento, California, Area: Provided further, That \$2,000,000 shall be provided at full Federal expense for the Hawaii Water Systems Technical Assistance Program.

OPERATIONS AND MAINTENANCE

For an additional amount for "Operations and Maintenance" to dredge navigation channels and repair other Corps projects related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$3,200,000 to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H.

Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein for dredging needs along the Texas Gulf Coast.

FLOOD CONTROL AND COASTAL EMERGENCIES

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for “Flood Control and Coastal Emergencies”, as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to the consequences of Hurricane Katrina and other hurricanes, \$3,145,024,000, to remain available until expended: Provided, That the Secretary of the Army is directed to use the funds appropriated under this heading to modify, at full Federal expense, authorized projects in southeast Louisiana to provide hurricane and storm damage reduction and flood damage reduction in the greater New Orleans and surrounding areas; \$530,000,000 shall be used to modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lake-front; \$250,000,000 shall be used for storm-proofing interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events; \$170,000,000 shall be used for armoring critical elements of the New Orleans hurricane and storm damage reduction system; \$350,000,000 shall be used to improve protection at the Inner Harbor Navigation Canal; \$215,000,000 shall be used to replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the existing New Orleans to Venice hurricane protection project; \$1,584,000,000 shall be used for reinforcing or replacing flood walls, as necessary, in the existing Lake Pontchartrain and Vicinity project and the existing West Bank and Vicinity project to improve the performance of the systems; \$30,024,000 for repairs, replacements, modifications and improvements of non-Federal levees and associated protection measures in Terrebonne Parish at full Federal expense and: Provided further, that \$16,000,000 is provided for the restoration of funds for hurricane-damaged projects in the State of Pennsylvania: Provided further, That any project using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Of the funds provided under this heading in chapter 3 of division B of Public Law 109–148, \$15,000,000 are rescinded.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for "Water and Related Resources", \$9,000,000, to remain available until expended for Drought Emergency Assistance: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2301. USE OF UNEXPENDED FUNDS. (a) IN GENERAL.—Notwithstanding any other provision of law, amounts made available to the State of Oklahoma or agencies or authorities therein (referred to in this section as the "State") before the date of enactment of this Act for general remediation activities being conducted in the vicinity of the Tar Creek Superfund Site in northeastern Oklahoma and in Ottawa County, Oklahoma, that remain unexpended as of the date of enactment of this Act are authorized to be used by the State to assist individuals and entities in relocation from areas at risk or potential risk of damage caused by land subsidence as determined by the State.

(b) USE OF UNEXPENDED FUNDS.—The use of unexpended funds in accordance with subsection (a)—

(1) shall not be subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.); and

(2) may include any general remediation activities described in section (a) determined to be appropriate by the State, including the buyout of 1 or more properties to facilitate a relocation described in subsection (a).

SEC. 2302. (a) The \$12,000,000 provided in division B, chapter 3 of title I, Investigations, of Public Law 109–148 (119 Stat. 2761) for the Louisiana hurricane protection study shall be at full Federal expense.

(b) Of the \$12,000,000 provided in division B, chapter 3 of title I, Investigations, of Public Law 109–148 (119 Stat. 2761) for the Louisiana hurricane protection study, \$5,000,000 shall be available for expenditure prior to the effective date of the enactment of a State law establishing a single State or quasi-State entity to act as local sponsor for construction, operation and maintenance of all of the hurricane, storm damage reduction and flood control projects in the greater New Orleans and southeast Louisiana area.

SEC. 2303. Chapter 3, under division B of title I of Public Law 109–148 (119 Stat. 2762) under the heading "Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee" is modified by inserting the following before the period: "": Provided further, That the Corps is directed to expedite and accelerate completion of any study or any unconstructed portion of the Mississippi River and Tributaries project for the flood and storm damage reduction projects in the south Louisiana area": Provided, That the amount provided under this heading is designated as an emergency requirement pur-

suant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2304. Chapter 3, under division B of title I of Public Law 109–148 (119 Stat. 2762) under the heading “Operations and Maintenance” is modified by inserting the following before the last proviso: “: Provided further, That \$75,000,000 of the funds provided herein shall be used for the repair, construction or provision of measures or structures necessary to protect, restore or increase wetlands, to prevent saltwater intrusion or storm surge”: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2305. Section 227 of Public Law 104–303 is modified as follows:

(1) Section 5(a) is amended by striking “6”, and inserting “7” in lieu thereof.

(2) Section 5(e)(2) is amended by striking “\$21,000,000”, and inserting “\$25,000,000” in lieu thereof.

SEC. 2306. (a) Section 104(c) of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c)) is amended by striking “September 30, 2005” and inserting “September 30, 2010” in lieu thereof.

(b) Section 301 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2241) is amended by striking “fiscal years 1992, 1993, 1994, 1995, 1996, 1999, 2000, 2001, 2002, 2003, and 2004” and inserting “the period of fiscal years 2006 through 2010” in lieu thereof.

SEC. 2307. None of the funds made available before, on, or after the date of enactment of this Act in an appropriations Act may be expended to prevent or limit any reprogramming of funds for a project to be carried out by the Corps of Engineers using funds appropriated in any Act making appropriations for energy and water development, based on whether the project was included by the President in the budget transmitted under section 1105(a) of title 31, United States Code, or is otherwise proposed by the President or considered part of the budget by the Office of Management and Budget, if the project received funds in an Act making appropriations for energy and water development or any other appropriations Act making additional funds available for energy and water development.

SEC. 2308. None of the funds made available under this or any other Act shall be used during fiscal year 2006 or previous to April 1, 2007, to make, or plan or prepare to make, any payment on bonds issued by the Administrator of the Bonneville Power Administration (referred in this section as the “Administrator”) or for an appropriated Federal Columbia River Power System investment, if the payment is both—

(1) greater, during any fiscal year, than the payments calculated in the rate hearing of the Administrator to be made during that fiscal year using the repayment method used to establish the rates of the Administrator as in effect on February 6, 2006; and

(2) based or conditioned on the actual or expected net secondary power sales receipts of the Administrator.

SEC. 2309. Section 1202 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended (110 Stat. 4085, 4091; 16 U.S.C. 4722(i)(3)(C)), is amended by deleting “; to carry out this paragraph, \$750,000”, and inserting the following in lieu thereof: “such sums as are necessary to carry out the dispersal barrier demonstration project directed by this paragraph”.

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$2,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$12,900,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$4,800,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

OPERATING EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Operating Expenses” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$88,970,000, to remain available until September 30, 2007, of which up to \$267,000 may be transferred to “Environmental Compliance and Restoration” to be used for environmental cleanup and restoration of Coast Guard facilities in the Gulf of Mexico region; and of which up to \$470,000 may be transferred to “Research, Development, Test, and Evaluation” to be used for salvage and repair of research and development equipment and facilities: Provided, That the amount provided under

this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for “Acquisition, Construction, and Improvements” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$191,730,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL EMERGENCY MANAGEMENT AGENCY

ADMINISTRATIVE AND REGIONAL OPERATIONS

For an additional amount for “Administrative and Regional Operations” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$71,800,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY

For an additional amount for “Preparedness, Mitigation, Response, and Recovery” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$10,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DISASTER RELIEF

For an additional amount for “Disaster Relief” for necessary expenses under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$6,000,000,000, to remain available until expended: Provided, That for States in which the President declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) on September 24, 2005, as a result of Hurricane Rita, each county or parish eligible for individual and public assistance under such declaration in such States will be treated equally for purposes of cost-share adjustments under such Act, to account for the impact in those counties and parishes of Hurricanes Rita and Katrina: Provided further, That the Secretary of Homeland Security shall submit for approval a proposal and an expenditure plan for housing, including the alternative housing pilot programs under section 2403 of this Act, to the Committees on Appropriations of the Senate and House of Representatives within forty-five days from the date of enactment of this Act: Provided further, That the amount provided under this heading is designated as

an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For an additional amount for “Disaster Assistance Direct Loan Program Account” for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), \$279,800,000, to be used to assist local governments affected by Hurricane Katrina and other hurricanes of the 2005 season in providing essential services, of which \$1,000,000 is for administrative expenses to carry out the direct loan program: Provided, That such funds may be made to subsidize gross obligations for the principal amount of direct loans not to exceed \$371,733,000: Provided further, That notwithstanding section 417(b) of such Act, the amount of any such loan issued pursuant to this section may exceed \$5,000,000, and may be equal to not more than 50 percent of the annual operating budget of the local government in any case in which that local government has suffered a loss of 25 percent or more in tax revenues due to Hurricane Katrina or Hurricane Rita: Provided further, That notwithstanding section 417(c)(1) of such Act, such loans may not be canceled: Provided further, That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2401. The Federal Emergency Management Agency may provide funds to a State or local government or, as necessary, assume an existing agreement from such unit of government, to pay for utility costs resulting from the provision of temporary housing units to evacuees from Hurricane Katrina and other hurricanes of the 2005 season if the State or local government has previously arranged to pay for such utilities on behalf of the evacuees for the term of any leases, not to exceed 12 months, contracted by or prior to February 7, 2006: Provided, That the Federal share of the costs eligible to be paid shall be 100 percent.

SEC. 2402. (a) Title III of Public Law 109–90 (119 Stat. 2079) is amended under the heading “National Flood Insurance Fund” by striking in the proviso “\$30,000,000” and inserting “such sums as necessary”.

(b) The provisions of this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2403. Notwithstanding any other provision of law, the Secretary of Homeland Security shall consider eligible under the Federal Emergency Management Agency Individual Assistance Program the costs sufficient for alternative housing pilot programs in the areas hardest hit by Hurricane Katrina and other hurricanes of the 2005 season.

CHAPTER 5

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to projects from which funds were transferred for such purposes, \$132,400,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the "Historic Preservation Fund" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$43,000,000, to remain available until September 30, 2007: Provided, That of the funds provided under this heading, \$40,000,000 shall be provided to State Historic Preservation Officers, after consultation with the National Park Service, for grants for disaster relief in areas of Louisiana, Mississippi, and Alabama impacted by Hurricanes Katrina or Rita: Provided further, That grants shall be for the preservation, stabilization, rehabilitation, and repair of historic properties listed in or eligible for the National Register of Historic Places, for planning and technical assistance: Provided further, That preference shall be given to grants based upon, but not limited to, properties located within National Heritage Areas, owner-occupied houses, and an ability to spend the funds expeditiously: Provided further, That grants shall only be available for areas that the President determines to be a major disaster under section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) due to Hurricanes Katrina or Rita: Provided further, That individual grants shall not be subject to a non-Federal matching requirement: Provided further, That no more than 5 percent of funds provided under this heading for disaster relief grants may be used for administrative expenses: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$55,400,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES GEOLOGICAL SURVEY
SURVEYS, INVESTIGATIONS, AND RESEARCH
(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Surveys, Investigations, and Research” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, \$10,200,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MINERALS MANAGEMENT SERVICE
ROYALTY AND OFFSHORE MINERALS MANAGEMENT
(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Royalty and Offshore Minerals Management” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, \$15,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for “Environmental Programs and Management” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$6,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For an additional amount for the “Leaking Underground Storage Tank Program” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$7,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for the “National Forest System” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$20,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 6

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for “Training and Employment Services”, \$16,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, for construction, rehabilitation, and acquisition of Job Corps centers as authorized by the Workforce Investment Act of 1998: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For an additional amount for “Community Health Centers”, \$4,000,000, to remain available until expended, to purchase and operate communications equipment including satellite phones for a communications network among departments of health, community health centers and major medical centers in States affected by Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

For an additional amount for “Disease Control, Research, and Training”, \$8,000,000, to remain available until expended, for mosquito and other pest abatement activities in States affected by Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95

(109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF EDUCATION

HURRICANE EDUCATION RECOVERY

For an additional amount under the heading “Department of Education” in Public Law 109–148 for carrying out section 107 of title IV, division B of that Act, \$235,000,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

For an additional amount under part B of title VII of the Higher Education Act of 1965 (“HEA”) for institutions of higher education (as defined in section 102 of that Act) that are located in an area in which a major disaster was declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act related to hurricanes in the Gulf of Mexico in calendar year 2005, \$50,000,000: Provided, That such funds shall be available to the Secretary of Education only for payments to help defray the expenses (which may include lost revenue, reimbursement for expenses already incurred, and construction) incurred by such institutions of higher education that were forced to close, relocate or significantly curtail their activities as a result of damage directly caused by such hurricanes: Provided further, That such payments shall be made in accordance with criteria established by the Secretary and made publicly available without regard to section 437 of the General Education Provisions Act, section 553 of title 5, United States Code, or part B of title VII of the HEA: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS, OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the Corporation for National and Community Service (the “Corporation”) for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$10,000,000, to remain available until September 30, 2007: Provided, That the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the National and Community Service Act of 1990 (the “Act”) (42 U.S.C. 12611 et seq.): Provided further, That the Corporation may transfer funds from the amount provided under the first proviso to the National Service Trust authorized under subtitle D of title I of the Act (42 U.S.C.

12601) upon determination that such transfer is necessary to support the activities of Civilian Community Corps participants and after notice is transmitted to Congress: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2601. (a) *In this section:*

(1) *The term “affected institution” means an institution of higher education that is—*

(A) *a part B institution, as such term is defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061);*

(B) *located in an area affected by a Gulf hurricane disaster; and*

(C) *able to demonstrate that the institution—*

(i) *incurred physical damage resulting from the impact of Hurricane Katrina or Rita;*

(ii) *has pursued collateral source compensation from insurance, the Federal Emergency Management Agency, or the Small Business Administration, (as appropriate); and*

(iii) *has not been able to fully reopen in existing facilities or fully reopen to the levels that existed before the impact of such hurricane due to physical damage to the institution.*

(2) *The terms “area affected by a Gulf hurricane disaster” and “Gulf hurricane disaster” have the meanings given such terms in section 209 of the Higher Education Hurricane Relief Act of 2005 (Public Law 109–148, 119 Stat. 2809).*

(b) *Notwithstanding any other provision of law (unless enacted with specific reference to this section), the Secretary of Education is authorized to waive or modify, as the Secretary determines is necessary, any statutory or regulatory provision related to historically Black college and university capital financing under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.), in connection with a Gulf hurricane disaster, to ensure that—*

(1) *the calculation of financing need under section 343 of such Act (20 U.S.C. 1066b) for an affected institution is modified to reflect any changes in the financial condition of the institution as a result of the Gulf hurricane disaster; and*

(2) *an affected institution that was not receiving assistance under such part before the Gulf hurricane disaster is eligible to apply for capital financing to assist in institutional recovery from the Gulf hurricane disaster.*

(c)(1) *Notwithstanding section 343(b)(1) or any other provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1066b(b)(1), 1051 et seq.), in carrying out section 343 of such Act, a designated bonding authority shall withhold not more than 1 percent for the cost of issuance from the proceeds of qualified bonds that are loaned to an affected institution.*

(2) *Notwithstanding section 343(b)(3) or any other provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1066b(b)(3), 1051 et seq.), the Secretary shall pay any interest above 1 percent*

charged for a loan issued under part D of title III of such Act, after the date of enactment of this Act and with respect to an affected institution, such that the affected institution pays interest at a rate no higher than 1 percent.

(3) Notwithstanding any other provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.), the requirements of section 343(b)(8) and 343(c)(2) of such Act (20 U.S.C. 1066(b)(8)) shall not apply with respect to an affected institution receiving a loan under part D of title III of such Act (20 U.S.C. 1066 et seq.).

(d) Notwithstanding any provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.), or any regulation promulgated under such title, the Secretary of Education shall grant a deferment, for a period of not more than 3 years, to an affected institution that has received a loan under part D of title III of such Act (20 U.S.C. 1066 et seq.). During the deferment period granted under this subsection, the affected institution shall not be required to pay any periodic installment of principal required under the loan agreement for such loan, and interest on such loan shall not accrue for the period of the deferment. During the deferment period, the Secretary shall make principal and interest payments otherwise due under the loan agreement. At the closing of the loan, terms shall be set under which the affected institution shall be required to repay the Secretary for the payments of principal made by the Secretary during the deferment, on a schedule that begins upon repayment to the lender in full on the loan agreement.

(e)(1) Except as provided in paragraph (2), the authority provided under this section to enter into, or modify or waive the terms of, a loan agreement or insurance agreement under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.), or to grant a loan deferment under subsection (d), shall terminate 1 year after the date of enactment of this Act.

(2) Any provision of a loan agreement or insurance agreement modified or waived by the authority under this section shall remain so modified or waived for the duration of the period covered by the loan agreement or insurance agreement.

(f) The amount provided in this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2602. Notwithstanding sections 107(f) and 110 of title IV (commonly known as the "Hurricane Education Recovery Act") of division B of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148; 119 Stat. 2680), the Secretary of Education may extend the period during which a State educational agency or local educational agency may obligate funds received under section 107 of that title to a date no later than September 30, 2006, except that such funds shall be used only for expenses incurred during the 2005-2006 school year, as required by section 107 of that title.

SEC. 2603. Funds available to the Mississippi Institutes of Higher Learning under the heading "Department of Education" in Public Law 109-148 may be used to support activities authorized by part B of title VII of the Higher Education Act of 1965, as determined necessary by the Mississippi Institutes of Higher Learning:

Provided, That the amount provided under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

(TRANSFER OF FUNDS)

SEC. 2604. Of the funds made available under the heading "Disaster Relief" under the heading "Federal Emergency Management Agency" in chapter 4 of this title, \$38,000,000 is hereby transferred to the Social Security Administration for necessary expenses and direct or indirect losses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount transferred by this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 7

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$44,770,000, to remain available until September 30, 2010: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$97,300,000, to remain available until September 30, 2010: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for "Military Construction, Army National Guard", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$330,071,000, to remain available until September 30, 2010: Provided, That such funds may be obligated and expended to carry out

planning and design and military construction projects not otherwise authorized by law: Provided further, That of the amount provided under this heading in chapter 7 of title I of division B of Public Law 109-148 (119 Stat. 2770), \$120,000,000 are rescinded: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For an additional amount for “Military Construction, Air National Guard”, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$5,800,000, to remain available until September 30, 2010: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, NAVY RESERVE

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for “Military Construction, Navy Reserve”, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$24,270,000, to remain available until September 30, 2010: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under the heading “Military Construction, Naval Reserve” in chapter 7 of title I of division B of Public Law 109-148 (119 Stat. 2771) shall remain available until September 30, 2010, except that, of such amount \$49,530,000 are rescinded: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

For an additional amount for “Construction, Major Projects”, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$585,919,000, to remain available until expended: Provided, That \$35,919,000 shall be available for environmental cleanup and removal of debris from the Department of Veterans Affairs land in Gulfport, Mississippi, and for any authorized purpose under this heading: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

*RELATED AGENCY**ARMED FORCES RETIREMENT HOME**MAJOR CONSTRUCTION*

For an additional amount for “Major Construction”, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$176,000,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, such funds shall be obligated and expended for the planning and design and construction of a new Armed Forces Retirement Home in Gulfport, Mississippi: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2701. The limitation of Federal contribution established under section 18236(b) of title 10 is hereby waived for projects appropriated in this chapter.

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 2702. (a) Of the amounts made available in chapter 7 of title I of division B of Public Law 109–148, Department of Veterans Affairs, “Medical Services”, \$198,265,000 are hereby rescinded.

(b) For an additional amount for Department of Veterans Affairs, “Medical Services”, \$198,265,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season.

(c) The funds made available in subsection (b) may be transferred to the Department of Veterans Affairs, “Medical Services”, “Medical Administration”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems” accounts as required.

(d) Not less than 15 days prior to making any such transfer as authorized under subsection (c), the Department shall notify the Committees on Appropriations of both Houses of Congress.

(e) This section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2703. Notwithstanding any other provision of law, within six months of enactment of this Act, the Secretary of Veterans Affairs is authorized and directed to clean up and transfer all land parcels of the Department’s land in Gulfport, Mississippi, to the city of Gulfport, Mississippi.

(TRANSFER OF FUNDS)

SEC. 2704. The following unobligated balances shall be transferred to the Armed Forces Retirement Home “Major Construction” account, to remain available until expended, for the planning and design and construction of a new Armed Forces Retirement Home in Gulfport, Mississippi, from amounts appropriated under the

heading “Armed Forces Retirement Home” in chapter 7 of division B of Public Law 109–148 (119 Stat. 2769), \$45,000,000 provided for Armed Forces Retirement Home—Gulfport; and unobligated balances of funds provided in fiscal years 1998 through 2004 for construction and renovation of the physical plants at the United States Naval Home/Armed Forces Retirement Home—Gulfport: *Provided, That the General Services Administration, in consultation with the Naval Facilities Engineering Command and the management of the Armed Forces Retirement Home, shall be the agent for all matters with regard to the planning, design, construction, and contract administration related to the construction of the new Armed Forces Retirement Home in Gulfport, Mississippi: Provided further, That the amounts provided or otherwise made available under this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.*

CHAPTER 8

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for “Salaries and Expenses, General Legal Activities” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$2,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for “Salaries and Expenses, United States Attorneys” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$6,500,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$118,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con.

Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for "Procurement, Acquisition and Construction" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$32,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION CAPABILITIES

For an additional amount for "Exploration Capabilities" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$35,000,000 shall be for the Stennis Space Center and Michoud Assembly Facility, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the "Disaster Loans Program Account" for the cost of direct loans authorized by section 7(b) of the Small Business Act, \$542,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That up to \$190,000,000 may be transferred to and merged with "Salaries and Expenses" for administrative expenses to carry out the disaster loan program: Provided further, That none of the funds provided under this heading may be used for indirect administrative expenses: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 9
DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
FEDERAL-AID HIGHWAYS
EMERGENCY RELIEF PROGRAM

For an additional amount for the “Emergency Relief Program” as authorized under 23 U.S.C. 125, \$702,362,500, to remain available until expended, for expenses identified under “Formal Requests” in the Federal Highway Administration table entitled “Emergency Relief Program Fund Requests—updated 06/06/06” with the exception of such expenses addressed in other provisions of this Act making amendments to Public Law 109–148 and expenses otherwise funded in other Appropriations Acts: Provided, That notwithstanding 23 U.S.C. 125(d)(1), the Secretary of Transportation may obligate more than \$100,000,000 for such projects in a State in a fiscal year, to respond to damage caused by Hurricane Dennis and the 2004–2005 winter storms in the State of California: Provided further, That any amounts in excess of those necessary for emergency expenses relating to the eligible projects cited in the first sentence of this paragraph may be used for other projects authorized under 23 U.S.C. 125: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, \$702,362,500 are rescinded: Provided, That such rescission shall not apply to the funds distributed in accordance with 23 U.S.C. 130(f), 23 U.S.C. 133(d)(1) as in effect prior to the date of enactment of Public Law 109–59, the first sentence of 23 U.S.C. 133(d)(3)(A), 23 U.S.C. 104(b)(5), or 23 U.S.C. 163 as in effect prior to the enactment of Public Law 109–59.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the “Community development fund”, for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in the most impacted and distressed areas related to the consequences of Hurricanes Katrina, Rita, or Wilma in States for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$5,200,000,000, to remain available until expended, for activities authorized under

title I of the Housing and Community Development Act of 1974 (Public Law 93-383): Provided, That funds provided under this heading shall be administered through an entity or entities designated by the Governor of each State: Provided further, That such funds may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency or the Army Corps of Engineers: Provided further, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State under this heading: Provided further, That each State may use up to five percent of its allocation for administrative costs: Provided further, That not less than \$1,000,000,000 from funds made available on a pro-rata basis according to the allocation made to each State under this heading shall be used for repair, rehabilitation, and reconstruction (including demolition, site clearance and remediation) of the affordable rental housing stock (including public and other HUD-assisted housing) in the impacted areas: Provided further, That no State shall receive more than \$4,200,000,000: Provided further, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by the State that such waiver is required to facilitate the use of such funds or guarantees, and a finding by the Secretary that such waiver would not be inconsistent with the overall purpose of the statute: Provided further, That the Secretary may waive the requirement that activities benefit persons of low and moderate income, except that at least 50 percent of the funds made available under this heading must benefit primarily persons of low and moderate income unless the Secretary otherwise makes a finding of compelling need: Provided further, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: Provided further, That every waiver made by the Secretary must be reconsidered according to the three previous provisos on the two-year anniversary of the day the Secretary published the waiver in the Federal Register: Provided further, That prior to the obligation of funds each State shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: Provided further, That prior to the obligation of funds to each State, the Secretary shall ensure that such plan gives priority to infrastructure development and rehabilitation and the rehabilitation and reconstruction of the affordable rental housing stock including public and other HUD-assisted housing: Provided further, That each State will report quarterly to the Committees on Appropriations on all awards and uses of funds made available under this heading, including specifically identifying all awards of sole-source contracts and the rationale for making the award on a sole-source basis: Provided further, That the Secretary shall notify the Committees on Appropriations on any proposed allo-

cation of any funds and any related waivers made pursuant to these provisions under this heading no later than 5 days before such waiver is made: Provided further, That the Secretary shall establish procedures to prevent recipients from receiving any duplication of benefits and report quarterly to the Committees on Appropriations with regard to all steps taken to prevent fraud and abuse of funds made available under this heading including duplication of benefits: Provided further, That of the amounts made available under this heading, \$12,000,000 shall be transferred to "Management and Administration, Salaries and Expenses", of which \$7,000,000 is for the administrative costs, including IT costs, of the KDHAP/DVP voucher program; \$9,000,000 shall be transferred to the Office of Inspector General; and \$6,000,000 shall be transferred to HUD's Working Capital Fund: Provided further, That none of the funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INDEPENDENT AGENCY

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

For an additional amount for the "Federal Buildings Fund" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$37,000,000, from the General Fund and to remain available until expended: Provided, That notwithstanding 40 U.S.C. 3307, the Administrator of General Services is authorized to proceed with repairs and alterations for affected buildings: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE III—EMERGENCY AGRICULTURAL DISASTER ASSISTANCE

SEC. 3001. SHORT TITLE.

This title may be cited as the "Emergency Agricultural Disaster Assistance Act of 2006".

SEC. 3002. DEFINITIONS.

In this title:

(1) **HURRICANE-AFFECTED COUNTY.**—*The term "hurricane-affected county" means—*

(A) a county included in the geographic area covered by a natural disaster declaration related to Hurricane Katrina, Hurricane Ophelia, Hurricane Rita, Hurricane Wilma, or a related condition; and

(B) each county contiguous to a county described in subparagraph (A).

(2) **NATURAL DISASTER DECLARATION.**—*The term "natural disaster declaration" means—*

- (A) a natural disaster declared by the Secretary—
- (i) during calendar year 2005 under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or
 - (ii) during calendar year 2006 under that section, but for which a request was pending as of December 31, 2005; or
- (B) a major disaster or emergency designated by the President—
- (i) during calendar year 2005 under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or
 - (ii) during calendar year 2006 under that Act, but for which a request was pending as of December 31, 2005.
- (3) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

Subtitle A—Crop and Livestock Assistance

SEC. 3011. SUGAR AND SUGARCANE DISASTER ASSISTANCE.

(a) FLORIDA.—The Secretary of Agriculture shall use \$40,000,000 of funds of the Commodity Credit Corporation to make payments to processors in Florida that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) to compensate first processors and producers for crop and other losses in hurricane-affected counties that are related to hurricanes, tropical storms, excessive rains, floods, and wind in Florida during calendar year 2005, by an agreement on the same terms and conditions, to the maximum extent practicable, as the payments made under section 102 of the Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act of 2005 (Public Law 108–324; 118 Stat. 1235), including that the 2005 base production of each harvesting unit shall be determined using the same base year crop production history that was used pursuant to the agreement under that section.

(b) LOUISIANA.—

(1) COMPENSATION FOR LOSSES.—The Secretary shall use \$40,000,000 of the funds of the Commodity Credit Corporation to make assistance available to first processors of sugarcane that operate in a hurricane-affected county, or obtain sugarcane from a hurricane-affected county, and that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)), in the form of monetary payments or commodities in the inventory of the Commodity Credit Corporation derived from carrying out that section, to compensate producers and first processors for crop and other losses due to Hurricane Katrina, Hurricane Rita, or related conditions.

(2) ADMINISTRATION.—Assistance under this subsection shall be—

(A) shared by an affected first processor with affected producers that provide commodities to the processor in a manner that reflects contracts entered into between the processor and the producers, except with respect to a portion of the amount of total assistance provided under para-

graph (1) necessary to compensate affected producers for individual losses experienced by the producers, including losses due to saltwater intrusion, flooding, wind damage, or increased planting, replanting, or harvesting costs, which shall be transferred by the first processor to the affected producers without regard to contractual share arrangements; and

(B) made available under such terms and conditions as the Secretary determines are necessary to carry out this subsection.

(3) FORM OF ASSISTANCE.—In carrying out this subsection, the Secretary shall—

(A) convey to the first processor commodities in the inventory of the Commodity Credit Corporation derived from carrying out section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a));

(B) make monetary payments to the first processor; or

(C) take any combination of actions described in paragraphs (1) and (2), using commodities or monetary payments.

(4) LOSS DETERMINATION.—In carrying out this subsection, the Secretary shall use the same base year to determine crop loss that was elected by a producer to determine crop loss in carrying out the hurricane assistance program under section 207 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 543).

(5) LIMITATION.—The Secretary shall provide assistance under this subsection only in a State described in section 359f(c)(1)(A) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)(1)(A)).

(c) TEXAS.—The Secretary shall use \$400,000 of funds of the Commodity Credit Corporation to assist sugarcane growers in Texas by making a payment in that amount to a farmer-owned cooperative sugarcane processor in that State, for costs of demurrage, storage, and transportation resulting from hurricanes, excessive rains, floods, wind, and other related conditions during calendar year 2005.

SEC. 3012. LIVESTOCK ASSISTANCE.

(a) LIVESTOCK COMPENSATION PROGRAM.—

(1) USE OF COMMODITY CREDIT CORPORATION FUNDS.—Effective beginning on the date of enactment of this Act, the Secretary shall use \$95,000,000 of funds of the Commodity Credit Corporation to provide assistance under the same terms and conditions as assistance provided under section 203 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 539).

(2) ELIGIBLE APPLICANTS.—Subject to subsection (d), in providing assistance under paragraph (1), the Secretary shall provide assistance to any applicant that—

(A) produces poultry, swine, sheep, beef, equine, buffalo, beefalo, dairy, goats, or an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1));

(B) conducts an agricultural operation that is physically located in a hurricane-affected county; and

(C) meets all other eligibility requirements established by the Secretary.

(b) LIVESTOCK INDEMNITY PROGRAM.—

(1) *IN GENERAL.*—Effective beginning on the date of enactment of this Act, the Secretary shall use \$30,000,000 of funds of the Commodity Credit Corporation to carry out a program under the same terms and conditions as the Livestock Indemnity Program authorized under title III of Public Law 105–18 (111 Stat. 170).

(2) *ELIGIBLE APPLICANTS.*—Subject to subsection (d), in carrying out the Program, the Secretary shall provide assistance to any applicant that—

(A) produces poultry, swine, sheep, eggs, beef, equine, buffalo, beefalo, dairy, goats, crawfish, or an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1));

(B) conducts an agricultural operation that is physically located in a hurricane-affected county; and

(C) meets all other eligibility requirements established by the Secretary for the Program.

(c) LIVESTOCK INDEMNITY PROGRAM FOR CONTRACT GROWERS.—

(1) *IN GENERAL.*—Subject to subsection (d), the Secretary shall use funds of the Commodity Credit Corporation to establish a program to assist poultry and egg producers in hurricane-affected counties that suffered income losses.

(2) *TERMS AND CONDITIONS.*—The program established under paragraph (1) shall contain similar terms and conditions as the terms and conditions used for the livestock indemnity program for contract growers described in subpart E of chapter XIV of title 7, Code of Federal Regulations (as in effect on January 1, 2002).

(d) *LIMIT ON AMOUNT OF ASSISTANCE.*—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.

SEC. 3013. SPECIALTY CROPS AND NURSERY CROPS.

(a) *IN GENERAL.*—The Secretary shall use \$95,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers of specialty crops and nursery crops in hurricane-affected counties.

(b) ADMINISTRATION.—

(1) *IN GENERAL.*—Assistance required by subsection (a) shall be carried out by the Secretary under the same terms and conditions as the special disaster relief programs carried out for producers that suffered from crop damage and tree losses, and carried out related cleanup, in certain areas of Florida due to Hurricanes Charley, Frances, and Jeanne during August and September 2004, as described in the notice of program implementation relating to Florida citrus, fruit, vegetable, and nursery crop disaster programs (69 Fed. Reg. 63134 (October 29, 2004)), with vegetable losses treated as citrus losses for purposes of that program.

(2) *LOSS OF RECORDS.*—Due to the complete destruction of the business records of many producers, the Secretary shall use

the best available information in determining eligibility, determining losses, and calculating payment amounts under this section.

(c) *LIMIT ON AMOUNT OF ASSISTANCE.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.*

SEC. 3014. DAIRY ASSISTANCE.

The Secretary shall use \$17,000,000 of the funds of the Commodity Credit Corporation to make payments to dairy producers for dairy production losses and dairy spoilage losses in hurricane-affected counties.

SEC. 3015. COTTONSEED.

(a) *IN GENERAL.—The Secretary shall use \$15,000,000 of the funds of the Commodity Credit Corporation to provide assistance to producers and first-handlers of the 2005 crop of cottonseed in hurricane-affected counties.*

(b) *DISTRIBUTION OF FUNDS.—The Secretary shall provide disaster assistance under subsection (a) under the same terms and conditions as assistance provided under section 206 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 543), except that assistance shall be—*

(1) *distributed to producers and first handlers of cottonseed; and*

(2) *based on cottonseed production during the most recent year for which a disaster payment specifically for cottonseed was not authorized.*

Subtitle B—Forestry

SEC. 3021. TREE ASSISTANCE PROGRAM.

(a) *DEFINITION OF TREE.—In this section, the term “tree” includes a tree (including a Christmas tree, ornamental tree, nursery tree, and potted tree), bush (including a shrub), and vine.*

(b) *PROGRAM.—Except as otherwise provided in this section, the Secretary shall use such sums of funds of the Commodity Credit Corporation to provide assistance under the tree assistance program established under sections 10201 through 10203 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.) to—*

(1) *producers who suffered tree losses in hurricane-affected counties; and*

(2) *fruit and tree nut producers in hurricane-affected counties for site preparation, replacement, rehabilitation, and pruning.*

(c) *COSTS.—Funds made available under this section shall also be made available to cover costs associated with tree pruning, tree rehabilitation, and other appropriate tree-related activities as determined by the Secretary.*

(d) *LIMIT ON AMOUNT OF ASSISTANCE.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.*

SEC. 3022. EMERGENCY FORESTRY CONSERVATION RESERVE PROGRAM.

Section 1231(k)(3)(G) of the Food Security Act of 1985 (16 U.S.C. 3831(k)(3)(G)) is amended by striking “\$404,100,000” and inserting “\$504,100,000”.

SEC. 3023. When evaluating an offer to enroll private nonindustrial forest land into the emergency forestry conservation reserve program, as authorized by section 1231(k) of the Food Security Act of 1985 (16 U.S.C. 3831(k)), the Secretary of Agriculture shall accord equal weight to, and not distinguish between, private nonindustrial forest lands comprised of softwood or hardwood trees for the purpose of determining whether the private nonindustrial forest land of the landowner satisfies criteria used to evaluate the offer, including, but not limited to, soil erosion prevention, water quality improvement, wildlife habitat restoration, and mitigation of economic loss.

Subtitle C—Miscellaneous**SEC. 3031. ADMINISTRATIVE COSTS.**

The Secretary may use not more than \$9,600,000 of funds of the Commodity Credit Corporation to cover administrative costs incurred by the Farm Service Agency directly related to carrying out this title.

SEC. 3032. AQUACULTURE PRODUCER GRANTS.

Grants to assist aquaculture producers announced by the Secretary on May 10, 2006 (71 Fed. Reg. 27188; relating to 2005 section 32 hurricane disaster programs) shall be provided for industry recovery in a manner consistent with the announcement or under the same terms and conditions as assistance provided under section 203(a)(2)(B) of the Agricultural Assistance Act of 2003 (Public Law 108-7; 117 Stat. 540).

SEC. 3033. EMERGENCY DESIGNATION.

Amounts made available by the transfer of funds in or pursuant to this title are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 3034. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

TITLE IV

PANDEMIC FLU

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Public Health and Social Services Emergency Fund” to prepare for and respond to an influenza pandemic, including international activities and activities in foreign countries, preparedness planning, enhancing the pandemic influenza regulatory science base, accelerating pandemic influenza disease surveillance, developing registries to monitor influenza vaccine distribution and use, supporting pandemic influenza research, clinical trials and clinical trials infrastructure, and the development and purchase of vaccines, antivirals, and necessary medical supplies, \$2,300,000,000, to remain available until expended: Provided, That \$30,000,000 shall be transferred to and merged with funds appropriated under the heading “Child Survival and Health Programs Fund” in chapter 3 of title II of division B, of Public Law 109–148 for activities related to international surveillance, planning, preparedness, and response to the avian influenza virus: Provided further, That \$250,000,000 shall be for upgrading State and local capacity, and at least \$200,000,000 shall be for the Centers for Disease Control and Prevention to carry out global and domestic disease surveillance, laboratory capacity and research, laboratory diagnostics, risk communication, rapid response and quarantine: Provided further, That products purchased with these funds may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile: Provided further, That notwithstanding section 496(b) of the Public Health Service Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologicals, where the Secretary finds such a contract necessary to secure sufficient supplies of such vaccines or biologicals: Provided further, That the Secretary may negotiate a contract with a vendor under which a State may place an order with the vendor for antivirals; may reimburse a State for a portion of the price paid by the State pursuant to such an order; and may use amounts made available herein for such reimbursement: Provided further, That funds appropriated herein and not specifically designated under this heading may be transferred to other appropriation accounts of the Department of Health and Human Services, as determined by the Secretary to be appropriate, to be used for the purposes specified in this sentence: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE V
BORDER SECURITY
CHAPTER 1
DEPARTMENT OF DEFENSE
OPERATION AND MAINTENANCE
OPERATION AND MAINTENANCE, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$708,000,000 for emergency National Guard support to the Department of Homeland Security, including operating surveillance systems, analyzing intelligence, installing fences and vehicle barriers, building patrol roads, and providing training, to remain available until September 30, 2007: Provided, That the Secretary of Defense may transfer these funds to appropriations for military personnel, operation and maintenance, and procurement to be available for the same purposes as the appropriation or fund to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation, to be merged with and made available for the same purposes and for the time period provided under this heading: Provided further, That the Secretary of Defense shall, not more than five days after making transfers from this appropriation, notify the congressional defense committees in writing of any such transfer.

CHAPTER 2
DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$410,000,000, to remain available until September 30, 2007: Provided, That the entire amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

**AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND
 PROCUREMENT**

For an additional amount for “Air and Marine Interdiction, Operations, Maintenance, and Procurement”, \$95,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for “Construction”, \$300,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$327,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PREPAREDNESS

OFFICE FOR DOMESTIC PREPAREDNESS

STATE AND LOCAL PROGRAMS

For an additional amount for “State and Local Programs”, for discretionary grants as determined by the Secretary, \$15,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For an additional amount for “Acquisition, Construction, Improvements, and Related Expenses”, \$25,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 3

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

ADMINISTRATIVE REVIEW AND APPEALS

For an additional amount for “Administrative Review and Appeals”, \$9,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for “Salaries and Expenses, General Legal Activities”, \$9,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for “Salaries and Expenses, United States Attorneys”, \$2,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE VI

LEGISLATIVE BRANCH

ARCHITECT OF THE CAPITOL

CAPITOL POWER PLANT

For an additional amount for “Capitol Power Plant”, \$27,600,000, to remain available until September 30, 2011: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE VII

GENERAL PROVISIONS AND TECHNICAL CORRECTIONS

AVAILABILITY OF FUNDS

SEC. 7001. 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. 7002. Funds appropriated in this Act, or made available by the transfer of funds in or pursuant to this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 7003. Section 8044 of Public Law 109–148 (119 Stat. 2708) is amended as follows: After “Defense,” and before “acting” insert, “notwithstanding any other provision of law.”

SEC. 7004. (a) Of the unobligated balances made available pursuant to section 504 of Public Law 108–334, \$20,000,000 are rescinded.

(b) For an additional amount for “United States Secret Service, Salaries and Expenses”, \$20,000,000, to remain available until September 30, 2007.

SEC. 7005. (a) Of the funds available for "Screening Coordination and Operations", \$3,960,000 are rescinded.

(b) For an additional amount for the "Office of the Secretary and Executive Management", \$3,960,000.

SEC. 7006. Public Law 109-90 is amended by striking section 528.

SEC. 7007. Section 402(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(b)) is amended by striking "June 30, 2006" and inserting "September 30, 2007".

SEC. 7008. For an additional amount for "Department of Labor, Mine Safety and Health Administration, Salaries and Expenses", \$25,600,000 for the enforcement of mine safety law with respect to coal mines, including the training and equipping of inspectors: Provided, That progress reports on hiring shall be submitted to the House and Senate Committees on Appropriations and the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and the Workforce of the House on a quarterly basis, with the first report due July 15, 2006: Provided further, That the amount provided under this heading shall remain available until September 30, 2007: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 7009. Unexpended balances for Health Resources and Services Administration grant number 7C6HF03601-01-00, appropriated in Public Law 106-554, shall remain available until September 30, 2009.

SEC. 7010. For an additional amount for "Department of Health and Human Services, Centers for Disease Control and Prevention, Disease Control, Research and Training", to carry out section 501 of the Federal Mine Safety and Health Act of 1977, \$10,000,000 for research to develop mine safety technology: Provided, That progress reports on technology development shall be submitted to the House and Senate Committees on Appropriations and the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and the Workforce of the House on a quarterly basis, with the first report due July 15, 2006: Provided further, That the amount provided under this heading shall remain available until September 30, 2007: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 7011. Public Law 109-149 (119 Stat. 2876) under the heading "Railroad Retirement Board, Dual Benefits Payments Account" is amended by striking "to the amount by which the product of recipients and the average benefit received exceeds \$97,000,000" and inserting "to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits" in lieu thereof.

SEC. 7012. Section 224 of Public Law 109-149 (119 Stat. 2862) is amended by striking "June" and inserting "December" in lieu thereof.

SEC. 7013. None of the funds appropriated in Public Law 109-149 or prior Acts under the heading "Employment and Training Ad-

ministration” that are available for expenditure on or after the date of enactment of this section shall be used by a recipient or sub-recipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II, except as provided for under section 101 of Public Law 109–149. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A–133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

SEC. 7014. Any national service educational award described in subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.), made with funds appropriated to, funds transferred to, or interest accumulated in the National Service Trust, shall hereafter be known as a “Segal AmeriCorps Education Award”.

SEC. 7015. (a) REPEAL OF SINGLE HOLDER RULE.—Section 428C(b)(1)(A) of the Higher Education Act of 1965 (20 U.S.C. 1078–3(b)(1)(A)) is amended by striking “and (i)” and all that follows through “so selected for consolidation”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any loan made under section 428C of the Higher Education Act of 1965 (20 U.S.C. 1078–3) for which the application is received by an eligible lender on or after the date of enactment of this Act.

(c) CONSOLIDATION INTO DIRECT LENDING.—Section 428C(b)(5) of the Higher Education Act of 1965 (20 U.S.C. 1078–3(b)(5)) is amended by striking “DIRECT LOANS.—” and all that follows through “Such direct consolidation loan” and inserting the following: “DIRECT LOANS.—In the event that a borrower is unable to obtain a consolidation loan from a lender with an agreement under subsection (a)(1), or is unable to obtain a consolidation loan with income-sensitive repayment terms acceptable to the borrower from such a lender, the Secretary shall offer any such borrower who applies for it, a Federal Direct Consolidation loan. Such direct consolidation loan”.

(d) REPEAL.—Section 8009(a) of the Higher Education Reconciliation Act of 2005 (Public Law 109–171, 120 Stat. 164) is amended by striking paragraph (2).

SEC. 7016. Section 2401 of the Military Construction Authorization Act for Fiscal Year 2006 (Public Law 109–163) is amended by striking after “Augusta”, “\$61,466,000” and inserting in lieu thereof “\$340,854,000”. This project may be incrementally funded. Funds appropriated in Public Law 109–114 for this project shall be available to fund the first increment.

SEC. 7017. Section 2401 of the Military Construction Authorization Act for Fiscal Year 2006 (Public Law 109–163) is amended by striking after “Kunia”, “\$305,000,000” and inserting in lieu thereof “\$350,490,000”. The project may be incrementally funded. Funds

appropriated in Public Laws 108–7, 108–87, and 109–114 for this project shall be available to fund the first increment.

SEC. 7018. Section 2403(b) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163) is amended in paragraph (2) by striking “\$12,500,000” and inserting “\$291,888,000”, and in paragraph (3) by striking “\$256,034,000” and inserting “\$301,524,000”.

SEC. 7019. Section 2846 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1320), as amended by section 2865 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2149) is further amended by striking “840 acres” and inserting “1,540 acres”.

SEC. 7020. Of the amount made available by the Department of Justice Appropriations Act, 2006 under the heading “Community Oriented Policing Services” (Public Law 109–108, 199 Stat. 2302), for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797 et seq.), \$1,500,000 shall be available to the Attorney General, without regard to such part BB, for the study on forensic science described in House Report 109–272 to accompany Public Law 109–108.

SEC. 7021. The referenced statement of the managers in House Report 109–272, Making Appropriations for Science, the Departments of State, Justice, and Commerce, and Related Agencies for the Fiscal Year Ending September 30, 2006, and for other purposes, under this heading is deemed to be amended with respect to amounts made available under the heading “Science, Aeronautics and Exploration” for the Mitchell Institute by striking “educational purposes” and inserting “the science and engineering education endowment”.

SEC. 7022. Section 613 of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2336) is amended—

(1) by inserting after “\$500,000 shall be available for the Iowa Department of Economic Development for the Entrepreneurial Venture Assistance Project” the following: “(including the ability to make subgrants or loans for such project)”; and

(2) by striking “Clark County Department of Aviation, Las Vegas,” and inserting “University of Nevada Las Vegas,”.

SEC. 7023. Under the heading “Department of Transportation, Federal Highway Administration, Emergency Relief Program” in Public Law 109–148 (119 Stat. 2778), strike “\$629,000,000” and insert “\$803,000,000”.

SEC. 7024. Notwithstanding 49 U.S.C. 5336, any funds remaining available under Federal Transit Administration grant numbers NY–03–345–00, NY–03–0325–00, NY–03–0405, NY–90–X398–00, NY–90–X373–00, NY–90–X418–00, NY–90–X465–00 together with an amount not to exceed \$19,200,000 in urbanized area formula funds that were allocated by the New York Metropolitan Transportation Council to the New York City Department of Transportation as a designated recipient under 49 U.S.C. 5307 may be made available to the New York Metropolitan Transportation Authority for eligible capital projects authorized under 49 U.S.C. 5307 and 5309.

SEC. 7025. For recipients of assistance under chapter 53 of title 49, United States Code, directly affected by Hurricane Katrina, the Secretary may waive the Federal matching share requirements for Federal transit assistance programs under such chapter, including the Federal matching share requirements contained in existing Federal assistance grant agreements: Provided, That the Secretary may allow such recipients to use such assistance for operating assistance, notwithstanding the terms and conditions contained in existing Federal assistance grant agreements: Provided further, That the authority of the Secretary hereunder shall expire two years after the date of enactment of this section, unless determined otherwise by the Secretary for a compelling need.

SEC. 7026. The first sentence under the heading "Department of the Treasury, Departmental Offices, Salaries and Expenses" in title II of division A of Public Law 109-115 (119 Stat. 2432) is amended by inserting after "travel expenses" the words "(except for travel performed by officials in the Office of Terrorism and Financial Intelligence and the Office of International Affairs)".

SEC. 7027. (a) Funds appropriated for intelligence activities, or made available by the transfer of funds, by this Act, by Public Law 109-108 for the Department of Justice, or by Public Law 109-115 for the Department of the Treasury, are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947, as amended, (50 U.S.C. 414) during fiscal year 2006 until the enactment of the Intelligence Authorization Act for Fiscal Year 2006.

(b) Subsection (a) shall be effective:

(1) with respect to funds appropriated, or made available by the transfer of funds, by this Act, upon the enactment of this Act;

(2) with respect to funds appropriated, or made available by the transfer of funds, by Public Law 109-108 for the Department of Justice, as if enacted on the date of enactment of Public Law 109-108; and

(3) with respect to funds appropriated, or made available by the transfer of funds, by Public Law 109-115 for the Department of the Treasury, as if enacted on the date of enactment of Public Law 109-115.

SEC. 7028. (a) The matter under the heading "Tenant-Based Rental Assistance" in chapter 9 of title I of division B of Public Law 109-148 is amended—

(1) in the first proviso, by striking "or the Stewart B. McKinney Homeless Assistance Act (Public Law 100-77)" and inserting "the McKinney-Vento Homeless Assistance Act, section 221(d)(3), 221(d)(5), or 236 of the National Housing Act, or section 101 of the Housing and Urban Development Act of 1965"; and

(2) in the second proviso, by inserting " , except that paragraph (7)(A) of such section shall not apply" after "1937".

(b) The provisions of this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 7029. The Department of Housing and Urban Development Appropriations Act, 2006 (Public Law 109-115) is amended in

designated paragraph (5) under the heading “Tenant-based Rental Assistance”—

(1) by striking “\$10,000,000” and inserting “\$25,000,000”; and

(2) by striking “\$1,240,000,000” and inserting “\$1,225,000,000”.

SEC. 7030. (a) The second paragraph under the heading “Community Development Fund” in title III of division A of Public Law 109–115 is amended by striking “statement of managers accompanying this Act” and inserting “statement of managers correction for H.R. 3058 relating to the Economic Development Initiative submitted to the House of Representatives by the Chairman of the Committee on Appropriations of the House on November 18, 2005, and printed in the House section of the Congressional Record on such date”.

(b) Section 5023 of title V of division B of Public Law 109–148 is amended by striking “in title III of Public Law 109–115 (as in effect pursuant to H. Con. Res. 308, 109th Congress)” and inserting “in title III of division A of Public Law 109–115”.

(c) Each amendment made by this section shall apply as if included in the amended public law on the date of its enactment.

SEC. 7031. The referenced statement of the managers under the heading “Community Development Fund” in title II, division G of Public Law 108–199 is deemed to be amended—

(1) with respect to item number 402, by striking “in Kansas City, Missouri” and inserting “in the Kansas City Metropolitan Statistical Area (MSA)”;

(2) with respect to item number 329 by striking “for purchase of the D.C. Metropolitan Police Boys and Girls Club facility” and inserting “for renovation of Boys and Girls Clubs of Greater Washington Clubhouse #2, Clubhouse #4, Clubhouse #10, Clubhouse #11, and Clubhouse #14 in the District of Columbia”;

(3) with respect to item number 188 by striking “the City of Macon for construction of the historic Coca-Cola building” and inserting “Wesleyan College in Macon, Georgia for facility renovation, build out, and construction”;

(4) with respect to item number 830 by striking “construction” and inserting “purchase, renovation, build out and upgrade”;

(5) with respect to item number 380 by striking “for construction of a new facility” and inserting “to upgrade an existing facility”;

(6) with respect to item number 348 by striking “land acquisition” and inserting “the construction and renovation of the Holyoke Community College Enrollment Center”; and

(7) with respect to item number 602 by striking “to the J. Frank Troy Senior Center in Toledo, Ohio for renovation and construction” and inserting “, including \$100,000 to the Northwest Ohio Area Office on Aging for construction of the Jerusalem Township Resource Center and Food Pantry; and \$100,000 to Aurora Gonzales Senior Center, Toledo, Ohio, for renovation and build out of a facility”.

SEC. 7032. The referenced statement of the managers under the heading “Community Development Fund” in title II, division I of Public Law 108–447 is deemed to be amended—

(1) with respect to item number 838 by striking “City of Canby, Minnesota” and inserting “Western Five Community Development Corporation.”;

(2) with respect to item number 912 by striking “renovations to the Broadway Market” and inserting “the demolition and redevelopment of properties in the Broadway-Fillmore Corridor, Buffalo, New York”;

(3) with respect to item number 631 by striking “construction” and inserting “acquisition”;

(4) with respect to item number 536 by striking “an economic development planning study” and inserting “the Main Street Revitalization Project”;

(5) with respect to item number 444, by striking “City of St. Petersburg, Florida for facilities construction and renovation for the Mid-Pinellas Science Center” and inserting “St. Petersburg College, City of Seminole, Florida for the development of Science and Nature Park at St. Petersburg College”;

(6) with respect to item 260 by inserting after renovations “and for property renovation at 754 Broad Street for the Family Center emergency shelter for families and children”; and

(7) with respect to item number 136, by striking “renovation of the Fire House in Brookhaven, Mississippi” and inserting “the restoration of the historic City Hall in Brookhaven, Mississippi”.

SEC. 7033. The statement of managers correction referenced in the second paragraph under the heading “Community Development Fund” in title III, division A of Public Law 109–115 is deemed to be amended—

(1) with respect to item number 793 by striking “for street infrastructure and parking facility improvements” and inserting “to purchase and demolish blighted property, develop detailed design/construction drawings, and to begin site preparation for new infill housing lots”;

(2) with respect to item number 1114 by striking “West Virginia Technical College” and inserting “West Virginia University Institute of Technology Community and Technical College”;

(3) with respect to item number 849, by striking “Mahanoy City, Pennsylvania for improvements to West Market Street” and inserting “Mahanoy City, Pennsylvania for improvements to Centre Street”;

(4) with respect to item number 740 by striking “infrastructure improvements in Central Plaza Park” and inserting “the demolition and redevelopment of properties in the Broadway-Fillmore Corridor, Buffalo, New York”;

(5) with respect to item number 374 by striking “Day Care” and inserting “Senior Citizens”;

(6) with respect to item number 714, by striking “construction of a senior center;” and inserting “renovation and build out of a multipurpose center;”

(7) with respect to item number 850, by striking “City of Lancaster, Pennsylvania” and inserting “in Pennsylvania”;

(8) with respect to item number 925, by striking “Greenwood Partnership Alliance, South Carolina for the renovation of the Old Federal Courthouse” and inserting “City of Greenwood, South Carolina for the Emerald Triangle Project”; and

(9) with respect to item number 615 by inserting “and UND Technology Transfer and Commercialization Center” before the semicolon.

SEC. 7034. Notwithstanding any other provision of law, the Administrator of General Services may convey, without consideration ownership and jurisdiction (custody, accountability and control) to the City of Crosby, North Dakota real property as described: Lots 9, 10, 11, 12, 13, and 14, Eastlawn Addition to Crosby, Divide County, North Dakota.

SEC. 7035. 2007 DISCRETIONARY LIMITS. (a) IN GENERAL.—For the purposes of section 302(a) of the Congressional Budget Act of 1974, the allocations of the appropriate levels of budget totals for the Committee on Appropriations of the Senate for fiscal year 2007 shall be—

(1) \$872,778,000,000 in total new budget authority for general purposes discretionary; and

(2) \$577,241,000,000 in total new budget authority for mandatory;

until a concurrent resolution on the budget for fiscal year 2007 is agreed to by the Senate and the House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

(b) ADJUSTMENTS AND LIMITS.—The limits and adjustments provided in section 402 of S. Con. Res. 83 (109th Congress), as passed the Senate, for fiscal year 2007 shall apply to subsection (a).

(c) APPLICATION.—The section 302(a) allocations in subsection (a) shall be deemed to be allocations set forth in the joint explanatory statement of managers accompanying the concurrent resolution on the budget for fiscal year 2007, as though adopted by Congress, for all purposes under titles III and IV of the Congressional Budget Act of 1974. Section 302(a)(4) of the Congressional Budget Act of 1974 shall not apply to this section.

(d) EXCEPTIONS.—The following provisions of H. Con. Res. 95 (109th Congress) shall not apply in the Senate—

(1) Section 404; and

(2) until January 3, 2007, section 403(b)(2).

(e) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

This Act may be cited as the “Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006”.

And the Senate agree to the same.

JERRY LEWIS,
C.W. BILL YOUNG,
RALPH REGULA,
HAROLD ROGERS,
FRANK R. WOLF,
JIM KOLBE,
JAMES T. WALSH,
CHARLES H. TAYLOR,
DAVID L. HOBSON,
HENRY BONILLA,
JOE KNOLLENBERG,
JOHN P. MURTHA,
MARTIN OLAV SABO,
ALAN B. MOLLOHAN,

PETER J. VISCLOSKY,
 NITA M. LOWEY,
 JOHN W. OLVER,
 CHET EDWARDS,

Managers on the Part of the House.

THAD COCHRAN,
 TED STEVENS,
 PETE V. DOMENICI,
 CHRISTOPHER S. BOND,
 MITCH MCCONNELL,
 CONRAD BURNS,
 RICHARD C. SHELBY,
 JUDD GREGG,
 ROBERT F. BENNETT,
 LARRY CRAIG,
 KAY BAILEY HUTCHISON,
 SAM BROWNBAC,
 WAYNE ALLARD,
 ROBERT C. BYRD

(except Deeming Resolu-
 tion),

DANIEL K. INOUE,
 TOM HARKIN

(except Deeming Resolu-
 tion),

BARBARA A. MIKULSKI

(except Deeming Resolu-
 tion),

HARRY REID

(except Deeming Resolu-
 tion),

HERB KOHL

(except Agriculture Disaster
 and Deeming Resolution),

PATTY MURRAY

(except Deeming Resolution
 and Veterans Funding)

BYRON L. DORGAN

(except Agriculture Dis-
 aster),

DIANNE FEINSTEIN,

TIM JOHNSON

(except Agriculture Dis-
 aster),

MARY L. LANDRIEU,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF
CONFERENCE

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. 4939) making emergency supplemental appropriations 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 effects of the action agreed upon by the managers and recommended in the accompanying conference report.

Report language included in the reports of the House (H. Rept. 109–388) and of the Senate (S. Rept. 109–230) accompanying H.R. 4939 should be complied with unless specifically addressed in this statement of the managers. The statement of the managers, while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

TITLE I—GLOBAL WAR ON TERROR SUPPLEMENTAL
APPROPRIATIONS

CHAPTER 1—DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

The conference agreement provides \$350,000,000, to remain available until expended, for PL 480 Title II Grants as proposed by the House and the Senate.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

The conference agreement recommends \$65,791,894,000 for the Department of Defense, instead of \$67,557,241,000, as proposed by the House, and \$65,657,269,000, as proposed by the Senate.

The following table provides details of the supplemental appropriations for the Department of Defense—Military.

[In thousands of dollars]

Account	House	Senate	Conference
Military Personnel:			
Military Personnel, Army	6,506,223	6,665,284	6,587,473
Military Personnel, Navy	1,061,724	1,071,474	1,321,474
Military Personnel, Marine Corps	834,122	860,872	840,872
Military Personnel, Air Force	1,145,363	1,195,713	1,155,713
Reserve Personnel, Army	166,070	150,570	140,570
Reserve Personnel, Navy	110,412	115,712	110,712
Reserve Personnel, Marine Corps	10,327	13,192	10,627

(In thousands of dollars)

Account	House	Senate	Conference
Reserve Personnel, Air Force	1,940	3,440	1,940
National Guard Personnel, Army	96,000	121,550	111,550
National Guard Personnel, Air Force	1,200	6,200	1,200
Total Military Personnel	9,933,381	10,204,007	10,282,131
Operation and Maintenance:			
O&M, Army	18,380,310	17,594,411	17,844,410
O&M, Navy	2,793,600	2,826,693	2,696,693
O&M, Marine Corps	1,722,911	1,589,911	1,639,911
O&M, Air Force	5,328,869	6,057,408	5,576,257
O&M, Defense-Wide	3,259,929	2,879,899	2,830,677
O&M, Army Reserve	100,100	100,100	100,100
O&M, Navy Reserve	236,509	236,509	78,509
O&M, Marine Corps Reserve	55,675	87,875	87,875
O&M, Air Force Reserve	18,563	18,563	18,563
O&M, Army National Guard	178,600	178,600	178,600
O&M, Air National Guard	30,400	30,400	30,400
Former Soviet Union Threat Reduction Account			44,500
Afghanistan Security Forces Fund	1,851,833	1,908,133	1,908,133
Iraq Security Forces Fund	3,007,000	3,703,000	3,007,000
Iraq Freedom Fund		25,000	
Joint Improvised Explosive Device Defeat Fund		1,958,089	1,958,089
Total Operation and Maintenance	36,964,299	39,194,590	37,899,717
Procurement:			
Aircraft Procurement, Army	533,200	533,200	345,000
Missile Procurement, Army	203,300	203,300	203,300
Procurement of WTCV, Army	1,983,351	1,592,451	1,767,451
Procurement of Ammunition, Army	829,679	829,679	829,679
Other Procurement, Army	7,528,657	6,286,145	5,819,645
Aircraft Procurement, Navy	293,980	412,169	516,869
Weapons Procurement, Navy	90,800	63,351	55,200
Procurement of Ammunition, Navy & Marine Corps	330,996	327,126	323,256
Other Procurement, Navy	111,719	140,144	54,640
Procurement, Marine Corps	3,260,582	2,576,467	2,577,467
Aircraft Procurement, Air Force	663,595	679,515	674,815
Procurement of Ammunition, Air Force	29,047	29,047	29,047
Other Procurement, Air Force	1,489,192	1,452,651	1,500,591
Procurement, Defense-Wide	331,353	331,353	331,353
Total Procurement	17,679,451	15,456,598	15,028,313
Research, Development, Test and Evaluation:			
RDT&E, Army	424,177	54,700	54,700
RDT&E, Navy	126,845	124,845	124,845
RDT&E, Air Force	305,110	382,630	382,630
RDT&E, Defense-Wide	145,921	148,551	148,551
Total RDT&E	1,002,053	710,726	710,726
Revolving and Management Funds:			
Defense Working Capital Funds	502,700	516,700	516,700
Other Department of Defense Programs:			
Defense Health Program	1,153,562	1,153,562	1,153,562
Drug Interdiction and Counter-Drug Activities Defense	156,800	154,596	150,470
Office of the Inspector General	6,120	1,815	5,000
Total Other DoD Programs	1,316,482	1,309,973	1,309,032

(In thousands of dollars)

Account	House	Senate	Conference
Related Agencies:			
Intelligence Community Management Account	158,875	158,875	158,875
General Provisions:			
Transfer Authority for GWOT Supplemental (Non add)	[2,000,000]	2,000,000]	2,000,000]
Transfer Authority for FY 2006 Appropriations Act (Non add)	[0]	[600,000]	1,250,000]
Defense Cooperation Account		5,800	5,800
Reduction for Border Security		- 1,908,000	
Cooperative Threat Reduction Program		8,000	
Rescission, Missile Procurement, Air Force			(80,000)
Rescission, Other Procurement, Air Force			(39,400)
Grand Total	67,557,241	65,657,269	65,791,894

REPORTING REQUIREMENTS

The conferees direct the Secretary of Defense to provide a report to the congressional defense committees within 30 days after the date of enactment of this legislation on the allocation of the funds within the accounts listed in this chapter. The Secretary shall submit updated reports 30 days after the end of each fiscal quarter until funds listed in this chapter are no longer available for obligation. The conferees direct that these reports shall include: a detailed accounting of obligations and expenditures of appropriations provided in this chapter by program and subactivity group for the continuation of the war in Iraq and Afghanistan; and a listing of equipment procured using funds provided in this chapter. The conferees expect that in order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriations accounts for purposes other than those specified in this report. The conferees direct the Department of Defense to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this chapter.

Additionally, the conferees direct that the reporting requirements of section 9010 of Public Law 109-148, the Department of Defense Appropriations Act, 2006, regarding military operations and stability in Iraq shall apply to the funds appropriated in this Act.

ARMY COMBAT BRIGADES AND LONG-TERM EQUIPMENT REPAIR COSTS REPORTS

The conferees agree on the House requirements for reports to be submitted to the congressional defense committees on Army Combat Brigades and Long-Term Equipment Repair Costs. The conferees direct that the reports shall be submitted not later than July 7, 2006.

NATIONAL GUARD AND RESERVE

The House report directed that not less than \$3,571,083,000 of the funds provided in this bill shall be provided for the National Guard and Reserve forces to prosecute the Global War on Terror.

The conferees agree that within the funds provided in the conference report, the National Guard and Reserve should receive not less than the President's budget request for these activities.

STRYKER UPGRADES

The conferees urge the Department of the Army to initiate Block 2 upgrade programs for existing Stryker brigades undergoing reset maintenance using funds available in this Act.

CLASSIFIED PROGRAMS

Recommended adjustments to classified programs are addressed in a classified annex accompanying this report.

MILITARY PERSONNEL

The conference agreement recommends \$10,282,131,000 for the military personnel accounts, instead of \$9,933,381,000 as proposed by the House, and \$10,204,007,000 as proposed by the Senate. The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
Military Personnel, Army:			
Incremental OIF/OEF wartime costs	4,170,763	4,170,763	4,170,763
Basic Allowance for Housing	843,660	843,660	843,660
Army active duty overstrength	370,100	370,100	370,100
Convalescent Soldiers Clothing Allowance	1,900	1,900	1,900
Recruiting and Retention Initiatives	151,000	298,811	221,000
Subsistence	289,800	289,800	289,800
Foreign Language Proficiency Pay	33,700	33,700	33,700
SGLI/Death Gratuities	645,300	656,550	656,550
Total Military Personnel, Army	6,506,223	6,665,284	6,587,473
Military Personnel, Navy:			
Incremental OIF/OEF wartime costs	704,451	404,451	404,451
Basic Allowance for Housing	98,473	98,473	98,473
Pay and Allowances		300,000	550,000
SGLI/Death Gratuity	221,000	230,750	230,750
Active Duty Special Work	13,400	13,400	13,400
GITMO PCS	12,500	12,500	12,500
Foreign Language Proficiency Pay/Other	10,400	10,400	10,400
GWOT Initiatives	1,500	1,500	1,500
Total Military Personnel, Navy	1,061,724	1,071,474	1,321,474
Military Personnel, Marine Corps:			
Incremental OIF/OEF wartime costs	283,492	283,492	283,492
Basic Allowance for Housing	86,430	86,430	86,430
Marine Corps active duty overstrength	272,600	272,600	272,600
Pay and Allowances		20,000	
SGLI/Death Gratuity	191,600	198,350	198,350
Total Military Personnel, Marine Corps	834,122	860,872	840,872
Military Personnel, Air Force:			
Incremental OIF/OEF wartime costs	721,834	721,834	721,834
Basic Allowance for Housing	131,100	131,100	131,100
Pay and Allowances		40,000	
SGLI/Death Gratuity	292,429	302,779	302,779

(In thousands of dollars)

Account	House	Senate	Conference
Total Military Personnel, Air Force	1,145,363	1,195,713	1,155,713
Reserve Personnel, Army:			
Recruiting and Retention Initiatives	159,070	129,070	129,070
Branch Officer Basic Course		10,000	
Foreign Army Training Command	4,500	4,500	4,500
Port Handling Operations	2,500	2,500	2,500
SGLI/Death Gratuity		4,500	4,500
Total Reserve Personnel, Army	166,070	150,570	140,570
Reserve Personnel, Navy:			
Incremental OIF/OEF wartime costs	82,128	82,128	82,128
Basic Allowance for Housing	24,984	24,984	24,984
Recruiting and Retention		5,000	
SGLI/Death Gratuity	2,300	2,600	2,600
GWOT Initiatives	1,000	1,000	1,000
Total Reserve Personnel, Navy	110,412	115,712	110,712
Reserve Personnel, Marine Corps:			
Transitional Active Force Augmentation	9,127	9,127	9,127
Recruiting and Retention		2,565	
SGLI/Death Gratuity	1,200	1,500	1,500
Total Reserve Personnel, Marine Corps	10,327	13,192	10,627
Reserve Personnel, Air Force:			
Schools and Special Training		1,500	
SGLI/Death Gratuity	1,940	1,940	1,940
Total Reserve Personnel, Air Force	1,940	3,440	1,940
National Guard Personnel, Army:			
Recruiting and Retention Initiatives	35,000	55,000	45,000
SGLI/Death Gratuity	5,000	17,550	17,550
Inactive Duty Training	36,200	36,200	36,200
Annual Training (AT)	12,800	12,800	12,800
Incapacitation Pay	7,000		
Total National Guard Personnel, Army	96,000	121,500	111,500
National Guard Personnel, Air Force:			
Recruiting and Retention Initiatives		5,000	
SGLI/Death Gratuity	1,200	1,200	1,200
Total National Guard Personnel, Air Force	1,200	6,200	1,200
Total Military Personnel	9,933,381	10,204,007	10,282,131

OPERATION AND MAINTENANCE

The conference agreement recommends \$37,899,717,000 for the operation and maintenance accounts, instead of \$36,964,299,000 as proposed by the House, and \$39,194,590,000 as proposed by the Senate. The conference agreement on items addressed by either the House or Senate is as follows:

(In thousands of dollars)

Account	Conference
Operation and Maintenance, Army:	
Incremental Wartime Operating Costs	7,562,500
Incremental LOGCAP	1,752,410

<i>Account</i>	<i>Conference</i>
Civilian and Contractor Subsistence	511,000
Second Destination Transportation	646,500
Other Transportation	754,600
Depot Maintenance	773,700
Depot Maintenance: Army National Guard Abrams AIM	130,000
Contractor Logistics Support (CLS)	865,700
Other Maintenance—Organizational and Intermediate	109,500
Communications and Electronics	585,200
Other Personnel Support	349,000
Recruiting and Retention	4,000
Medical and Casualty Support	62,600
Contract Linguists	290,000
Training	1,446,800
CONUS Base Support (to include CHPP Fire Damage)	16,000
Army Modular Facilities	247,700
Other GWOT Operations and Support	125,100
OHDACA Reimbursement	20,000
Lift and Sustain	351,000
Commanders Emergency Response Program	423,000
Project and Contracting Office	200,000
Joint Improvised Explosive Device (JIED) Defeat Transfer to JIED Fund Coalition Blue Force Tracker and COB Commu- nications	16,000
Other Programs	235,600
Baseline Budget Fuel Increase	116,500
Reset	150,000
 Total Operation and Maintenance, Army	 17,744,410
 Operation and Maintenance, Navy:	
Personnel Support Costs	41,800
Body Armor	13,200
Ship Depot Maintenance	134,200
Aircraft Depot Maintenance	19,600
Ground Depot Maintenance	110,300
Reset	36,700
Steaming Days	130,200
Flying Hours	503,900
C4I, Logistics, Material and Training Support	268,600
Other Operational Support Costs	203,100
OHDACA Reimbursement	20,000
Baseline Fuel Rate Increase	157,600
Other GWOT Operations and Support	90,600
Classified Programs	61,593
USMC Transportation	326,900
Airlift	255,700
Sealift	20,800
Other Transportation	301,900
 Total Operation and Maintenance, Navy	 2,696,693
 Operation and Maintenance, Marine Corps:	
Personnel Support Costs	118,900
Body Armor/Initial Issue/Personal Protection Equipment	238,700
Equipment Maintenance	39,100
Reset	240,800
In-Theater Logistics Support	321,100
Horn of Africa LOGCAP	149,900
Other Operating Support Costs	190,511
Classified Programs	8,600
Second Destination Transportation	289,000
Airlift	22,300

<i>Account</i>	<i>Conference</i>
Sealift	21,000
Total Operation and Maintenance, Marine Corps	1,639,911
Operation and Maintenance, Air Force:	
Operating Support/Flying Hours/Unit Optempo	1,262,849
Depot Maintenance and Contractor Logistics Support	838,572
Transportation	1,559,004
Fuel Rate Increase	149,200
GWOT Airlift/SDT	924,360
Personnel Support	296,294
Body Armor	24,700
Other Support	275,549
OHDACA Reimbursement	20,000
Classified Programs	225,729
Total Operation and Maintenance, Air Force	5,576,257
Operation and Maintenance, Defense-Wide:	
TJS—Combatant Commander Initiative Fund	25,000
SOCOM—Special Operations Command	856,852
DLA—Over Ocean Transportation	100,000
DCAA—Contract Audit	16,000
DCMA—Contract Management	6,000
DODEA—Family Support Counseling	85,000
DODEA—Transition Assistance to Separating Service Mem- bers	8,000
DLSA—Military Tribunals	11,000
DISA—Communications Network Support	77,000
AFIS—Stars & Stripes, American Forces Radio/TV Service	12,100
DSCA—Coalition Support	740,000
OSD—Lift & Sustain	95,000
OSD—NI/DCIP to Support USCENTCOM and Warfighter Ac- tivities	32,600
DTRA—Cooperative Threat Reduction (Transfer to FSUTR Ac- count)	—
Other Defense-Wide Programs	26,547
Coast Guard Support	75,000
Classified Programs	664,578
Border Security Initiative (Transfer to title V)	—
Total Operation and Maintenance, Defense-Wide	2,830,677
Operation and Maintenance, Army Reserve:	
Recruiting and Retention Support	3,800
Premobilization Training	65,400
Port Handling Operations	600
Pre/Post Mobilization Equipment Maintenance	8,800
USAR Range Operations	3,000
Foreign Army Training Command	2,000
Soldier and Family Support Programs	1,100
Baseline Budget Fuel Increase	15,400
Total Operation and Maintenance, Army Reserve	100,100
Operation and Maintenance, Navy Reserve:	
Reserve Operating Support Costs	59,909
Classified Programs	15,600
Depot Maintenance	3,000
Total Operation and Maintenance, Navy Reserve	78,509
Operation and Maintenance, Marine Corps Reserve:	
Body Armor/Initial Issue/Personal Protection Equipment	68,900
Other Personnel Support	2,100
Operating Forces	9,825

<i>Account</i>	<i>Conference</i>
Training and Support	3,725
Base Operating Support	3,125
Baseline Budget Fuel Increase	200
Total Operation and Maintenance, Marine Corps Reserve	87,875
Operation and Maintenance, Air Force Reserve:	
Personnel Operating Support Costs	1,300
Baseline Budget Fuel Increase	17,263
Total Operation and Maintenance, Air Force Reserve	18,563
Operation and Maintenance, Army National Guard:	
Recruiting and Retention Support	77,000
Premobilization Training	21,500
Aviation Depot Level Maintenance	19,300
Military Technician Program	30,000
Battle Command Simulation	1,200
Line of Duty Application Processing	1,500
Baseline Budget Fuel Increase	28,100
Total Operation and Maintenance, Army National Guard ..	178,600
Operation and Maintenance, Air National Guard:	
Baseline Budget Fuel Increase	30,400
Total Operation and Maintenance, Air National Guard	30,400
Former Soviet Union Threat Reduction Account (FSUTRA)	44,500
Afghanistan Security Forces Fund	1,908,133
Iraq Security Forces Fund	3,007,000
Total Security Forces Funds	4,915,133
Iraq Freedom Fund	-
Joint Improvised Explosive Device Defeat Fund	1,958,089
Total Operation and Maintenance	37,899,717

COMPREHENSIVE COMBAT CASUALTY CARE CENTER IN SAN DIEGO

The conferees are pleased that the Navy has made funds available to open the Comprehensive Combat Casualty Care Center in San Diego and that the Navy has agreed to continue financing this center in future budgets. The creation of this center will help marines, sailors and soldiers assigned to the West Coast return to their commands, families and communities, while ensuring that their rehabilitation continues without interruption.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement includes \$5,000,000 for emergencies and extraordinary expenses instead of \$10,000,000 as proposed by the House. The Senate did not address this matter.

The conference agreement includes \$740,000,000 in coalition support funding as proposed by the Senate instead of \$1,200,000,000 as proposed by the House.

The conference agreement amends Senate language providing that up to \$75,000,000 shall be transferred to the Coast Guard for

operating expenses. The House bill addressed this matter in the Operation and Maintenance, Navy account.

BORDER SECURITY INITIATIVE

On May 18, 2006, the Administration submitted a revised supplemental request for a border security initiative. The revised request provided an additional \$1,900,000,000 to the Departments of Defense, Justice and Homeland Security for this initiative. The additional amount for the President's border security initiative was offset by a corresponding reduction to the Department of Defense's funding for the Global War on Terror.

The conferees recommend \$708,000,000, instead of \$756,000,000 as proposed by the Administration, for the Department of Defense to fund the incremental military personnel and operation and maintenance costs of deploying up to 6,000 National Guard personnel to the U.S. border for one year in support of the Department of Homeland Security.

The funds recommended for the Department of Defense are addressed in Title V of this Act.

COUNSELING AND TRANSITION ASSISTANCE

The conferees remain concerned about the effects of combat operations on the emotional and psychological well-being of our military forces returning from war. This concern is borne out by a recently released Veterans Administration (VA) report that indicates almost 30,000 Operation Iraqi Freedom/Operation Enduring Freedom veterans have reported to VA hospitals with effects from post traumatic stress syndrome (PTSD). To address this issue, the conferees agree to include \$93,000,000 for family support counseling and transition assistance, an increase of \$50,000,000 over the request. The conferees believe the Department of Defense should redouble its efforts to understand the counseling and transition assistance needs of our returning troops and seek sufficient funding for programs that address these needs.

FORMER SOVIET UNION THREAT REDUCTION ACCOUNT

The conference agreement provides \$44,500,000 for the Former Soviet Union Threat Reduction Account.

AFGHANISTAN AND IRAQ SECURITY FORCES FUNDS

The conference agreement provides \$1,908,133,000 for the Afghanistan Security Forces Fund, as proposed by the Senate, instead of \$1,851,833,000 as proposed by the House; and provides \$3,007,000,000 for the Iraq Security Forces Fund, as proposed by the House, instead of \$3,703,000,000, as proposed by the Senate. The conferees agree that funds may be made available for infrastructure for the security forces in both countries that are being trained and equipped by the United States and its coalition allies, including police and military forces.

While the conference agreement does not provide full funding as requested by the President for these funds, the conferees note that it would not have been possible for the requested funds to be

fully obligated and expended in the remaining months of fiscal year 2006. The reduction is taken without prejudice.

The conferees endorse language as proposed by the House regarding reporting requirements for the Afghanistan and Iraq Security Forces Funds.

The conferees are concerned that Iraq's neighbors in the Middle East have not provided sufficient resources to ensure security and stability in that country. Many of these nations have experienced greatly increased revenue flows due to the rise in oil prices. While the United States and its coalition allies have borne the predominant burden of combat operations, supporting free elections, and helping establish a permanent government, Arab and other nations in the region now need to greatly enhance their assistance for the new Iraqi security forces. The conferees strongly urge the Department of Defense and the Administration to renew efforts to solicit contributions from these nations so that in the future the United States is not the primary source of funds for the modernization of the Iraqi security forces.

COMMANDER'S EMERGENCY RESPONSE PROGRAM

The conferees provide \$423,000,000 for the Commander's Emergency Response Program (CERP), as proposed by both the House and the Senate. The conferees endorse language as proposed by the House that amends current CERP reporting requirements. The conferees also recognize that military commanders in the field are the first line of contact with the civilian population and therefore direct that the CERP funds remain under the operational control of the military commanders.

CONDOLENCE PAYMENTS

The conferees agree with the intent of the Senate language on condolence payments to civilians who have suffered injuries, or to the families of those who have died, as a result of combat operations. In addressing Department of Defense condolence payments, the report should only address activities funded under the CERP program. Recommendations on funding mechanisms for condolence payments should include a consideration of funding through other Federal Agencies.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

The conferees provide \$1,958,089,000 for the Joint Improvised Explosive Device Defeat Fund, as proposed by the Senate.

The conferees endorse the Senate language which directs the Department of Defense to provide an initial report on the organization, funding, and other matters related to the Joint Improvised Explosive Device Defeat Fund. The initial report shall be provided to the congressional defense committees within 60 days of enactment of the accompanying Act. In addition, the Department is to provide subsequent reports not later than 30 days after the end of each fiscal quarter to the congressional defense committees.

PROCUREMENT

The conference agreement provides a total of \$15,028,313,000 for various procurement appropriations, instead of \$17,679,451,000 as proposed by the House and \$15,456,598,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
Aircraft Procurement, Army:			
AH-64 Apache Mods	500,000	500,000	345,000
GUARDRAIL Mods (TIARA)	33,200	33,200	.....
Total Aircraft Procurement, Army	533,200	533,200	345,000
Missile Procurement, Army:			
ATACMS Block I A Unitary	91,000	91,000	91,000
ITAS/TOW Mods	112,300	112,300	112,300
Total Missile Procurement, Army	203,300	203,300	203,300
Procurement of Weapons and Tracked Combat Vehicles, Army:			
Stryker	164,875	158,875	158,875
Carrier Mods	50,000	50,000	50,000
Fire Support Team (FIST) Vehicle	116,220	116,220	116,220
Bradley Fighting Vehicle Systems Mods	5,000	5,000	5,000
Bradley Fighting Vehicle Systems Mods—Bradley Reactive Armored Tile (BRAT)	137,400	137,400	137,400
Bradley Base Sustainment	250,000	.....	175,000
M1 Abrams Tank Mod (AIM)	103,000	103,000	103,000
System Enhancement Program: SEP M1A2	300,000	.....	.....
M1 Abrams Tank Urban Survival Kit (TUSK)	100,000	100,000	100,000
Abrams System Enhancement Program: SEP M1A2 .....	.....	300,000	300,000
Improved Recovery Vehicle	100,000	.....	.....
Heavy Assault Bridge (HAB) System Mod	6,346	6,346	6,346
M240 medium machine gun (7.62mm)	2,703	2,703	2,703
M249 SAW machine gun (5.56mm)	23,939	23,939	23,939
MK-19 Grenade Machine Gun (40mm)	18,300	18,300	18,300
Mortar Systems	50,500	50,500	50,500
M107, Cal. 50 sniper rifle	9,949	9,949	9,949
Pistol 9mm Automatic, M9	4	4	4
XM 110 Semi-Automatic Sniper System (SASS)	8,000	8,000	8,000
CROWS	131,000	131,000	131,000
Howitzer, Light Towed, 105mm, M119	152,900	152,900	152,900
Phalanx	192,600	157,700	157,700
Howitzer, MED SP FT 155mm M109A6	480	480	480
Shotgun Modular Accessory System (MASS)	10,478	10,478	10,478
M249 SAW mods	14,060	14,060	14,060
M240 medium machine gun mods	10,105	10,105	10,105
M16 rifle mods	659	659	659
Modifications Less Than \$5 Million	11,224	11,224	11,224
M2 50 Cal Machine Gun Mods	8,900	8,900	8,900
Small Arms Equipment (Soldier Enhancement Program)	4,709	4,709	4,709
Total Procurement of WTCV, Army	1,983,351	1,592,451	1,767,451
Procurement of Ammunition, Army:			
CTG, 5.56MM, All Types	50,170	50,170	50,170
CTG, 7.62MM, All Types	45,739	45,739	45,739
CTG, 9MM, All Types	3,513	3,513	3,513
CTG, .50 CAL, All Types	22,951	22,951	22,951
CTG, 20MM for Counter Rocket and Mortar System (C-RAM)	20,700	20,700	20,700
CTG, 25MM, All Types	18,999	18,999	18,999

(In thousands of dollars)

Account	House	Senate	Conference
CTG, 30MM, All Types	11,062	11,062	11,062
CTG, 40MM, All Types	47,132	47,132	47,132
CTG, 60MM MORTAR, All Types	30,670	30,670	30,670
CTG, 81MM MORTAR, All Types	67,469	67,469	67,469
CTG, MORTAR, 120MM, All Types	139,927	139,927	139,927
CTG, Tank Training, All Types	2,262	2,262	2,262
CTG, Tank, 120MM Tactical, All Types	15,000	15,000	15,000
CTG, Artillery, 155MM, All Types	4,239	4,239	4,239
Modular Artillery Charge System (MACS), All Types	16,082	16,082	16,082
Mines (Conventional), All Types	486	486	486
Mine, Clearing Charge, All Types	5,000	5,000	5,000
Shoulder Fired Rockets, All Types	8,571	8,571	8,571
Rocket, Hydra 70, All Types	10,000	10,000	10,000
Demolition Munitions, All Types	25,828	25,828	25,828
Grenades, All Types	7,577	7,577	7,577
Signals, All Types	186,209	186,209	186,209
Non-Lethal Ammunition, All Types	46,782	46,782	46,782
Items Less Than \$5 Million	12,311	12,311	12,311
Provision of Industrial Facilities (Holston Army Ammunition Plant)	31,000	31,000	31,000
Total Procurement of Ammunition, Army	829,679	829,679	829,679
Other Procurement, Army:			
Joint Improvised Explosive Device (IED) Defeat	1,110,712	.....	.....
LOGCAP Trucks, Trailers and other equipment	245,000	.....	.....
Tactical Trailer/Dolly Sets	29,000	29,000	29,000
Up-Armor HMMWVs: M1151, M1152	890,000	890,000	890,000
FMTVs	499,000	499,000	319,000
Fire Trucks and Associated Fire Fighting Equipment	23,600	23,600	23,600
FHTV	142,100	142,100	142,100
Armored Security Vehicles	39,200	39,200	39,200
HMMWV RECAP Program	451,900	451,900	451,900
Modification of In-Service Equipment Transfer from RDT&E,A .....	.....	21,800	21,800
Non-Tactical Vehicles, Other	600	600	600
Super High Frequency (SHF) Terminal (SPACE)	10,000	10,000	10,000
Navstar Global Positioning System (Space)	63,200	63,200	63,200
Global Broadcast Service (GBS)	1,300	1,300	1,300
Global Command and Control System—Army (GCCS-A)	7,200	7,200	7,200
Items Under \$5 million, Modification of In-Service Equipment	2,000	2,000	2,000
Army Data Distribution System (ADDS)	31,300	31,300	31,300
SINCGARS Family	692,000	692,000	525,000
Bridge to Future Networks—Joint Network Nodes (JNN)	853,700	743,700	643,700
Radio Improved, HF Family	257,700	257,700	257,700
Medical Comm for Combat Casualty Care (MC4)	11,300	11,300	11,300
TSEC, Army Key Management System (AKMS)	35,700	35,700	35,700
Information System Security Program	95,700	.....	.....
World Wide Tech Control Improvement Program	6,200	101,900	101,900
All Source Analysis System	33,500	33,500	33,500
Army Common Ground Station	8,900	8,900	8,900
Prophet Ground	8,900	8,900	8,900
Tactical Unmanned Aerial System (TUAS)	50,200	50,200	50,200
Digital Topographic Support System	36,400	36,400	36,400
Tactical Exploitation System (TES)	19,500	19,500	.....
CI HUMINT Information Management Systems (CHIMS)	6,900	6,900	6,900
Items Less Than \$5.0M (MIP)	53,100	53,100	53,100
Lightweight Counter Mortar Radar	89,700	89,700	89,700
Counter Intelligence/Security Countermeasure	4,200	4,200	4,200
Night Vision Devices	173,300	173,300	173,300
Long Range Advanced Scout Surveillance System (LRAS3)	82,200	82,200	82,200
Thermal Weapon System—NightVision Equipment	42,200	42,200	42,200
Artillery Accuracy	15,500	15,500	15,500
Modification of In-Service Equipment (Firefinder Radar)	108,300	108,300	108,300
Force XXI Battle Command BDE and Below (FBCB2)	38,900	38,900	38,900
Lightweight Laser Designator Rangefinder (LLDR)	95,000	95,000	95,000

(In thousands of dollars)

Account	House	Senate	Conference
Handheld Mortar Ballistic Computer (LHMBC)	21,300	21,300	21,300
Mortar Fire Control System	9,600	9,600	9,600
Tactical Operations Centers	78,300	78,300	78,300
Advanced Field Artillery Tactical Data Systems (AFATDS)	1,900	1,900	1,900
Lightweight Technical Fire Direction System	2,700	2,700	2,700
Battle Command Sustainment Support System (BCS3)	21,600	21,600	21,600
Forward Area Air Defense Command, Control and Intelligence (FAAD C2) System	154,400	189,300	189,300
Forward Entry Device (FED)/Lightweight FED	6,100	6,100	6,100
M707 Knight with Fire Support Sensor System (FS3)	112,800	112,800	112,800
Maneuver Control System (MCS)	26,000	26,000	26,000
Single Army Logistics Enterprise	600	600	600
Automated Data Processing Equipment	87,800	87,800	87,800
Transponder Test Set	2,700	2,700	2,700
Smoke and Obscurant Family—Radiac Meters & Chem Masks	11,800	11,800	11,800
Handheld Standoff Minefield Detection System	5,300	5,300	5,300
Ground Standoff Minefield Detection System	200,700	200,700	200,700
Explosive Ordnance Disposal Equipment (EOD EQPM)	2,100	2,100	2,100
Items Less than \$5.0M Countermine Equipment	1,100	1,100	1,100
Items Less than \$5.0M Engineering Support	1,000	1,000	1,000
Distribution System, Petroleum and Water	35,900	35,900	35,900
Shop Equipment, Contact Maintenance	37,300	37,300	37,300
Loader, Scoop, 4–5 Cubic Yard	5,000	5,000	5,000
Construction Equipment (Scrapers, Graders, Dozers)	25,000	25,000	25,000
Generators and Associated Equipment	24,400	24,400	24,400
Persistent Surveillance/Threat Detection Systems	143,400	143,400	143,400
Physical Security Systems—Mobile Vehicle and Cargo Inspection Systems	37,700	37,700	37,700
Communications Equipment Spares (TUAV Spares)	3,000	3,000	3,000
Building Pre-Fab, Relocatable		135,000	135,000
Demolition Set Explosive	100	100	100
Shelter Tunnel TY3	400	400	400
Table Tilting Gyro Instrument	3,000	3,000	3,000
Tool Outfit Hydraulic System	45	45	45
Classified Program	500	500	500
Training Devices, Nonsystem		31,500	31,500
Total Other Procurement, Army	7,528,657	6,286,145	5,819,645
Aircraft Procurement, Navy:			
V–22		230,000	230,000
UH–1Y/AH–1Z Aircraft			
KC–130J—Procure 2 Aircraft	126,600		126,600
EA–6 Series	7,029	7,029	7,029
AV–8 Series	9,647	21,947	9,647
F–18 Series	15,500	15,500	15,500
H–46 Series	12,957	12,957	12,957
AH–1W Series	810	810	810
H–53 Series	38,504	40,504	38,504
SH–60 Series	250	250	250
H–1 Series	14,978	14,978	14,978
E–2 Series	15,620	12,200	12,200
C–2A	1,950	1,950	1,950
C–130 Series	18,875	15,184	15,184
Common Electronic Countermeasure (ECM) Equipment	1,540	1,540	1,540
ID Systems	625	625	625
Spares and Repair Parts	20,409	11,909	20,409
Common Ground Equipment	2,937	2,937	2,937
Aircraft Industrial Facilities	879	879	879
War Consumables	4,870	20,970	4,870
Total Aircraft Procurement, Navy	293,980	412,169	516,869
Weapons Procurement, Navy:			
Hellfire Missiles	85,200	55,200	55,200

(In thousands of dollars)

Account	House	Senate	Conference
Small Arms and Weapons—NECC	5,600	8,151	.....
Total Weapons Procurement, Navy	90,800	63,351	55,200
Procurement of Ammunition, Navy and Marine Corps:			
Air Expendable Countermeasures	1,800	1,800	1,800
Small Arms and Landing Party Ammunition .....	.....	3,870	.....
5.56MM Ammunition, All Types	10,284	10,284	10,284
7.62MM Ammunition, All Types	6,685	6,685	6,685
50 Caliber Ammunition	15,054	15,054	15,054
40MM Ammunition, All Types	48,888	41,148	41,148
60MM Ammunition, All Types	17,436	17,436	17,436
81MM Ammunition, All Types	35,652	35,652	35,652
120MM Ammunition, All Types	38,989	38,989	38,989
CTG 25MM, All Types	7,590	7,590	7,590
9MM Ammunition, All Types	235	235	235
Grenades, All Types	7,118	7,118	7,118
Rockets, All Types	45,303	45,303	45,303
Artillery, All Types	42,395	42,395	42,395
Demolition Munitions, All Types	36,420	36,420	36,420
Fuze, All Types	855	855	855
Non Lethals	1,070	1,070	1,070
Ammo Modernization	15,003	15,003	15,003
Items Less Than \$5 Million	219	219	219
Total Procurement of Ammunition, Navy and Marine Corps	330,996	327,126	323,256
Other Procurement, Navy:			
Tactical Vehicles—NECC	17,928	25,528	.....
Construction and Maintenance Equipment—NECC	571	1,051	.....
Items Under \$5 Million (Civil Engineering Support)—NECC	8,305	10,655	.....
Shipboard IW Exploit	19,000	19,000	19,000
Common Ground Imagery Ground Surface System DCGS—Navy	21,400	21,400	21,400
Communications Items Under\$5M	4,095	4,995	4,955
Standard Boats (RHIBs)—NECC	22,295	36,995	.....
Physical Security Equipment	3,300	3,300	3,300
Chemical Warfare Detectors—NECC	376	1,476	.....
Materials Handling Equipment—NECC	73	478	.....
Spares and Repair Parts—NECC	3,436	3,801	.....
C4ISR Equipment—NECC	140	140	140
NAVSTAR GPS Receivers—NECC .....	.....	75	.....
Expeditionary Airfields	3,600	3,600	3,600
Items Less Than \$5M, Other Shipboard Equipment	7,200	7,200	7,200
Total Other Procurement, Navy	111,719	140,144	54,640
Procurement, Marine Corps:			
AAV7A1 Product Improvement Program	58,089	58,089	58,089
Light Armored Vehicle (LAV) Product Improvement Program	62,000	62,000	61,953
M1A1 Firepower Enhancements	5,762	.....	.....
Weapons & combat Vehicles under \$5 Million (to include MARSOC)	134,710	35,610	35,610
Modular Weapon System	15,690	10,805	10,790
Modifications Kits (Armor & Weapons Systems)	39,392	32,500	32,492
Weapons Enhancement Program (to include MARSOC)	36,230	36,230	36,230
Operations Other Than War (Security Systems and Non-lethal Systems)	15,600	15,600	15,600
JAVELIN	3,682	3,682	3,682
Modifications Kits—TOW	239,984	239,984	239,984
Unit Operations Center	2,191	791	791
Repair and Test Equipment	222,510	222,510	222,510
Combat Support System (LSWAN)	15,000	15,000	15,000
Items Under \$5 Million (Communications & electronics)	153	153	153
Air Operations C2 Systems	5,504	5,504	5,504
RADAR Systems (TPS-59)	15,250	15,250	15,250
Fire Support Systems	5,790	5,790	5,790

(In thousands of dollars)

Account	House	Senate	Conference
Intelligence Support Equipment (UAV)	78,175	18,975	18,975
Night Vision Equipment	258,740	217,040	217,147
Common Computer Resources	21,599	21,599	21,599
Command Post Systems	4,200		
Radio Systems	539,815	424,209	424,209
Communications Switching & Control Systems	215,125	118,425	119,425
Communications & Electronics Infrastructure Support	178,600	178,600	178,553
5/4T Truck HMMWV (MARSOC)	271,409	271,409	271,409
Motor Transport Modifications	302,179	302,179	302,179
Family of Tactical Trailers	31,933	31,933	31,933
Items less than \$5 Million (Various Support Vehicles)	1,991	1,991	1,991
Environmental Control Equipment Assorted	8,788	8,788	8,788
Bulk Liquid Equipment	7,581	7,581	7,581
Tactical Fuel Systems	4,016	4,016	4,016
Power Equipment Assorted	26,888	21,888	21,888
Amphibious Support Equipment (MARSOC)	12,168	12,168	12,168
EOD Systems	154,704	27,094	27,104
Physical Security Equipment	12,600	12,600	12,600
Material Handling Equipment	2,459	2,459	2,459
Field Medical Equipment	5,592	5,592	5,592
Training Devices	126,090	61,790	61,790
Container Family	7,212	7,212	7,212
Family of Construction Equipment (MARSOC)	2,126	2,126	2,126
Family of Internally Transportable Vehicle (ITV)	51,760		
Rapid Deployable Kitchen	800	800	800
Items less than \$5 Million	56,495	56,495	56,495
Total Procurement, Marine Corps	3,260,582	2,576,467	2,577,467
Aircraft Procurement, Air Force:			
Compass Call IED Defeat Capability	600	600	600
U2 SIGINT Sensor Replacement	22,500	22,500	22,500
Predator RQ/MQ-1	53,000	57,700	53,000
A-10 Refurbishment	7,000	7,000	7,000
C-130J	216,000	216,000	216,000
HH-60 Altitude Hold Hover Stabilization System	9,200	9,200	9,200
Senior Scout QRC	1,300	1,300	1,300
RC-135 Rivet Joint Real-Time SIGINT	20,300	15,300	15,300
Tactical Data Link (A-10 Aircraft)	3,760	3,760	3,760
U-2 Electronic Warfare System MEWS Replacement	14,280		
U-2 Ground Support Unit II	975	975	975
AC-130 Enhanced ETCAS	13,000	13,000	13,000
C-17 Initial Spares Replenishment	28,000		28,000
C-17 (MYP)		28,000	
MQ-1 Predator Initial Equipment—AFSOC	76,680	76,680	76,680
C-17 LAIRCM	97,000		
C-17 Aircraft (AP for 7 aircraft in FY08)	100,000	227,500	227,500
Total Aircraft Procurement, Air Force	663,595	679,515	674,815
Procurement of Ammunition, Air Force:			
War Reserve Material Ammunition	22,527	22,527	22,527
Remote Firing Devices and Demolition Munitions for EOD Units	6,520	6,520	6,520
Total Procurement of Ammunition, Air Force	29,047	29,047	29,047
Other Procurement, Air Force:			
Hydrema Mine clearance Equipment	8,700	8,700	8,700
Up-Armored HMMWV	17,831	17,831	17,831
MTRS for EOD	12,500	12,500	12,500
AFRES Vehicle Replacements	223	223	223
Distributed Common Ground System	95,000	95,000	95,000
DGS-4	5,045	5,045	5,045
Halvorsen	7,000	7,000	7,000

(In thousands of dollars)

Account	House	Senate	Conference
DCGS PEDS Integration	1,600	1,600	1,600
Warfighting Headquarters ICE	1,500	1,500	1,500
Encryption Device Replacement	400	438	438
Combat Convoy Trainer	2,430	2,430	2,430
Classified	1,312,963	1,300,384	1,324,324
CENTAF Battle Control System—Mobile	24,000		24,000
Total Other Procurement, Air Force	1,489,192	1,452,651	1,500,591
Procurement, Defense-Wide:			
Teleport Program	4,800	4,800	4,800
Defense Information Switched Network	2,600	2,600	2,600
A/MH-6M Little bird Helicopters Repair & Replacements (3)	6,800	6,800	6,800
SOF Ordnance Replenishment	26,200	26,200	26,200
SOF Ordnance Acquisition	43,600	43,600	43,600
Communication Equipment & Electronics	47,400	47,400	47,400
SOF Intelligence Systems	23,300	23,300	23,300
Small Arms and Weapons	13,700	13,700	13,700
Tactical Vehicles	13,100	13,100	13,100
SOF Combatant Craft Systems	500	500	500
SOF Operational Enhancements	50,400	50,400	50,400
Individual Protection	5,100	5,100	5,100
Contamination Avoidance	53,178	53,178	53,178
Classified Programs	40,675	40,675	40,675
Total Procurement, Defense-Wide	331,353	331,353	331,353
Total Procurement	17,679,451	15,456,598	15,028,313

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides a total of \$710,726,000 for research, development, test and evaluation appropriations, as proposed by the Senate, instead of \$1,002,053,000 as proposed by the House.

The conference agreement on items addressed by either the House or Senate is as follows:

(In thousands of dollars)

Account	House	Senate	Conference
RDT&E, Army:			
Joint Improvised Explosive Device (IED) Defeat	357,477		
Combat Engineer Equipment Uparmoring Engineering Development	25,800	4,000	4,000
FAAD C2 Counter Rocket, Artillery, Mortar (C-RAM)	13,400	13,400	13,400
Oak Bard (Classified)	5,900	5,900	5,900
Rapid Equipping Soldier Support Equipment	20,000	20,000	20,000
JNN Testing (transfer from Other Procurement, Army)		10,000	10,000
Fuel Cost Increase	1,600	1,400	1,400
Total RDT&E, Army	424,177	54,700	54,700
RDT&E, Navy:			
AV-8B Aircraft Engine Development	4,500	4,500	4,500
Electronic Warfare Development	900	900	900
Other Helo Development	2,000		
Classified Program	117,445	117,445	117,445
Various (Fuel)	2,000	2,000	2,000
Total RDT&E, Navy	126,845	124,845	124,845

[In thousands of dollars]

Account	House	Senate	Conference
RDT&E, Air Force:			
A-10 Beyond Line-of-Site Radio	1,200	1,200	1,200
TARS CIP	3,000	.....	.....
CENTAF BCS-M Replacement	6,000	6,000	6,000
Fuel Price Increase	4,500	4,500	4,500
Predator Multiple Aircraft Control	1,500	.....	.....
Defense Reconnaissance Support Activities	3,430	3,450	3,450
Classified	285,480	367,480	367,480
Total RDT&E, Air Force	305,110	382,630	382,630
RDT&E, Defense-Wide:			
Defense Information Systems Agency	22,500	22,500	22,500
Advanced Concept Technology Development	2,600	2,600	2,600
Quick Reaction Special Projects	3,921	3,921	3,921
Classified	116,900	119,530	119,530
Total RDT&E, Defense-Wide	145,921	148,551	148,551
Total RDT&E	1,002,053	710,726	710,726

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

The conference agreement provides \$516,700,000 for the Defense Working Capital Funds, as proposed by the Senate, instead of \$502,700,000 as proposed by the House, to be allocated as follows:

[In thousands of dollars]

War Reserve Stocks—Army	<i>Conference</i> \$49,100
Prepositioned Stocks—Army (APS-5)	43,000
Spares Augmentation—Army	255,000
Increased Fuel Costs (Defense Working Capital Fund)	37,600
Defense Logistics Agency (DLA) Fuel Distribution—Iraq	107,000
Theater Distribution Center Kuwait (DLA)	25,000

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

The conference agreement provides \$1,153,562,000 for the Defense Health Program, as proposed by the House and the Senate, for medical costs related to providing health care for activated reservists and their families, allowing military hospitals to contract for civilian medical staff to backfill deployed active duty medical staff, providing mental health services and medical treatment of mental health conditions, and for other medical-related costs for the Global War on Terror.

The conferees agree that expanding the U.S. prosthetic and orthotic training capacity is an important long-term issue. However, the conferees do not agree to \$20,000,000 within the total to expand the capacity to nine schools accredited by the National Commission on Orthotic and Prosthetic Education as proposed by the House. The conferees encourage the Department to enhance this training in future budget requests.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides \$150,470,000 for Drug Interdiction and Counter-Drug Activities, Defense instead of \$156,800,000 as proposed by the House, and \$154,596,000 as proposed by the Senate. Adjustments to this account are shown below:

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

[In thousands of dollars]

Country	Budget	House	Senate	Conference
Afghanistan	102,900	102,900	102,900	102,900
Uzbekistan	6,000	0	0	0
Tajikistan	20,000	0	10,000	10,000
Turkmenistan	10,000	0	5,000	0
Oman	6,100	6,100	4,226	6,100
Pakistan	18,700	18,700	18,700	18,700
Kyrgyzstan	7,100	7,100	5,270	5,270
Kazakhstan	12,000	12,000	6,000	5,000
Iraq	5,000	5,000	0	0
Horn of Africa	5,000	5,000	2,500	2,500
Total	192,800	156,800	154,596	150,470

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$5,000,000 for the Office of the Inspector General, instead of \$6,120,000 as proposed by the House and \$1,815,000 as proposed by the Senate. This increase is intended to allow the Inspector General to facilitate his oversight activities of the Afghanistan and Iraq Security Forces Funds, among other activities.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

The conference agreement provides \$158,875,000 for the Intelligence Community Management Account, as proposed by both the House and the Senate.

GENERAL PROVISIONS—THIS TITLE

The conferees agree to retain and amend section 1201, as proposed by the House and Senate, which provides the Secretary of Defense authority to transfer up to \$2,000,000,000 of funds made available in this title.

The conferees agree to retain and amend section 1202, as proposed by the Senate, which amends section 8005 of the Department of Defense Appropriations Act, 2006 to provide an additional \$1,250,000,000 in transfer authority.

The conferees agree to retain section 1203, as proposed by the Senate, which provides that funds in the Defense Cooperation Account may be transferred to other defense accounts.

The conferees agree to retain section 1204, as proposed by the Senate, which increases the authorized United States contribution to NATO to \$345,547,000.

The conferees agree to retain and amend section 1205, as proposed by the House and Senate, which provides that not more than \$22,200,000 may be available for support for counter-drug activities of Afghanistan and Pakistan.

The conferees agree to retain and amend section 1206, as proposed by the House and Senate, which provides that during the current fiscal year working capital funds of the Department of Defense may increase the limitation on advance billing to \$1,200,000,000.

The conferees agree to retain section 1207, as proposed by the House and Senate, which provides for an increase in the amount of funds that may be used for the Commander's Emergency Response Program (CERP).

The conferees agree to retain section 1208, as proposed by the House and Senate, which includes a technical change to language regarding use of the Afghanistan Security Forces Fund and the Iraq Security Forces Fund for supervision and administration costs of construction projects that will be completed after fiscal year 2006.

The conferees agree to retain section 1209, as proposed by the House and Senate, which prohibits funds provided in this chapter to finance programs or activities denied by Congress, or to initiate a new start program without prior notification to the congressional defense committees.

The conferees agree to retain and amend section 1210, as proposed by the Senate, which amends Public Law 109-163 to provide retroactive payments of Death Gratuity benefits for those military members who died on active duty from May 12, 2005 to August 31, 2005.

The conferees agree to retain and amend section 1211, which rescinds a total of \$119,400,000 from funds provided in prior Department of Defense appropriations acts. The conferees include a rescission of \$39,400,000 from "Other Procurement, Air Force", appropriated in fiscal year 2005/2007. The conferees also include a rescission of \$80,000,000 from "Missile Procurement, Air Force" appropriated in fiscal year 2006/2008.

The conferees agree to retain and amend section 1212, as proposed by the Senate, which directs the Department to continue the Interim Voting Assistance System (IVAS) Ballot Request Program.

The conferees agree to retain section 1213, as proposed by the Senate, which includes Sense of the Senate language that any request for funds after fiscal year 2007 for an ongoing military operation overseas, including operations in Afghanistan and Iraq, should be included in the President's annual budget submission for that fiscal year.

The conferees agree to delete language, as proposed by the Senate, which transfers funds available for Cooperative Threat Reduction to the "Former Soviet Union Threat Reduction Account".

The conferees do not agree to section 1312 of the Senate bill regarding Federal employee pay when serving as a member of the Uniformed Services or National Guard.

CHAPTER 3

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

The conference agreement provides \$7,800,000 for “Child Survival and Health Programs Fund”, instead of \$5,300,000 as recommended by the House and \$10,300,000 as recommended by the Senate.

DEVELOPMENT ASSISTANCE

The conference agreement provides \$16,500,000 for “Development Assistance” instead of \$10,500,000 as proposed by the House and \$22,500,000 as proposed by the Senate.

The conference agreement includes \$6,000,000 for assistance for Guatemala for relief and reconstruction activities related to Hurricane Stan, instead of no funding as proposed by the House and \$12,000,000 as proposed by the Senate.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$161,300,000 for “International Disaster and Famine Assistance” instead of \$136,290,000 as proposed by the House and \$171,290,000 as proposed by the Senate. The conferees agree to provide these funds to meet the highest priority requirements for disaster and famine assistance.

The conference agreement includes the Senate proposal to provide a transfer of \$80,000 to Operating Expenses of the United States Agency for International Development (USAID).

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR
INTERNATIONAL DEVELOPMENT

The conference agreement provides \$101,000,000 for “Operating Expenses of the United States Agency for International Development” for expenses in Iraq, Afghanistan and Sudan, instead of \$61,600,000 as proposed by the House and \$141,600,000 as proposed by the Senate.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$1,686,000,000 for the “Economic Support Fund”, instead of \$1,584,500,000 as proposed by the House and \$1,757,500,000 as proposed by the Senate.

The conferees agree that the funds provided in this appropriation shall be expended as follows:

Country	Request	House	Senate	Conference
Afghanistan	\$43,000	\$5,000	\$43,000	\$43,000
Iraq	1,489,000	1,489,000	1,489,000	1,485,000
Iran	65,000	0	0	0
Liberia	0	50,000	50,000	50,000
Pakistan	40,500	40,500	40,500	40,500
Jordan	0	0	100,000	50,000
Haiti	0	0	35,000	17,500
Total	1,637,500	1,584,500	1,757,500	1,686,000

The conference agreement includes \$43,000,000 for assistance for Afghanistan as proposed by the Senate, instead of \$5,000,000 as proposed by the House.

The conference agreement includes a proposal by the Senate to provide \$11,000,000 for costs of modifying direct loans and guarantees for Afghanistan and that the costs of modifying such loans should not be considered assistance.

The conference agreement includes a proposal by the Senate to provide \$5,000,000 for agriculture and rural development programs in Afghanistan to be administered through a national consortium of agriculture colleges and land-grant colleges.

The conference agreement includes a proposal by the Senate to amend a provision carried in the Economic Support Fund appropriation of fiscal year 2006 and prior fiscal years.

The conference agreement includes a total of \$1,485,000,000 for assistance for Iraq instead of \$1,489,000,000 as proposed by both the House and the Senate.

Within the amounts provided for Iraq, the conference agreement includes \$50,000,000 for continued support for the USAID Iraq Community Action Program (ICAP) which directly engages Iraqis in democratic decision making to restore basic services and reconstruct their own communities instead of \$10,000,000 as proposed by the House and \$75,000,000 as proposed by the Senate. The conferees agree that significant congressional support for ICAP is due to the fine work that has been achieved by this consortium of nongovernmental organizations committed to making the lives of Iraq's citizens more productive. These funds will enable ICAP to continue functioning at approximately the current level through fiscal year 2006, after which fiscal year 2007 funds will become available.

The conference agreement includes language to transfer \$5,000,000 of the ICAP funds to the Iraq Relief and Reconstruction Fund (IRRF) for the Marla Ruzicka Iraqi War Victims Fund, instead of \$10,000,000 as proposed by the Senate, for assistance to Iraqi civilians who have suffered losses as a result of the military operations.

Within the amounts provided for Iraq, the conference agreement includes \$50,000,000 for democracy, rule of law, and reconciliation programs, including activities that promote the development of civil society, political parties, election processes and parliament. The Senate addressed this issue in Section 1407 of the bill. The conferees agree that the funds shall be provided to the following organizations in the following amounts:

[In thousands of dollars]

IFES	\$10,000
IREX	3,000
NED	5,000
ADF	8,000
NDI	10,000
IRI	10,000
USIP-Iraq and Afghanistan	4,000
Total	50,000

The conferees expect compliance with the reporting requirements contained in Section 1407(b) of the Senate bill.

The conference agreement includes \$17,500,000 for Haiti instead of no funding as proposed by the House and \$35,000,000 as proposed by the Senate for programs to increase economic opportunities, for police reform, and judicial and legal reforms.

The conference agreement includes a proposal by the Senate requiring that funds made available under this heading for police and judicial reform programs for Haiti be subject to regular notification procedures.

The conference agreement includes \$50,000,000 for assistance for Jordan instead of no funding as proposed by the House and \$100,000,000 as proposed by the Senate.

The conference agreement includes \$40,500,000 for assistance for Pakistan as proposed by the House and the Senate for assistance to meet urgent needs associated with the October 2005 earthquake, including reimbursement of funds previously expended for such purposes.

The conference agreement includes \$50,000,000 for assistance for Liberia as proposed by the House and the Senate. The conferees agree with the language as proposed by the Senate that assistance for Liberia should be for emergency employment activities, infrastructure development projects, democracy, human rights and rule of law programs, and activities to assist with the demobilization and reintegration of ex-rebel combatants.

The conferees expect compliance with the reporting requirement and the limitation on expenditures with respect to PRTs/PRDCs in Iraq as proposed by the House.

DEPARTMENT OF STATE

DEMOCRACY FUND

The conference agreement includes \$22,500,000 for "Democracy Fund", instead of \$10,000,000 as proposed by the House and \$39,750,000 as proposed by the Senate.

The conference agreement does not include language as proposed by the House that the funds are for the advancement of democracy in Iran.

The conference agreement includes \$20,000,000 for programs and activities promoting democracy in Iran instead of \$10,000,000 as proposed by the House and \$34,750,000 as proposed by the Senate.

The conference agreement provides \$2,500,000 for assistance for the Democratic Republic of the Congo (DRC) instead of no funding as proposed by the House and \$5,000,000 as proposed by the Senate. The conferees agree to provide these funds for immediate

electoral assistance and to improve governance and consolidate democracy following the elections this year, the first in the DRC in nearly half a century.

The conference agreement includes a proposal by the Senate that funds available under this heading are available notwithstanding any other provision of law and those funds available to promote democracy in Iran shall be administered by the Middle East Partnership Initiative. The conference agreement includes a modification of this language to require consultation with the Department of State's Bureau of Democracy, Human Rights, and Labor.

The conference agreement includes a proposal by the Senate that funds available under this heading in this Act shall be subject to regular notification procedures.

The conferees expect compliance with reporting requirements and limitation on expenditure of funds with respect to democracy programs in Iran as proposed by the House.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$107,700,000 for "International Narcotics Control and Law Enforcement", as proposed by both the House and the Senate.

The conference agreement includes language making funds available until September 30, 2008 as proposed by the Senate instead of September 30, 2007 as proposed by the House.

The conference agreement includes language that provides from within funds appropriated under this heading, up to \$13,000,000 for maritime surveillance aircraft for the Colombian Navy, instead of \$26,300,000 as proposed by the House and no funding as proposed by the Senate. The conference agreement also includes language that allows for the transfer of these funds to the "Foreign Military Financing Program" should this provide the most effective means of procuring a maritime patrol aircraft for the Colombian Navy.

The conferees direct the Director of the Defense Security Cooperation Agency and the Deputy Secretary of State, prior to the obligation of the funds for the maritime patrol aircraft, to submit jointly a report to the Committees on Appropriations that describes: (a) an Analysis of Alternatives (AoA) for the acquisition of a maritime patrol aircraft for the Colombian Navy; (b) the source of funds most appropriate for supporting the recommended acquisition strategy (to include the viability of providing a maritime patrol capability through the transfer of excess defense articles); and (c) an assessment of the overall assistance needs of the Colombian Army, Air Force and Navy for fiscal year 2008. The AoA shall include at a minimum: the requirement or mission need for the aircraft to be procured; planned funding for the subject acquisition; cost of alternative aircraft to include mission essential communications, navigation and intelligence equipment; mission capabilities to include range, lift and operational limitations; estimated annual maintenance costs and requirements; and contract or availability limitations.

The conference agreement includes a proposal by the Senate that from within funds appropriated under this heading, \$3,300,000 shall be made available for assistance for the Peace and Justice Unit of the Colombia Fiscalia notwithstanding section 599E of Public Law 109–102. The conferees agree to provide these funds to support criminal investigations and prosecutions related to the demobilization of paramilitary organizations. These funds are in addition to the \$1,700,000 made available in fiscal year 2005 funds that have already been allocated for this purpose.

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement provides \$75,700,000 for “Migration and Refugee Assistance” instead of \$51,200,000 as proposed by the House and \$110,200,000 as proposed by the Senate.

The conference agreement includes the following amounts for the following programs:

[In thousands of dollars]	
Afghanistan	\$3,400
Chad/Darfur humanitarian assistance	11,700
Southern Sudan repatriation	12,300
Liberia	13,800
Refugee food aid	12,000
Burma	5,000
Other	17,500
Total	75,700

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The conference agreement does not include an appropriation for the “United States Emergency Refugee and Migration Assistance Fund” as proposed by the House instead of \$20,000,000 as proposed by the Senate.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement includes \$13,000,000 for “International Affairs Technical Assistance” as proposed by both the House and the Senate.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

PEACEKEEPING OPERATIONS

The conference agreement includes \$178,000,000 for “Peacekeeping Operations” instead of \$173,000,000 as proposed by the House and \$181,200,000 as proposed by the Senate.

The conference agreement does not include language proposed by the House that the appropriation be increased by \$50,000,000.

The conference agreement includes the following amounts for the following programs:

[In thousands of dollars]

Contractor logistics support/base operations	<i>Conference</i> \$68,200
Contract military observers	2,300
Security and infrastructure upgrades for AMIS base camps	8,500
Contractor train and equip AMIS battalions	37,000
Global Peace Operations Initiative	57,000
Democratic Republic of the Congo	5,000
Total	178,000

The conference agreement includes \$5,000,000 for training and equipment for the Congolese National Army (FARDC) to improve the capacity of FARDC units that are integrated with United Nations peacekeeping troops to provide effective security. The conferees agree that rebuilding the FARDC into a professional, disciplined force that respects human rights and civilian authority will be essential to stability and peace in the Democratic Republic of the Congo. The conferees direct the Department of State to consult with the Committees on Appropriations prior to the obligation of these funds.

GENERAL PROVISIONS—THIS CHAPTER

Section 1301. Availability of funds—The conference agreement includes a provision similar to that proposed by the House (Sec. 1301) and similar to that proposed by the Senate (Sec. 1403) concerning availability of funds.

Sec. 1302. Iraq Relief and Reconstruction Fund—The conference agreement includes a provision similar to that proposed by the House (Sec. 1304) and the Senate (Sec. 1401) that extends the availability of the IRRF for an additional one year for the purposes of de-obligation and re-obligation of funds and provides new “sectoral” allocations for the IRRF.

The conference agreement does not include a provision as proposed House (Sec. 1302) recommending the transfer of \$185,500,000 from funds appropriated to the IRRF to the “Economic Support Fund” contained in this Act.

Sec. 1303. Peacekeeping Operations (Rescission)—The conference agreement includes a provision similar to that proposed by the House (Sec. 1303) to rescind \$7,000,000 of previously appropriated funds.

Sec. 1304. Palestinian Authority—The conference agreement includes a provision similar to that proposed by the Senate (Sec. 1404) and similar to a provision proposed by the House (Sec. 3012) concerning assistance to the Palestinian Authority.

Sec. 1305. Export-Import Bank (Rescission)—The conference agreement includes a provision similar to that proposed by the Senate (Sec. 1405) to rescind \$37,000,000 of previously appropriated funds.

Sec. 1306. Administrative Cost—The conference agreement includes a provision proposed by the Senate (Sec. 1402) stating that the administrative costs of the Department of Defense associated with a construction project funded by the IRRF may be obligated at the time of the contract award and for pre-existing contracts by September 30, 2006, and states that such costs include all in-house government costs.

Democracy in Iraq—The conference agreement does not include a provision proposed by the Senate (Sec. 1407). Instead the conferees agree to provide \$50,000,000 for democracy programs in Iraq within the “Economic Support Fund” in this Act.

Economic Support Fund (Rescission)—The conference agreement does not include a provision proposed by the Senate (Sec. 1408) that rescinded funds previously appropriated for Egypt cash transfer assistance.

TITLE III

GENERAL PROVISIONS AND TECHNICAL CORRECTIONS

Palestinian Authority—The conference agreement does not, in this Title, include a provision proposed by the House (Sec. 3012) and similar to a provision proposed by the Senate (Sec. 1404) contained in Title I, Chapter 4 of the Senate bill. Instead, the conferees agree to address this issue as Sec. 1304 in Title I of this agreement.

Basing Rights in Iraq—The conference agreement does not include a provision proposed by the House (Sec. 3014) that would have prohibited the use of funds to enter into a basing rights agreement between the United States and Iraq.

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

The conferees agree to provide \$26,692,000 as proposed by the House and the Senate for the United States Coast Guard’s share of enhanced death gratuity benefits and for upgrades to necessary intelligence systems.

CHAPTER 5

DEPARTMENT OF DEFENSE

Use of requested military construction funds to offset border security proposal.—The Office of Management and Budget (OMB) submitted on February 16, 2006, an emergency military construction request for the global war on terrorism totaling \$484,700,000. The projects comprised by that request were deemed urgent and vital to ongoing contingency operations in Iraq and Afghanistan. On May 14, 2006, OMB submitted a border security funding proposal that included offsets from the military construction request submitted in February. Included in this list were three projects at Bagram, Afghanistan, though OMB gave no explanation as to why these projects were no longer deemed emergency requirements. The conferees do not recommend funding for these three projects, since the Administration no longer regards them as priorities. The conferees believe that emergency spending requests must be taken seriously and deserve to be reviewed and acted upon in good faith. Such consideration becomes more difficult, however, when emer-

agency requests are revoked without any apparent reason related to changing facts on the ground in the theater of operations.

MILITARY CONSTRUCTION, ARMY

The conferees agree to provide \$187,100,000, instead of \$287,100,000 as proposed by the House and \$214,344,000 as proposed by the Senate. The conferees agree to include a provision as proposed by the House to prohibit the obligation or expenditure of funds for Counter IED/Urban Bypass Roads in Iraq until the Secretary of Defense submits a detailed plan for the construction of such roads. The Senate bill contained no similar provision. The conferees also agree to make the funds available until September 30, 2007, as proposed by the House, instead of September 30, 2010, as proposed by the Senate. Funds are provided as follows:

Location	Project description	Amended request	Conference agreement
Afghanistan: Bagram	Waste Water Treatment and Distribution System		
Afghanistan: Bagram	Waste Treatment Plant and Distribution System		
Afghanistan: Kabul	Consolidated Compound	30,000,000	30,000,000
Iraq: Al Asad	Airfield Improvements	30,000,000	15,000,000
Iraq: Al Asad	AT/FP Improvements	7,400,000	7,400,000
Iraq: Al Asad	Electrical Infrastructure/Generator Station	8,900,000	8,900,000
Iraq: Camp Tali/Al	Base Perimeter Security Fence	22,000,000	22,000,000
Iraq: Camp Tali/Al	Construct/Replace Roads	5,700,000	5,700,000
Iraq: Camp Tali/Al	Dining Facility	5,100,000	5,100,000
Iraq: Camp Tali/Al	Relocate Cedar II Convoy Support Center	35,000,000	21,000,000
Iraq: Camp Taqaddum	Air Control Tower		
Iraq: LSA Anaconda	Perimeter Security	12,000,000	12,000,000
Iraq: Various Locations	Counter IED/Urban Bypass Roads	167,000,000	50,000,000
Worldwide: Unspecified	Planning and Design	19,500,000	10,000,000
Total .....	.....	342,600,000	187,100,000

MILITARY CONSTRUCTION, AIR FORCE

The conferees agree to provide \$27,700,000, instead of \$35,600,000 as proposed by the House and \$28,200,000 as proposed by the Senate. The conferees agree to make the funds available until September 30, 2007, as proposed by the House, instead of September 30, 2010, as proposed by the Senate. Funds are provided as follows:

Location	Project description	Amended request	Conference agreement
Afghanistan: Bagram	Bulk Fuel Storage		
Afghanistan: Bagram	Tanker Truck Off-Load Facility	19,600,000	19,600,000
Iraq: Balad	Material Handling Equipment Road	5,800,000	5,300,000
Worldwide: Unspecified	Planning and Design	2,800,000	2,800,000
Total .....	.....	28,200,000	27,700,000

MILITARY CONSTRUCTION, DEFENSE-WIDE

The conferees agree to provide \$20,600,000, instead of \$35,200,000 as proposed by the Senate. The House bill contained no funding for this account. The conferees agree to make the funds available until September 30, 2007, instead of September 30, 2010, as proposed by the Senate. Funds are provided as follows:

Location	Project description	Request	Conference agreement
United Kingdom: Menwith Hill	Uninterruptible Power Supply (UPS) Building	18,600,000	18,600,000
United Kingdom: Menwith Hill	UPS Building—Chilled Water Systems	13,200,000	.....
Worldwide: Unspecified	Planning and Design	3,400,000	2,000,000
Total .....	.....	35,200,000	20,600,000

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

The conferees have not included \$430,000,000 of contingent emergency appropriations as proposed by the Senate. The House bill contained no similar provision.

GENERAL PROVISIONS—THIS CHAPTER

The conferees have not included a provision proposed by the Senate to prohibit the use of funds in this title to establish permanent United States military bases in Iraq, or to exercise United States control over the oil infrastructure or oil resources of Iraq. The House bill contained no similar provision.

The conferees have not included a provision proposed by the Senate to prohibit the use of funds in this title to establish permanent military bases in Iraq, or to exercise control over the oil infrastructure or oil resources of Iraq. The House bill contained no similar provision.

The conferees have not included a provision, proposed by the House, which would have expanded the use of funds previously appropriated to the Department of Veterans Affairs, Medical Services account. The Senate bill contained no similar provision.

CHAPTER 6

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement provides \$3,000,000 for the United States Attorneys for necessary costs associated with national security investigations and prosecutions, as proposed by the House and Senate.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The conference agreement provides \$1,000,000 for the United States Marshals Service (USMS), instead of \$1,500,000 as proposed by the Senate and no funding as proposed by the House. The funding is provided for USMS operations in Iraq.

FEDERAL BUREAU OF INVESTIGATION
SALARIES AND EXPENSES

The conference agreement provides \$85,700,000 for the Federal Bureau of Investigation, instead of \$99,000,000 as proposed by the House and \$82,000,000 as proposed by the Senate. Funds are provided for operations in Iraq and Afghanistan and enhanced counterterrorism activities. The recommendation includes language proposed by the House regarding information technology programs.

DRUG ENFORCEMENT ADMINISTRATION
SALARIES AND EXPENSES

The conference agreement provides \$14,200,000 for the Drug Enforcement Administration (DEA), as proposed by the House and instead of \$5,000,000 as proposed by the Senate. The conference agreement includes \$5,000,000 to create a National Security Section within DEA's intelligence program and \$9,200,000 for intelligence equipment for use in Afghanistan.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
SALARIES AND EXPENSES

The conference agreement provides \$4,000,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives, as proposed by the Senate instead of \$4,100,000 as proposed by the House. Funding is provided for ongoing operations in Iraq including firearms and explosives tracking and enforcement.

DEPARTMENT OF STATE AND RELATED AGENCY
DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$1,383,625,000 under this heading for expenses relating to Iraq, Afghanistan, Iran, and Sudan, instead of \$1,380,500,000 as proposed by the House, and \$1,392,600,000 as proposed by the Senate. The agreement includes \$1,327,275,000 for necessary expenses for the operations of the United States Mission in Iraq, including: \$945,853,000 for security-related costs, including equipment, armored vehicles, protective details, common area security improvements and contract support; \$28,956,000 for information technology and countrywide emergency radio connectivity; \$217,720,000 for logistical costs; and \$134,746,000 for the State Department operations in Iraq.

The following table provides details of funding:

	State	Request	Conference
Diplomatic & Consular Programs:			
Embassy operations		134,746	134,746
Embassy security related costs		616,078	616,078

State	Request	Conference
Information technology	28,956	28,956
Overhead protection	100,000	100,000
Provincial reconstruction teams (PRT) security	400,000	229,775
Logistics/Life Support (LOGCAP)	217,720	217,720
Total, Iraq Embassy Operations & Security	1,497,500	1,327,275
Office of the Presidential Special Envoy for Sudan		250
Iraq Study Group		1,000
Afghanistan operations & security	50,100	50,100
Public diplomacy programs for Iran	5,000	5,000
Total, D&CP	1,552,600	1,383,625

Within the amounts provided, \$1,000,000 is included for transfer to the United States Institute of Peace for activities relating to Iraq. The Committees on Appropriations expect to be kept regularly informed on expenditures of funds for the Iraq Study Group.

Also, within the amount provided not less than \$250,000 is included for the Office of the Presidential Special Envoy for Sudan. The conferees direct that this Office shall pursue, in conjunction with the African Union and other international actors, a sustainable peace settlement to end the genocide in Darfur, Sudan, assist the parties to the Comprehensive Peace Agreement for Sudan with implementation of the Agreement, coordinate policy, make recommendations, and pursue efforts related to conflict resolution to bring lasting stability to all areas of Sudan and the region, including northern Uganda and Chad, facilitate, in cooperation with the people of Darfur and the African Union, a dialogue within Darfur to promote conflict resolution and reconciliation at the grassroots level, and develop a common policy approach among international partners to address such issues.

Further, the conference agreement includes \$50,100,000 for security requirements in Afghanistan, and \$5,000,000 to expand public diplomacy information programs relating to Iran.

The conferees direct the State Department, no later than 60 days after the date of enactment of this Act, to provide a report to the Committees on Appropriations describing how, within these categories, the Department allocated the funds provided under this heading. The report shall also describe how the Department intends to allocate any remaining balances.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$25,300,000 under this heading, as proposed by both the House and Senate, of which \$24,000,000 is for the Special Inspector General for Iraq Reconstruction to conduct oversight work on reconstruction projects in Iraq, and \$1,300,000 is for the State Department's oversight work related to operations in Iraq and Afghanistan.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement includes \$5,000,000 for academic, professional and cultural exchanges with Iran, as proposed by both the House and Senate.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement includes \$129,800,000, the full amount of which is for the assessed costs of United Nations peacekeeping in Darfur and southern Sudan.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes \$10,274,000 for United States international broadcasting programs and activities promoting democracy in Iran, instead of \$7,600,000 as proposed by the House and \$30,250,000 as proposed by the Senate.

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement includes \$25,826,000 for capital improvements relating to United States international broadcasting programs and activities promoting democracy in Iran, instead of \$28,500,000 as proposed by the House. The Senate did not include funding under this heading.

GENERAL PROVISIONS—THIS CHAPTER

The conference agreement includes language under section 1601 waiving provisions of existing legislation that require authorizations to be in place prior to the expenditure of any appropriated funds.

The conference agreement includes language under section 1602 amending provisions of existing legislation regarding annuity limitations on reemployed civil and foreign service annuitants to facilitate the assignment of persons to Iraq and Afghanistan or to posts vacated by members of the civil and foreign service to Iraq and Afghanistan.

The conference agreement includes language under section 1603 providing authorities to equalize allowances, benefits, and gratuities of personnel on official duty in Iraq and Afghanistan.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

The conferees provide \$1,800,000 for Salaries and Expenses, the same as the House and the Senate. Of this amount, \$1,300,000 is to support the Department's participation as co-lead agency in the Iraq Threat Finance Cell; and \$500,000 is to establish a Deputy Treasury Attaché in Iraq.

TITLE II—FURTHER HURRICANE DISASTER RELIEF AND
RECOVERY

CHAPTER 1—DEPARTMENT OF AGRICULTURE

WORKING CAPITAL FUND

The conference agreement provides \$25,000,000 for the Working Capital Fund as proposed by the House and the Senate for necessary expenses of the National Finance Center as a result of Hurricane Katrina.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$445,000 for the Office of the Inspector General in the Department of Agriculture account for audits and investigations related to oversight of hurricane related activities, as proposed by the Senate instead of funding within the Department of Homeland Security account, as proposed by the House.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement provides \$10,000,000 for the Agricultural Research Service (ARS), Salaries and Expenses, instead of \$15,600,000 as proposed by the Senate.

The conferees recommend \$10,000,000 for expenses incurred by the ARS in the wake of Hurricane Katrina. The conference agreement includes \$6,000,000 for the immediate cleanup, salvage, and remediation of the Southern Regional Research Center (SRRC) in New Orleans, Louisiana. The conference agreement also includes \$4,000,000 for expenses related to temporary duty assignments for ARS scientists working at the SRRC.

BUILDINGS AND FACILITIES

The conference agreement provides \$20,000,000 for the Agricultural Research Service, Buildings and Facilities, for the long-term restoration of the Southern Regional Research Center in New Orleans, Louisiana, as proposed by the House and the Senate.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement does not provide funding for Farm Service Agency, Salaries and Expenses in this Title as proposed by the Senate.

EMERGENCY CONSERVATION PROGRAM

The conference agreement does not provide funding for the Emergency Conservation Program as proposed by the Senate.

NATURAL RESOURCES CONSERVATION SERVICE
EMERGENCY WATERSHED PROTECTION PROGRAM

The conference agreement provides \$50,955,000 for the Emergency Watershed Protection Program instead of \$165,000,000 as proposed by the Senate. The conferees direct that funding under this program be prioritized to address watershed impairments that pose imminent threats to life or property.

The conference agreement does not include \$10,000,000 in funding for easements as proposed by the House.

RURAL DEVELOPMENT
SALARIES AND EXPENSES

The conference agreement provides \$1,000,000 for Rural Development, Salaries and Expenses as proposed by the Senate.

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides \$25,000,000 for the Rural Community Advancement Program instead of \$150,000,000 as proposed by the Senate to respond to damages caused by hurricanes that occurred during the 2005 calendar year. This funding level includes \$20,000,000 for Community Facilities grants and not to exceed \$5,000,000 for Community Facilities loans which can support an estimated loan level up to \$1,389,000,000. The conferees expect unobligated balances remaining in the Community Facilities loan program to be transferred to the grant program should demand for loans not materialize by June 30, 2007.

GENERAL PROVISIONS—THIS CHAPTER

Section 2101.—The conference agreement includes a technical correction related to the Emergency Watershed Protection Program.

Section 2102.—The conference agreement includes language authorizing the Natural Resources Conservation Service to donate up to 20 aging vehicles through agreements with communities affected by Hurricane Katrina and other hurricanes of the 2005 season.

Section 2103.—The conference agreement includes a provision to extend emergency authorities for an additional 18 months and includes language granting the Secretary of Agriculture temporary authorities for the Community Facilities Grant program.

Section 2104.—The conference agreement includes a provision to allow the transfer of funds from the United States Department of Agriculture to the Department of Commerce.

Section 2105.—The conference agreement includes a technical and conforming change consistent with section 2104.

Senate Section 2106.—The conference agreement does not include funding for rural housing as proposed by the Senate.

Section 2106.—The conference agreement includes language regarding the availability of past year funding for the wildlife habitat incentive program to carry out obligations made for fiscal year 2001.

Section 2109.—Non-competitive contracts for Katrina relief.—The conference agreement does not include section 2109 as proposed by the Senate, a prohibition on entering into non-competitive contracts over \$500,000, recognizing the nature of emergency response. The conferees direct any agency engaged in Katrina relief, not currently reporting to the Committees on Appropriations on non-competitive contracts, to report quarterly to the Committees detailing any non-competitive contract executed for Katrina relief that has or will exceed \$500,000.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

The conference agreement recommends \$1,154,919,000 for the Department of Defense, instead of \$1,156,593,000 as proposed by the House, and \$1,404,919,000 as proposed by the Senate.

The following table provides details of the supplemental appropriations for the Department of Defense—Military.

[In thousands of dollars]

Account	House	Senate	Conference
Military Personnel:			
Military Personnel, Army	2,125	2,125	2,125
Military Personnel, Navy	22,002	22,002	22,002
Military Personnel, Marine Corps	3,992	3,992	3,992
Military Personnel, Air Force	21,610	21,610	21,610
Reserve Personnel, Army	4,071	4,071	4,071
Reserve Personnel, Navy	10,200	10,200	10,200
Reserve Personnel, Marine Corps	2,176	2,176	2,176
Reserve Personnel, Air Force	94	94	94
National Guard Personnel, Army	1,304	1,304	1,304
National Guard Personnel, Air Force	1,408	1,408	1,408
Total Military Personnel	68,982	68,982	68,982
Operation and Maintenance:			
O&M, Navy	29,913	29,913	29,913
O&M, Air Force	37,359	37,359	37,359
O&M, Navy Reserve	12,755	12,755	12,755
O&M, Air Force Reserve	1,277	1,277	1,277
O&M, Army National Guard	42,307	42,307	42,307
Total Operation and Maintenance	123,611	123,611	123,611
Procurement:			
Procurement of Ammunition, Army	700	700	700
Other Procurement, Army	9,136	9,136	9,136
Aircraft Procurement, Navy	579	579	579
Procurement of Ammunition, Navy and Marine Corps	899	899	899
Shipbuilding and Conversion, Navy	775,236	1,025,236	775,236
Other Procurement, Navy	85,040	85,040	85,040
Aircraft Procurement, Air Force	13,000	13,000	13,000
Procurement, Defense-Wide	4,797	2,797	2,797
Total Procurement	889,387	1,137,387	887,387
Research, Development, Test and Evaluation:			
RDT&E, Navy	12,000	12,000	12,000
RDT&E, Air Force	6,250	6,250	6,250
RDT&E, Defense-Wide	730	730	730

(In thousands of dollars)

Account	House	Senate	Conference
Total RDT&E	18,980	18,980	18,980
Trust Funds, Revolving and Management Funds:			
Defense Working Capital Funds	1,222	1,222	1,222
National Defense Sealift Fund	10,000	10,000	10,000
Surcharge Collections, Sales of Commissary Stores, Defense	10,530	10,530	10,530
Total Trust and Revolving and Management Funds	21,752	21,752	21,752
Other Department of Defense Programs:			
Defense Health Program	33,881	33,881	33,881
Inspector General		326	326
Total Other Department of Defense Programs	33,881	34,207	34,207
General Provision—Transfer Authority (Non add)	[0]	[75,000]	[150,000]
Grand Total	1,156,593	1,404,919	1,154,919

MILITARY PERSONNEL

The conference agreement recommends \$68,982,000 for the military personnel accounts as proposed by the House and the Senate. The conference agreement on items addressed by either the House or Senate is as follows:

(In thousands of dollars)

Account	House	Senate	Conference
Military Personnel, Army:			
Basic Allowance for Housing	2,125	2,125	2,125
Total Military Personnel, Army	2,125	2,125	2,125
Military Personnel, Navy:			
Basic Allowance for Housing	22,002	22,002	22,002
Total Military Personnel, Navy	22,002	22,002	22,002
Military Personnel, Marine Corps:			
Basic Allowance for Housing	3,992	3,992	3,992
Total Military Personnel, Marine Corps	3,992	3,992	3,992
Military Personnel, Air Force:			
Basic Allowance for Housing	21,610	21,610	21,610
Total Military Personnel, Air Force	21,610	21,610	21,610
Reserve Personnel, Army:			
Basic Allowance for Housing	4,071	4,071	4,071
Total Reserve Personnel, Army	4,071	4,071	4,071
Reserve Personnel, Navy:			
Basic Allowance for Housing	10,200	10,200	10,200
Total Reserve Personnel, Navy	10,200	10,200	10,200
Reserve Personnel, Marine Corps:			
Basic Allowance for Housing	2,176	2,176	2,176

[In thousands of dollars]

Account	House	Senate	Conference
Total Reserve Personnel, Marine Corps	2,176	2,176	2,176
Reserve Personnel, Air Force:			
Basic Allowance for Housing	94	94	94
Total Reserve Personnel, Air Force	94	94	94
National Guard Personnel, Army:			
Basic Allowance for Housing	1,304	1,304	1,304
Total National Guard Personnel, Army	1,304	1,304	1,304
National Guard Personnel, Air Force:			
Basic Allowance for Housing	1,408	1,408	1,408
Total National Guard Personnel, Air Force	1,408	1,408	1,408
Total Military Personnel	68,982	68,982	68,982

OPERATION AND MAINTENANCE

The conference agreement recommends \$123,611,000 for the operation and maintenance accounts as proposed by the House and the Senate. The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
Operation and Maintenance, Navy:			
Facilities Sustainment, Restoration and Modernization	29,913	29,913	29,913
Total Operation and Maintenance, Navy	29,913	29,913	29,913
Operation and Maintenance, Air Force:			
Equipment Repair and Replacement	22,688	22,688	22,688
Facilities Sustainment, Restoration and Modernization	5,071	5,071	5,071
Personal Property Claims	9,600	9,600	9,600
Total Operation and Maintenance, Air Force	37,359	37,359	37,359
Operation and Maintenance, Navy Reserve:			
Collateral Equipment	2,285	2,285	2,285
Facilities Sustainment, Restoration and Modernization	10,470	10,470	10,470
Total Operation and Maintenance, Navy Reserve	12,755	12,755	12,755
Operation and Maintenance, Air Force Reserve:			
Travel, Per Diem, Other	1,277	1,277	1,277
Total Operation and Maintenance, Air Force Reserve	1,277	1,277	1,277
Operation and Maintenance, Army National Guard:			
Equipment Repair and Replacement	39,878	39,878	39,878
Facilities Sustainment, Restoration and Modernization	2,429	2,429	2,429
Total Operation and Maintenance, Army National Guard	42,307	42,307	42,307
Total Operation and Maintenance	123,611	123,611	123,611

PROCUREMENT

The conference agreement includes a total of \$887,387,000 for various procurement appropriations, instead of \$889,387,000, as proposed by the House, and \$1,137,387,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
Procurement of Ammunition, Army:			
Mississippi Ammunition plant repairs	700	700	700
Total Procurement of Ammunition, Army	700	700	700
Other Procurement, Army:			
Information Systems at National Guard Facilities	9,136	9,136	9,136
Total Other Procurement, Army	9,136	9,136	9,136
Aircraft Procurement, Navy:			
Aircraft Industrial Facilities	579	579	579
Total Aircraft Procurement, Navy	579	579	579
Procurement of Ammunition, Navy and Marine Corps:			
5"/54 Ammunition	347	347	347
Intermediate Caliber Ammunition	94	94	94
Other Ship Gun Ammunition	334	334	334
Small Arms and Landing Party Ammunition	124	124	124
Total Procurement of Ammunition, Navy and Marine Corps	899	899	899
Other Procurement, Navy:			
Milcon Support—NAS JRB New Orleans, LA	2,550	2,550	2,550
Milcon Support—NSA New Orleans, LA	600	600	600
Milcon Support—Gulfport, MS	10,350	10,350	10,350
Milcon Support—Stennis Space Center, MS	16,000	16,000	16,000
Base Infrastructure Replacement—Communications	35,052	35,052	35,052
BUPERS IT Systems—SPAWAR Systems Center	2,908	2,908	2,908
Replace IT Systems—SPAWAR Systems Center	8,830	8,830	8,830
Replace RESFOR IT Systems—NSA New Orleans, LA	8,750	8,750	8,750
Total, Other Procurement, Navy	85,040	85,040	85,040
Shipbuilding and Conversion, Navy:			
Overhead and Labor	775,236	1,012,236	775,236
Contractor-Furnished Equipment		13,000	
Total Shipbuilding and Conversion, Navy	775,236	1,025,236	775,236
Aircraft Procurement, Air Force:			
Other Production Charges	13,000	13,000	13,000
Aircraft Procurement, Air Force	13,000	13,000	13,000
Procurement, Defense-Wide:			
Special Operations Command	4,797	2,797	2,797
Procurement, Defense-Wide:	4,797	2,797	2,797
Total Procurement	889,387	1,137,387	887,387

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides a total of \$18,980,000 for research, development, test and evaluation appropriations as proposed by the House and the Senate.

The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
RDT&E, Navy:			
Littoral Combat Ship	12,000	12,000	12,000
Total RDT&E, Navy	12,000	12,000	12,000
RDT&E, Air Force:			
Facilities Restoration and Modernization—T&E Support.			
Test and Evaluation Support Equipment	1,800	1,800	1,800
Facility Restoration	4,450	4,450	4,450
Total RDT&E, Air Force	6,250	6,250	6,250
RDT&E, Defense-Wide:			
Classified	730	730	730
Total RDT&E, Defense-Wide	730	730	730
Total RDT&E	18,980	18,980	18,980

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

The conference agreement includes \$1,222,000 for the Defense Working Capital Funds, as proposed by the House and the Senate.

NATIONAL DEFENSE SEALIFT FUND

The conference agreement includes \$10,000,000 for the National Defense Sealift Fund, as proposed by the House and the Senate.

TRUST FUNDS

GENERAL FUND PAYMENT, SURCHARGE COLLECTIONS, SALES OF COMMISSARY STORES, DEFENSE

The conference agreement includes \$10,530,000 for General Fund Payment, Surcharge Collections, Sales of Commissary Stores, Defense, as proposed by the House and the Senate.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

The conference agreement provides \$33,881,000 for the Defense Health Program, as proposed by the House and Senate, for health care costs associated with active duty personnel and beneficiaries who previously received care at Keesler Medical Center

and now are receiving health care and pharmaceuticals through private sector contracts.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$326,000 for the Office of the Inspector General, as proposed by the Senate. The House did not provide funding in this account.

GENERAL PROVISIONS—THIS CHAPTER

The conferees agree to retain and amend section 2201, as proposed by the Senate, which provides the Secretary of Defense authority to transfer up to \$150,000,000 of funds made available in this chapter and in chapter II of title I of this Act.

The conferees agree to retain section 2202, as proposed by the House and Senate, which prohibits funds provided in this chapter to finance programs or activities denied by Congress, or to initiate a new start program without prior notification to the congressional defense committees.

The conferees agree to amend section 2203, as proposed by the Senate, to allow for the use of funds appropriated to the Navy for certain specified activities.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The Committee recommendation provides emergency funding to address water resource needs related to Hurricane Katrina and other emergency needs.

INVESTIGATIONS

Funds totaling \$3,300,000 are provided for the Corps to develop a comprehensive plan, at full Federal expense, to deauthorize deep draft navigation on the Mississippi River-Gulf Outlet, Louisiana. The plan shall include recommended modifications to the existing authorized current use of the Outlet, including what navigation functions, if any, should be maintained and any measures for hurricane and storm protection. The plan shall be developed in consultation with St. Bernard Parish, the State of Louisiana, and affected Federal Agencies. An interim report summarizing the plan shall be forwarded to the appropriate House and Senate authorizing and appropriations committees within six months of enactment of this Act and final recommendations shall be integrated into the Louisiana Coastal Protection and Restoration Plan, due to Congress in December 2007.

Additionally, the Secretary is directed to undertake an analysis to determine the amount of vertical settlement or subsidence that has occurred since levee system components were built, versus levee grade deficiencies due to the application of new storm data. The Plan shall address how these changes affect compliance with

100-year floodplain certification and standard project hurricane requirements. A report on the findings of this analysis shall be forwarded to the appropriate authorizing and appropriations committees within 90 days of enactment of this Act.

CONSTRUCTION

Funds totaling \$549,400,000 are provided for Construction. The Conferees are aware that the wetlands surrounding the greater New Orleans metropolitan area operate as a natural buffer to lessen storm impacts, and are an important part of the overall storm damage reduction system. Nourishing and rebuilding these wetlands will increase the effectiveness of the levees and floodwalls of New Orleans. Therefore, the Conferees recommend bill language directing the Corps to use \$20,200,000, at full Federal expense, to reduce the risks of storm surge and storm damage to the greater New Orleans metropolitan area by restoring the surrounding wetlands, and to aid in the reduction of risk to both loss of life and damage to homes, businesses, and local infrastructure in the metropolitan area. The Corps is further directed to use these funds in the following manner: \$10,100,000 to modify the Caernarvon Freshwater Diversion structure or its operations; and \$10,100,000 to protect the shoreline along the Barataria Basin Landbridge in Jefferson Parish, Louisiana. Of the funds provided, at least \$495,300,000 shall be available, consistent with cost sharing provisions, to raise levee heights and otherwise improve the existing Lake Pontchartrain and Vicinity and the West Bank and Vicinity projects.

Additional funds of \$1,500,000 are provided to address storm damages to North Padre Island, Texas, caused by Hurricane Emily, and \$2,000,000 is provided for Hawaii water systems technical assistance program.

In recognition of flood threats to the Sacramento area, the Conferees have included \$7,100,000 for South Sacramento Streams, California, and \$23,300,000 for the Sacramento Bank Protection Project, California. The Corps is further directed to use up to \$400,000 of previously appropriated funds to continue the operation of the Chicago Sanitary and Ship Canal Demonstration Barrier.

The moratorium on the execution of project cooperation agreements contained in P.L. 109-275 shall not apply to continuing authorities program projects for which funding was provided, or is otherwise available, to fully fund the construction phase of the project. For those projects where the local sponsor's cost share will be lost due to the inability to sign a project cooperation agreement, the Corps may sign project cooperation agreements with the explicit consent of the House and Senate Committees on Appropriations. For any project for which an exception is made due to this circumstance, the local sponsors of such projects should be aware that the construction of the project remains contingent upon future appropriations which are not guaranteed.

Further, requirement that the Corps institute cost sharing for Sections 206 and 1135 projects was not intended to change the cost share structure of projects currently in the feasibility phase.

OPERATION AND MAINTENANCE

Funds totaling \$3,200,000 are provided to restore Federal navigation channels and harbors along the Texas Gulf Coast to pre-storm conditions affected by Hurricane Katrina and other hurricanes of the 2005 season.

FLOOD CONTROL AND COASTAL EMERGENCIES

(INCLUDING RESCISSION OF FUNDS)

Funds totaling \$3,145,024,000 are recommended to continue repairs to flood and storm damage reduction projects. These projects are to be funded at full Federal expense.

The Conferees provide the full request of \$1,584,000,000 to replace all floodwalls within Orleans East Bank Algiers, Jefferson East Bank/St. Charles, Jefferson West Bank, New Orleans East, St. Bernard/Lower Ninth Ward, Belle Chasse/Algiers East hydraulic areas of the existing Lake Pontchartrain and Vicinity project and the existing West Bank and Vicinity project, not including lower Plaquemines Parish. However, the Conferees recognize this cost estimate is a "worst case" scenario and assumes the replacement of all flood walls. Therefore, the funds provided are contingent upon site-specific engineering assessment and analysis that determines replacement is necessary to maintain the integrity of the system. Further, these funds are not available for any other project, program, or activity without the approval of the House and Senate Committees on Appropriations.

The Conferees provide \$530,000,000 for construction of permanent closures and pumping plants at the 17th Street, Orleans, and London Avenue Canals. Further, the Corps is directed to provide adequate temporary pumping capacity to evacuate expected flows from the existing pumping stations in the three drainage canals in order to minimize interior flooding.

Additionally, the Conferees include: \$170,000,000 for levee and floodwall armoring; \$350,000,000 to construct navigable closures on the Inner Harbor Navigational Canal, one near Seabrook and another on the Gulf Intracoastal Waterway; \$215,000,000 for incorporation of non-Federal levees on the west bank of the Mississippi River in Plaquemines Parish in order to provide improved storm surge protection and to protect evacuation routes; \$250,000,000 for storm proofing interior pump stations to ensure their reliability during hurricanes, storms and high water events; and \$30,024,000 for repairs to non-Federal levees in Terrebonne Parish.

Within the funds provided, \$16,000,000 shall be used to restore previously appropriated emergency funds for flood protection projects damaged in previous disasters in Pennsylvania. Funds for these projects were withdrawn shortly after Katrina struck the Gulf Coast to address immediate needs.

The Conferees also rescind \$15,000,000 previously provided in P.L. 109-148 for the Grand Isle, Louisiana project. It is the Conferees' understanding that the project is not economically justified and therefore the funds appropriated to accelerate construction are no longer required.

DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
WATER AND RELATED RESOURCES

The Conferees recognize that snowpack amounts in many areas of the Southwest are at historic lows and precipitation forecasts are not favorable for improving the situation. Runoff in many river basins in the West is expected to be one quarter of normal or less. The Conferees note that the communities of Ruidoso, Ruidoso Downs and Las Vegas, New Mexico, are already operating under stringent water restrictions.

Therefore, the Conferees have provided \$9,000,000 for drought emergency assistance. The Conferees expect Reclamation to undertake drought contingency planning, to provide emergency potable water sources for eligible communities and to provide other drought emergency assistance within their authorities to help stricken communities.

GENERAL PROVISIONS—THIS CHAPTER

Sec. 2301. The conference agreement includes a provision related to the use of unexpended funds and waives the requirements of the Uniform Relocation Assistance and Real Property Act.

Sec. 2302. The conference agreement includes a provision that states that the funds provided in division B, chapter 3, Investigations, of Public Law 109–148 are not subject to any non-Federal cost sharing requirement and changes the amount contingent upon the enactment of a single levee board.

Sec. 2303. The conference agreement includes a provision that further defines the activities that can be undertaken in division B, chapter 3, Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, of Public Law 109–148.

Sec. 2304. The conference agreement includes a provision that modifies a provision in division B, chapter 3, Operations and Maintenance, of Public Law 109–148, concerning activities that can be undertaken along the Mississippi River-Gulf Outlet.

Sec. 2305. The conference agreement includes a provision to extend the duration of the National Erosion Control Development and Demonstration Program through September 30, 2006, and increase the cost limitation to \$25,000,000 for section 227 of Public Law 104–303 in order to allow funds appropriated in the fiscal year 2006 Energy and Water Development Appropriations Act to be utilized for continuing projects.

Sec. 2306. The conference agreement includes a provision extending the Drought Relief Act through 2010.

Sec. 2307. The conference agreement includes a provision clarifying the availability of funds for the purposes of reprogramming actions.

Sec. 2308. The conference agreement includes a provision that prohibits the use of any funds in fiscal year 2006 through April 1, 2007 to affect bond repayment.

Sec. 2309. The conference agreement includes a provision relating to the Chicago Sanitary and Ship Canal Demonstration Barrier.

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF INSPECTOR GENERAL

The conferees agree to provide \$2,000,000 for the Department of Homeland Security's Inspector General instead of \$13,500,000 as proposed by the House for transfer to other federal departments and agencies and no funds as proposed by the Senate. Funds are available until September 30, 2007. Funding for federal departments and agencies is addressed in other chapters of this conference agreement.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

The conferees agree to provide \$12,900,000 as proposed by the House and the Senate for necessary expenses related to the consequences of the Gulf Coast hurricanes.

CONSTRUCTION

The conferees agree to provide \$4,800,000 as proposed by the House and the Senate for necessary expenses related to the consequences of the Gulf Coast hurricanes.

UNITED STATES COAST GUARD

OPERATING EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The conferees agree to provide \$88,970,000 instead of \$14,300,000 as proposed by the House and \$90,570,900 as proposed by the Senate. Of this total, \$7,350,000 is for cleanup and repair of damaged facilities; \$7,400,000 for increased temporary logistics; \$3,483,000 for basic housing allowances; and \$70,000,000 for energy costs. In addition, the conferees have included bill language allowing transfers of up to \$267,000 to the "Environmental Compliance and Restoration" appropriation for Coast Guard facilities in the Gulf Coast region and \$470,000 to the "Research, Development, Test, and Evaluation" appropriation for additional costs to reposition the State of Maine vessel. Funds are available until September 30, 2007.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

The conferees agree to provide \$191,730,000 instead of \$80,775,000 as proposed by the House and \$191,844,000 as proposed by the Senate. Of this total, \$80,800,000 is for the reconstruction of the Integrated Support Command Center in New Orleans; \$103,930,000 is for Katrina-related costs associated with materials, equipment, facilities and labor; and \$7,000,000 is for the relo-

cation of the Gulfport Coast Guard Station. The conferees direct the Coast Guard to ensure that the Defense Contract Audit Agency audits Katrina-related cost increases associated with pre-Katrina contracts. Funds are available until expended.

FEDERAL EMERGENCY MANAGEMENT AGENCY

ADMINISTRATIVE AND REGIONAL OPERATIONS

The conferees agree to provide \$71,800,000 as proposed by the Senate instead of \$70,000,000 as proposed by the House. Of this total, \$70,000,000 is included for necessary expenses related to the consequences of the Gulf Coast hurricanes and \$1,800,000 is included for the Office of National Security Coordination.

PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY

The conferees agree to provide \$10,000,000 for Preparedness, Mitigation, Response, and Recovery, as proposed by the House and the Senate. Of this total, \$3,000,000 is included to immediately review and revise the National Response Plan (NRP) and the National Incident Management System (NIMS); \$1,000,000 for the logistics management system; and \$1,000,000 for the Enterprise Content Management System. FEMA is to brief the House and Senate Committees on Appropriations no later than 45 days from the date of enactment of this Act on the hiring initiatives to meet its staffing requirements and its staffing plan.

DISASTER RELIEF

The conferees agree to provide \$6,000,000,000 for Disaster Relief, instead of \$9,548,000,000 as proposed by the House and \$10,400,000,000 as proposed by the Senate. The conferees do not specify the purposes for these funds, except \$400,000,000 of this amount is made available to carry out section 2403 of this chapter.

The conferees agree to include bill language proposed by the Senate that each county or parish eligible for assistance under the disaster declaration of September 24, 2005, will be treated equally for purposes of cost-share adjustments.

The conferees note the Department of Homeland Security (DHS), in conjunction with the Federal Emergency Management Agency (FEMA), recently issued interim policy guidance clarifying that charter schools are eligible for FEMA's Public Assistance Program. The conferees believe this policy should be quickly finalized so it can be distributed to FEMA officials throughout the country as expeditiously as possible, and encourage DHS and FEMA to continue working with the relevant Congressional committees on implementation of this policy.

The conferees concur with language proposed by the House regarding the weekly Disaster Relief Report and the lack of information regarding the assumptions DHS is using to estimate total disaster relief funding needed this fiscal year. Beginning immediately, the conferees direct DHS to include an explanation of the methodology used to calculate estimated yearly allocations by program area and program name. This explanation shall include the total yearly cost estimate, the amount allocated and obligated to date,

and a written explanation of the assumptions and methodology used to estimate the total yearly cost.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

The conferees agree to provide \$279,800,000 to subsidize not to exceed \$371,733,000 in loans for the Special Community Disaster Loans Program authorized in the Community Disaster Loan Act of 2005, P.L. 109–88, instead of \$301,000,000 (\$150,000,000 by transfer) as proposed by the House and \$301,000,000 as proposed by the Senate. Of this total, \$1,000,000 is included for administrative costs. The conferees include bill language proposed by the Senate specifying that loans may be equal to not more than 50 percent of the annual operating budget of the local government in cases where that government has suffered a loss of 25 percent or more in tax revenues due to Hurricanes Katrina or Rita.

GENERAL PROVISIONS—THIS CHAPTER

Sec. 2401. The conferees agree to include bill language as proposed by the House and Senate authorizing FEMA to pay for utility costs for those leases negotiated by State and local governments on FEMA's behalf.

Sec. 2402. The conferees agree to include bill language as proposed by the House and Senate amending P.L. 109–90 to allow the National Flood Insurance Fund to pay sufficient interest on the amounts the program has borrowed from the Treasury.

Sec. 2403. The conferees agree to include and modify bill language as proposed by the Senate allowing the Secretary of Homeland Security to consider eligible for funding the costs of alternative housing pilot programs in the areas hardest hit by Hurricane Katrina and other hurricanes of the 2005 season.

CHAPTER 5

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

The conference agreement provides \$132,400,000 for “Construction”, as proposed by both the House and the Senate, for cleanup and facility repair needs at National Wildlife Refuges related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season. The managers agree that the Service shall, as proposed by the House, repay funds that were transferred from projects that have yet to be completed. These funds were transferred on an emergency basis for initial hurricane response needs and must be repaid so that projects from which they were borrowed can be completed. A technical correction has been made to the repayment language proposed by the House.

NATIONAL PARK SERVICE
HISTORIC PRESERVATION FUND

The conference agreement provides \$43,000,000 for the “Historic Preservation Fund” instead of \$3,000,000 as proposed by the House and \$83,000,000 as proposed by the Senate. Of the funds provided, \$3,000,000 is for Section 106 assistance and \$40,000,000 is for disaster relief grants for the preservation, stabilization, rehabilitation, and repair of historic properties listed on or eligible for the National Register of Historic places, and for planning and technical assistance.

These funds are available for obligation until September 30, 2007, as proposed by the House, instead of being available until expended as proposed by the Senate.

As proposed by the Senate, funds for historic preservation grants are available for areas with a Presidential disaster determination associated with Hurricanes Katrina or Rita; are not subject to a non-Federal matching requirement; and no more than 5% may be used for administrative expenses.

The managers expect the National Park Service to award the Section 106 assistance funds to the States without any delay. Of the \$3,000,000 available for Section 106 assistance, at least \$1,500,000 shall be available for the Mississippi State Historic Preservation Officer. The remaining \$40,000,000 is for grants to State Historic Preservation Officers (SHPOs) as described below.

The managers expect the National Park Service to award disaster relief grant funds to SHPOs in accordance with existing Historic Preservation Fund policies and procedures, except as modified herein, and only after a State has submitted, and the National Park Service has reviewed, an Action Plan Narrative that describes the major tasks to be undertaken with the supplemental grant funds. Each task statement shall describe the major services provided by the State Historic Preservation Officer, the problems to be addressed, a preliminary list of proposed projects and their estimated costs, and the expected results.

The National Park Service shall undertake its review of each plan and shall award funds as expeditiously as possible. Preference in making awards shall be given to plans that include: (1) properties located within designated National Heritage Areas; (2) owner-occupied houses; and (3) a demonstrated ability to spend the funds expeditiously. The managers intend that these funds be awarded with an emphasis on individuals who are committed to rebuilding their communities and who otherwise cannot afford the additional costs often associated with historic preservation.

No State shall receive more than 65% of the total available for these grants. There is a 5% limitation on administrative costs. Of the amount available for administrative expenses, up to \$550,000 is available to the National Park Service to expedite awarding and oversight of the funds.

CONSTRUCTION

The conference agreement provides \$55,400,000 for “Construction”, as proposed by both the House and the Senate, for immediate cleanup and facility repair needs at National Parks related to the

consequences of Hurricane Katrina and other hurricanes of the 2005 season.

UNITED STATES GEOLOGICAL SURVEY
SURVEYS, INVESTIGATIONS, AND RESEARCH
(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$10,200,000 for “Surveys, Investigations, and Research”, as proposed by both the House and the Senate, for facility and equipment repair needs related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes.

MINERALS MANAGEMENT SERVICE
ROYALTY AND OFFSHORE MINERALS MANAGEMENT
(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides \$15,000,000 for “Royalty and Offshore Minerals Management” as proposed by both the House and the Senate. These funds are for costs associated with the temporary relocation of the Minerals Management Service’s Gulf of Mexico regional office from Louisiana to Houston, Texas, including purchase of new equipment and temporary office arrangements, other disaster related expenses, and repayment of advances to other appropriation accounts from which funds were transferred for such purposes.

ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL PROGRAMS AND MANAGEMENT

The conference agreement provides \$6,000,000 for “Environmental Programs and Management”, as proposed by both the House and the Senate, for increased environmental monitoring, assessment, and analytical support necessary to protect public health during the ongoing recovery and reconstruction efforts related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

The conference agreement provides \$7,000,000 for the “Leaking Underground Storage Tank Program”, as proposed by both the House and the Senate, to assess the most immediate underground storage tank needs in areas affected by Hurricane Katrina and other hurricanes of the 2005 season and to initiate appropriate corrective actions.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

The conference agreement provides \$20,000,000 for the “National Forest System” as proposed by the House instead of \$50,000,000 as proposed by the Senate. As proposed by the House, these funds are only for necessary expenses of debris cleanup and related activities on National Forests affected by Hurricane Katrina and other hurricanes of the 2005 season.

CHAPTER 6

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

The conference agreement includes \$16,000,000 for the reconstruction of two Job Corps facilities in Gulfport, Mississippi and New Orleans, Louisiana. The Senate had proposed \$32,000,000 and the House had no similar provision. The conferees instruct the Department to allocate \$14,000,000 to the Gulfport facility and \$2,000,000 to the New Orleans facility for repairs and rehabilitation of damage due to Hurricane Katrina.

DEPARTMENTAL MANAGEMENT

OFFICE OF INSPECTOR GENERAL

The conference agreement does not include a provision proposed by the Senate that provided \$2,000,000 to the Department of Labor, Office of Inspector General, for hurricane-related expenses. The House bill did not include a similar provision.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

The conference agreement includes \$4,000,000 to establish a communications network, including the purchase and operation of communications equipment, including satellite phones, for community health centers and those entities (including major medical centers and departments of public health) deemed by the state associations of community health centers to be critical in providing health care in the event of a future hurricane or other natural disaster in states affected by Hurricane Katrina and other hurricanes of the 2005 season. Where they exist, state associations representing community health centers should be the primary recipient of these funds. The conferees expect this funding to be distributed by July 30, 2006 so that these systems can be in place as early as possible in the hurricane season. The Senate included \$6,000,000 for this purpose. The House did not propose a similar provision.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

The conference agreement includes \$8,000,000 for mosquito and other pest abatement activities in states affected by the Gulf Coast hurricanes of 2005. The Senate bill proposed \$20,000,000 and the House did not propose a similar provision. The conferees intend that these funds be distributed as grants to the eligible states and not be subject to the provisions of the Mosquito Abatement for Safety and Health (MASH) Act.

OFFICE OF THE SECRETARY

OFFICE OF INSPECTOR GENERAL

The conference agreement does not include a provision proposed by the Senate that provided \$2,669,846 to the Department of Health and Human Services, Office of Inspector General, for hurricane-related expenses. The House bill did not include a similar provision.

DEPARTMENT OF EDUCATION

DEPARTMENTAL MANAGEMENT

OFFICE OF THE INSPECTOR GENERAL

The conference agreement does not include a provision proposed by the Senate that provided \$1,500,000 to the Department of Education, Office of Inspector General, for hurricane-related expenses. The House bill did not include a similar provision.

HURRICANE EDUCATION RECOVERY

The conference agreement includes \$235,000,000 in additional assistance for displaced elementary and secondary school students for the 2005–2006 school year under the authority of the Hurricane Education Recovery Act. The Senate bill proposed \$300,000,000 for this activity. The House bill had no similar provision.

The conference agreement does not include funding for schools serving displaced elementary and secondary school students in the 2006–2007 school year under the authority of part A of Title V of the Elementary and Secondary Education Act. The Senate bill proposed \$350,000,000 for this activity. The House bill had no similar provision.

The conference agreement deletes a provision proposed by the Senate to create a loan program for institutions of higher education that were affected by the Gulf hurricanes. The House bill contained no similar provision.

The conference agreement includes \$50,000,000 for grants to institutions of higher education to help defray the expenses incurred as a result of the Gulf hurricanes of 2005. The House bill contained no similar provision and the Senate bill included \$30,000,000 for a similar purpose. The conferees request that the Department brief the House and Senate Committees on Appropriations not later than five days before the announcement of the availability of these funds.

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
NATIONAL AND COMMUNITY SERVICE PROGRAMS, OPERATING
EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$10,000,000 for the AmeriCorps National Civilian Community Corps. The Senate bill included \$20,000,000 for this purpose. The House bill contained no similar provision.

SOCIAL SECURITY ADMINISTRATION

OFFICE OF INSPECTOR GENERAL

The conference agreement does not include a provision proposed by the Senate that provided \$277,000 to the Social Security Administration, Office of Inspector General, for hurricane-related expenses. The House bill did not include a similar provision.

GENERAL PROVISIONS—THIS CHAPTER

DEPARTMENT OF EDUCATION—HURRICANE EDUCATION RECOVERY

The conference agreement deletes a provision proposed by the Senate to create a new loan program for institutions of higher education that were affected by the Gulf hurricanes. Funds are instead provided through a grant mechanism.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING
PROGRAM

The conference agreement modifies a provision included by the Senate related to the Historically Black College and University Capital Financing Program. The House bill did not include a similar provision.

SUPPLEMENTAL ELEMENTARY-SECONDARY FUNDS OBLIGATION
EXTENSION

The conference agreement includes bill language that extends the period of time States and local school districts have to spend funds made available under section 107 of the Hurricane Education Recovery Act. Neither House nor Senate bill included a similar provision. This provision provides the Secretary of Education with the authority to extend the period of availability of such funds up to September 30, 2006, provided that such expenditures are for the 2005–2006 school year as is required by the Hurricane Education Recovery Act.

USE OF SUPPLEMENTAL HIGHER EDUCATION ACT FUNDS

The conference agreement includes a provision proposed by the Senate regarding funding for the Mississippi Institutes of Higher Learning. The House bill did not include a similar provision.

SOCIAL SECURITY ADMINISTRATION

(TRANSFER OF FUNDS)

The conference agreement includes a provision proposed by the Senate transferring \$38,000,000 from the Disaster Relief funds of the Federal Emergency Management Agency to the Social Security Administration for hurricane-related expenses. The House bill did not include a similar provision.

CHAPTER 7

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The conferees agree to provide \$44,770,000 as proposed by both the House and the Senate. Funds are provided as follows:

Location	Project description	Request	Conference agreement
MS: Bay St. Louis	Seclusion Berthing	3,240,000	3,240,000
MS: NCBC Gulfport	Fitness Center	32,800,000	24,140,000
MS: NCBC Gulfport	Navy Exchange Complex and NEX/MWR Cold Storage Facilities.	15,890,000	15,890,000
Worldwide: Unspecified	Planning and Design	1,500,000	1,500,000
Total		53,430,000	44,770,000

MILITARY CONSTRUCTION, AIR FORCE

The conferees agree to provide \$97,300,000 as proposed by the House, instead of \$103,500,000 as proposed by the Senate. Funds are provided as follows:

Location	Project description	Request	Conference agreement
MS: Keesler AFB	Base Exchange	40,000,000	40,000,000
MS: Keesler AFB	Consolidated Aircraft Maintenance Facility	29,000,000	29,000,000
MS: Keesler AFB	Fire Crash Rescue Station	19,600,000	19,600,000
MS: Keesler AFB	Library	5,500,000	5,500,000
Worldwide: Unspecified	Planning and Design	17,140,000	3,200,000
Total		111,240,000	97,300,000

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

(INCLUDING RESCISSION OF FUNDS)

The conferees agree to provide \$330,071,000, instead of \$67,800,000 as proposed by the House and \$210,071,000 as proposed by the Senate. The conferees agree to rescind \$120,000,000 from Public Law 109-148 and provide the same amount in this chapter to be used for the same purpose and projects as those identified in the conference report accompanying Public Law 109-148. Funds are provided as follows:

Location	Project description	Request	Conference agreement
LA: Hammond	Army Aviation Support Facility	67,800,000	67,800,000

Location	Project description	Request	Conference agreement
LA: Jackson Barracks	Joint Forces HQs/USPFO	84,200,000	84,200,000
LA: Jackson Barracks	Readiness Center	51,600,000	51,600,000
Worldwide: Unspecified	Planning and Design	6,471,000	6,471,000
Worldwide: Various Locations	Projects provided in P.L. 109-148		120,000,000
Total		210,071,000	330,071,000

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conferees agree to provide \$5,800,000 as proposed by both the House and the Senate. Funds are provided as follows:

Location	Project description	Request	Conference agreement
MS: CRTC Gulfport	Upgrade Storm Water System	600,000	600,000
MS: Key Field	Replace Medical Training Facility	4,700,000	4,700,000
Worldwide: Unspecified	Planning and Design	500,000	500,000
Total		5,800,000	5,800,000

MILITARY CONSTRUCTION, NAVY RESERVE

(INCLUDING RESCISSION OF FUNDS)

The conferees agree to provide \$24,270,000 as proposed by both the House and the Senate. The conferees also agree to rescind \$49,530,000 from Public Law 109-148 as proposed by both the House and the Senate. Funds are provided as follows:

Location	Project description	Request	Conference agreement
LA: NAS/JRB New Orleans	Command and Control Center	3,610,000	3,610,000
LA: NAS/JRB New Orleans	Crash/Fire/Rescue Station	7,360,000	7,360,000
LA: NAS/JRB New Orleans	Public Works Complex	12,600,000	12,600,000
Worldwide: Unspecified	Planning and Design	700,000	700,000
Total		24,270,000	24,270,000

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

The conferees agree to provide \$585,919,000 for Construction, Major Projects, instead of \$550,000,000 as proposed by the House and \$623,000,000 as proposed by the Senate. The conferees agree that the funding provided includes \$550,000,000 for construction of a medical facility in New Orleans, Louisiana. In addition, \$35,919,000 is provided for debris removal and environmental clean-up of the former Department of Veterans Affairs Medical Center in Gulfport, Mississippi, and for any authorized purpose within this account.

In a report issued to Congress on February 28, 2006, the Department of Veterans Affairs identified its preference to rebuild the medical center in New Orleans as a “shared facility” with its academic partners. The conferees are supportive of this effort and en-

courage the Department to continue to work with its affiliates to develop the shared facility concept. However, the conferees caution the Department not to enter into any agreement in which it pays for more than its share in the name of collaboration.

RELATED AGENCY

ARMED FORCES RETIREMENT HOME

The conferees agree to provide \$176,000,000 for construction of a new facility in Gulfport, Mississippi, as proposed by the Senate. The House bill contained no similar provision. The conferees note that cost estimates provided in a report to Congress on February 28, 2006, included significant expenses which should not be incurred for construction of a facility of this type and have adjusted the funding accordingly. The conferees have also included a general provision which consolidates \$64,700,000 of previously appropriated funding which is to be used for this construction project. The conferees believe that the total funding available is sufficient to build a new replacement facility, fully compliant with all relevant laws, regulations, and standards for a retirement domicile, on the existing site in Gulfport, Mississippi.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

The conferees agree to include a provision (Sec. 2701), as proposed by the Senate, to waive a Federal funding limit on Guard and Reserve military construction projects appropriated in this chapter. The House bill contained no similar provision.

The conferees agree to include a provision (Sec. 2702), as proposed by the Senate, which allows funds previously appropriated for the Department of Veterans Affairs, Medical Services account, to be transferred to other accounts upon notification to the Committees on Appropriations of both Houses of Congress. The provision also extends the availability of the funds beyond the current fiscal year. The House bill contained no similar provision.

The conferees agree to include a provision (Sec. 2703), as proposed by the Senate, which directs the Secretary of the Department of Veterans Affairs to clean up and transfer property in Gulfport, Mississippi, to the city of Gulfport, Mississippi. The House bill contained no similar provision.

The conferees have not included a provision, as proposed by the Senate, which would authorize site acquisition and construction of medical facilities in New Orleans, Louisiana, and Biloxi, Mississippi. The House bill contained no similar provision.

The conferees agree to include a provision (Sec. 2704) which consolidates unobligated balances of the Armed Forces Retirement Home, to be used for the planning, design, and construction of a new facility in Gulfport, Mississippi, as proposed by the Senate. The conferees have modified the Senate proviso to this provision which designates the General Services Administration, in consultation with the Naval Facilities Engineering Command and the Armed Forces Retirement Home, as the agent for all matters with

regard to planning, design, construction, and contract administration. The House bill contained no similar provision.

CHAPTER 8

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement provides \$2,000,000 for General Legal Activities, as proposed by the House instead of \$3,200,000 as proposed by the Senate. Funding is provided for the Criminal Division and Civil Division for expenses to investigate and prosecute fraud cases related to hurricanes in the Gulf Coast region.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement provides \$6,500,000 for United States Attorneys as proposed by the Senate instead of \$5,000,000 as proposed by the House. Funding is provided for expenses to investigate and prosecute fraud cases related to hurricanes in the Gulf Coast region.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

The conference agreement provides \$118,000,000 under this heading, instead of no funding as proposed by the House and \$1,135,000,000 as proposed by the Senate. In addition to the amount provided under this heading, language is included in chapter one of this title to transfer \$38,000,000 from the United States Department of Agriculture to NOAA for reseeding, rehabilitation and restoration of oyster reefs.

The conferees remain concerned about the ongoing recovery efforts in the Gulf of Mexico and the previous lack of attention given to the critical need for mapping the Gulf waters for debris removal. In the wake of the numerous hurricanes of 2005, which greatly disrupted the water in the Gulf of Mexico, all previous mappings of those waters are now inaccurate. To date the only areas within the Gulf of Mexico that have been remapped are the vessel channels to allow for safe passage of ships traveling through the many ports along the Gulf. The remainder of the Gulf of Mexico must also be mapped beginning with traditional fishing grounds in order to remove debris and begin the process of surveying stocks and reestablishing this element of the economy. Mapping and debris removal is a critical safety and security precaution necessary to prevent catastrophic accidents from occurring during the upcoming fishing and boating season.

The conference agreement provides \$20,000,000 for the Office of Coast Survey to conduct scanning and mapping and coordinate with the Office of Response and Restoration for marine debris removal; \$2,000,000 for the Center for Operational Oceanographic

Products and Services to establish Physical Oceanographic Real-Time Systems along the Gulf of Mexico; \$1,000,000 for the Center for Operational Oceanographic Products and Services to repair and replace tide gauge stations in the northern Gulf of Mexico; \$90,000,000 for the National Marine Fisheries Service to provide technical assistance to States and industry for oyster bed and shrimp ground rehabilitation and to undertake cooperative research to monitor the recovery of Gulf fisheries; and not to exceed \$5,000,000 to assist fishermen to recover from severe economic impacts due to fisheries disasters declared in 2005.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The conference agreement provides \$32,000,000 under this heading as proposed by the Senate, instead of \$11,800,000 as proposed by the House.

The conference agreement provides \$20,000,000 for the National Marine Fisheries Service to complete the repair and reconstruction of the NOAA science center.

The conference agreement also provides \$12,000,000 for the Office of Marine and Aviation Operations to procure a replacement emergency response mapping aircraft and sensor package to continue NOAA's capability to provide information about hurricane damage.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION CAPABILITIES

The conference agreement provides \$35,000,000 for repair and rehabilitation requirements at the Stennis Space Center and the Michoud Assembly Facility related to the consequences of hurricanes of the 2005 season.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$542,000,000 for additional lending authority for the Small Business Administration's (SBA) disaster loan program, as proposed by the House and the Senate (excluding a transfer provision contained in both bills).

The conferees remain concerned about fluctuations in SBA's disaster lending subsidy estimates and will continue to monitor lending activity and expenditures. The conferees expect the SBA to provide weekly reports to the House and Senate Committees on Appropriations, the Senate Committee on Small Business and Entrepreneurship, and the House Committee on Small Business containing the following information on all open disaster declarations: number of loan applications received; number and amount of loans approved, denied, and disbursed; loan subsidy obligations; and the

costs associated with administering the loan program (including salaries, travel, and information systems).

In light of the National Oceanic and Atmospheric Administration's prediction of a very active hurricane season for 2006, the conferees expect the SBA to build on the lessons learned from responding to numerous hurricanes during the 2005 season to ensure that the agency is better prepared for future disasters. The conferees expect that, no later than July 15, 2006, SBA shall submit to the House and Senate Committees on Appropriations, the Senate Committee on Small Business and Entrepreneurship, and the House Committee on Small Business a report on the status of the disaster response plan for the 2006 Atlantic hurricane season.

CHAPTER 9

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

The conferees agree to House and Senate language preventing the Secretary from issuing a final rule regarding foreign control of U.S. airlines for 120 days.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

The conferees agree to provide \$702,362,500 for the Emergency Relief Program, instead of \$594,000,000 as proposed by the Senate. The conferees direct that funds shall be used for eligible projects identified under "Formal Requests" in the Federal Highway Administration table entitled "Emergency Relief Program Fund Requests—updated 06/06/06" with the exception of projects addressed in other provisions of this Act making amendments to Public Law 109–148 and otherwise funded in other appropriations Acts. The conferees include language that waives the \$100,000,000 per State per disaster cap for damages caused by Hurricane Dennis and by the 2004–2005 winter storms in the State of California and provides that any excess amounts may be used for other eligible projects.

(HIGHWAY TRUST FUND)

(RESCISSION)

The conference agreement includes a rescission of \$702,362,500 of the unobligated balances of funds apportioned to the states under chapter 1 of title 23, United States Code, excluding safety programs and funds set aside within the state for population areas. The conferees direct the FHWA to administer the rescission by allowing each state maximum flexibility in making adjustments among the apportioned highway programs.

FEDERAL TRANSIT ADMINISTRATION

EMERGENCY ASSISTANCE FOR PUBLIC TRANSPORTATION

The conference agreement does not include \$200,000,000 for emergency assistance for public transportation, as proposed by the Senate. The conference agreement includes provisions proposed by the Senate waiving the state funding match requirement and allowing funds to be used for operations as a general provision. The conferees did not agree to include a provision waiving other grant requirements as proposed by the Senate. The House did not include funds or recommend waivers.

The conferees note that the City of Baton Rouge has absorbed a very large number of citizens as a result of Hurricane Katrina resulting in a significant boost in the demand for transit services. The conferees recognize the community of Baton Rouge as having been directly impacted by Hurricane Katrina for the purpose of these transit waivers.

FEDERAL RAILROAD ADMINISTRATION

CAPITAL GRANTS FOR RAIL LINE RELOCATION

The conferees do not agree to provide \$700,000,000 for capital grants for rail line relocation or make other amendments to title 49, United States Code, as proposed by the Senate.

RAILROAD RESEARCH AND DEVELOPMENT

The conferees agree to report language, as proposed by the Senate, expecting that funds previously appropriated for the Deployment of Safety Overlay Technology shall be allocated for the purpose of deploying train control technology for which the Federal Railroad Administration is currently considering a product safety plan.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

The conferees do not agree to provide \$202,000,000, for Tenant-Based Rental Assistance, as proposed by the Senate. The conferees agree to report language, as proposed by the Senate, directing HUD to report within 180 days on the States' efforts to address the needs of the disabled, elderly, and homeless.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$5,200,000,000 for the Community Development Fund, as proposed by the Senate, instead of \$4,200,000,000 as proposed by the House. The conferees agree that no state shall receive more than \$4,200,000,000. The conferees further agree that not less than \$1,000,000,000 shall be available

on a pro-rata basis for the repair, rehabilitation, and reconstruction of affordable rental housing.

The conferees agree that of this amount, \$12,000,000 is available for transfer to HUD's salaries and expenses account, of which \$7,000,000 is for the administrative costs, including IT costs, of the KDHAP/DVP voucher program. The Senate proposed funds for this purpose under the Tenant-Based Rental Assistance account. The conferees agree that \$9,000,000 is available for transfer to the Office of Inspector General. In addition, the conferees agree to transfer \$6,000,000 to HUD's Working Capital Fund for the immediate enhancement of the capabilities of the Disaster Recovery Grant Reporting system by building additional electronic controls that will increase accountability while further decreasing the risk of fraud, waste, or abuse.

The conferees retain language as proposed by both the House and Senate, prohibiting the use of these funds by a State or locality as a matching requirement, share, or contribution for any other Federal program.

The conferees are aware that individuals with disabilities face unique challenges in finding accessible and affordable housing. As such, the conferees urge the states to work with HUD and the disabled community to ensure that these challenges are considered when states are developing and implementing Disaster Action plans. The conferees also urge HUD to take the necessary steps to inform the disabled community about the eligible uses of CDBG funding in addressing their needs.

INDEPENDENT AGENCIES

ELECTION ASSISTANCE COMMISSION

ELECTION ASSISTANCE

The conferees do not agree to provide \$30,000,000 for the Election Assistance Commission, as proposed by the Senate.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

The conferees agree to provide \$37,000,000 for the Federal Buildings Fund, as proposed by both the House and Senate.

TITLE III—EMERGENCY AGRICULTURAL DISASTER ASSISTANCE

The conference agreement provides a total of \$500,000,000 for emergency agricultural disaster assistance instead of \$3,944,000,000 as proposed by the Senate. This assistance is targeted to counties located in the geographic area covered by a disaster declaration related to hurricanes Katrina, Ophelia, Rita, Wilma, or a related condition. In addition, counties that are contiguous to hurricane disaster counties are eligible for this assistance.

The conferees expect the Department of Agriculture to work with eligible individuals and entities to make payments under the authority of this Act, or from section 32 pursuant to the Secretary's May 10, 2006, announcement. The conferees encourage the Depart-

ment to ensure that individuals or entities receive the higher benefit for which they are eligible.

Section 3011 of the conference agreement provides \$40,000,000 to make assistance available to producers/processors of sugarcane in Florida that are located in hurricane affected counties and are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996. This section also provides \$40,000,000 to make assistance available to producers/processors of sugarcane in Louisiana that are located in hurricane affected counties and are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996. In addition, this section provides \$400,000 to provide assistance for hurricane losses for a farmer-owned sugarcane cooperative in Texas, including additional demurrage, storage and transportation costs of raw sugar resulting from hurricanes and related conditions during calendar year 2005.

Section 3012 of the conference agreement provides \$95,000,000 for the Livestock Compensation Program, and \$45,000,000 for the Livestock Indemnity Program. This section allows poultry and egg producers to receive assistance under this program. The conference agreement includes language that requires that all eligible applicants conduct an agricultural operation that is physically located in a hurricane-affected county.

Section 3013 of the conference agreement provides \$95,000,000 to provide assistance to specialty crops and nursery crops in hurricane affected counties. This assistance shall be carried out under the same terms and conditions as the assistance that was provided in certain areas of Florida due to hurricanes Charley, Frances, and Jeanne.

Section 3014 of the conference agreement provides \$17,000,000 to assist dairy producers who experienced spoilage losses and are located in hurricane-affected counties.

Section 3015 of the conference agreement provides \$15,000,000 to assist producers and first-handlers of the 2005 crop of cottonseed. The conference agreement includes language requiring that all eligible applicants must be located in hurricane-affected counties.

Section 3021 provides a definition for the term “tree”, and directs that the Secretary provide assistance under the tree assistance program established under sections 10201–10203 of the Farm Security and Rural Investment Act of 2002. The conference agreement includes language requiring that all eligible applicants must be located in hurricane-affected counties. The estimated cost for this provision is \$35,000,000.

Section 3022 provides an additional \$100,000,000 for the Emergency Forestry Conservation Reserve Program for recovery efforts in hurricane-affected counties.

Section 3023 of the conference agreement includes language to provide clarification to the Secretary on the implementation of the Emergency Forestry Conservation Reserve Program.

Section 3031 provides \$9,600,000 to cover administrative costs incurred by the Farm Service Agency directly related to carrying out disaster assistance.

Section 3032 provides flexibility for the implementation of section 32 funds that were announced by the Department of Agriculture on May 10, 2006 for aquaculture producer grants. The estimated cost for this provision is \$8,000,000.

Section 3033 designates the funds made available in this title as an emergency.

Section 3034 includes provisions waiving certain rulemaking procedures and paperwork reduction requirements.

While the assistance provided by this title is limited to producers in areas affected by Gulf Coast hurricanes in 2005, the conferees fully recognize the losses suffered by farmers, ranchers, and rural communities in all parts of the nation. At such time as may be reasonably determined by the Secretary, the conferees direct the Department to apply any unused funds from this title, and any unused funds from the May 10, 2006 announcement (71 Fed. Reg. 27188) relating to 2005 Section 32 Hurricane Disaster Programs to respond to disaster-related events including wildfires in Texas and other states, drought, flooding in Hawaii and other states, and other natural disasters.

TITLE IV—PANDEMIC FLU

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$2,300,000,000 to prepare for and respond to an influenza pandemic, the same overall funding level as proposed by the Senate. The House bill did not include a similar provision.

The conference agreement includes provisions proposed by the Senate giving the Secretary various authorities to purchase goods for the stockpile, enter into contracts for antivirals, construct or renovate privately-owned buildings, and transfer funds to other HHS accounts.

Within the total provided, the conference agreement includes \$30,000,000 to be transferred to the United States Agency for International Development (USAID) for activities related to international surveillance, planning, preparedness, and response to the avian influenza virus. Neither the House nor the Senate included a similar provision.

The conferees intend that all federally-funded international surveillance, preparedness, and response activities be planned and implemented in a coordinated manner to maximize the chances of early detection of potential pandemics. The conferees expect HHS, the Centers for Disease Control and Prevention (CDC), and USAID officials to coordinate their international pandemic-related activities at all levels by maintaining frequent contacts at the senior leadership, program management, and on-the-ground personnel levels. The conferees direct HHS and USAID to submit a joint report to the appropriate House and Senate Appropriations subcommittees, within six months of enactment, which details their

international surveillance, preparedness, and response activities and describes the manner in which they have been coordinated.

Within the total provided, the conferees have set aside \$250,000,000 for state and local preparedness activities. The Senate included \$300,000,000 for state and local capacity and the House did not include a similar provision. The conferees recognize that state and local public health departments play essential roles in responding to influenza outbreaks, including implementation of necessary epidemic containment measures, provision of services to homebound and disabled populations, distribution and redistribution of available antiviral medications and vaccines to high priority populations, and coordination with all other local medical and emergency response authorities. Therefore, the conferees encourage the Department to assure that distribution of pandemic influenza funds and all aspects of Federal pandemic influenza planning are consistent with operational realities at the local level and will have the intended public health results when implemented locally. The conferees further urge the Department to assure that all aspects of its pandemic influenza planning and preparations avoid duplication and inconsistency with other Federal directives affecting public health preparedness.

The conferees understand that State and local public health officials must be prepared to coordinate large-scale vaccination efforts in the case of a pandemic influenza outbreak. Therefore, the conferees encourage State and local public health departments to conduct local mass immunization exercises using seasonal flu vaccine.

Within the funds provided for upgrading state and local capacity, funds may be used for regional training meetings bringing together several states. These funds may also be used, if determined necessary by the director of CDC, to enhance flu program planning efforts and the existing preparedness training network at the established CDC centers for public health preparedness and other accredited schools of public health.

Within the total provided, the conference agreement includes \$200,000,000 for CDC. These funds are intended to augment the fiscal year 2006 appropriation and expand and enhance on-going activities related to global and domestic disease surveillance, laboratory capacity and research, laboratory diagnostics, risk communication, rapid response, and quarantine. The Senate proposed a total of \$250,000,000 for these activities within CDC, but included two separate provisos. The House did not include a similar provision.

The conference agreement does not include \$5,000,000 as proposed by the Senate for the Smithsonian Institution to carry out domestic disease surveillance. The House did not include a similar provision.

The conferees are aware of the Department's plan to subsidize "up to" 25 percent of the cost of 31,000,000 courses of anti-virals. The conferees note that the bill language authorizing this subsidy is flexible and does not require, nor limit, the amount of the subsidy. The conferees encourage the Secretary to consider subsidizing these purchases beyond 25 percent for States whose finances have been severely affected by Hurricane Katrina and other hurricanes

of the 2005 season. The conferees believe that access to life-saving drugs should be based on public health need, not the finances of the State in which an individual resides.

FUNDING FOR PANDEMIC INFLUENZA VACCINE INJURY COMPENSATION

The conference agreement does not include \$289,000,000 for a pandemic influenza vaccine compensation fund as proposed by the Senate. The House did not propose a similar provision.

TITLE V—BORDER SECURITY
DEPARTMENT OF DEFENSE—MILITARY
CHAPTER 1

BORDER SECURITY INITIATIVE

The conference agreement recommends \$708,000,000, instead of \$756,000,000 as proposed by the Administration, for the Department of Defense to fund the incremental military personnel and operation and maintenance costs of deploying up to 6,000 National Guard personnel to the U.S. border for one year in support of the Department of Homeland Security.

The conferees direct the Secretary of Defense to provide a report to the congressional defense committees within 30 days after the end of each fiscal quarter detailing the transfers of funds provided in this chapter until funds provided in this chapter are no longer available for transfer. The conferees direct that the report shall include: a detailed accounting of obligations and expenditures of appropriations to which funds are transferred by appropriation account, program, and subactivity group; and a listing of equipment procured using funds provided in this chapter.

GENERAL PROVISIONS—THIS CHAPTER

The conference agreement deletes a provision, as proposed by the Senate, which reduced funds for Department of Defense—Military in this Act by \$1,908,000,000.

CHAPTER 2
DEPARTMENT OF HOMELAND SECURITY

The conferees agree to provide \$1,172,000,000 for border security and immigration enforcement programs within the Department of Homeland Security as requested by the President on May 18, 2006, instead of \$1,900,000,000 as proposed by the Senate and no funds as proposed by the House. Funds are available until September 30, 2007.

CHAPTER 3
DEPARTMENT OF JUSTICE
GENERAL ADMINISTRATION

ADMINISTRATIVE REVIEW AND APPEALS

The conference agreement provides \$9,000,000 for Administrative Review and Appeals, Executive Office of Immigration Review to meet additional caseload requirements resulting from increased border enforcement efforts of the Department of Homeland Security.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement provides \$9,000,000 for the Civil Division's Office of Immigration Litigation to meet additional caseload requirements resulting from increased border enforcement efforts of the Department of Homeland Security.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement provides \$2,000,000 for United States Attorneys to prosecute additional cases in support of increased border enforcement efforts of the Department of Homeland Security.

PORT SECURITY ENHANCEMENTS

The conferees do not include supplemental appropriations totaling \$648,050,000 for port security enhancements as proposed by the Senate. The House proposed no similar funding.

TITLE VI

LEGISLATIVE BRANCH

ARCHITECT OF THE CAPITOL

CAPITOL POWER PLANT

The conference agreement includes \$27,600,000, to remain available until September 30, 2011, for the Architect of the Capitol, Capitol Power Plant, to make improvements in the utility steam tunnels, as proposed by the Senate.

TITLE VII—GENERAL PROVISIONS AND TECHNICAL
CORRECTIONS

The conference agreement includes section 7001 regarding the availability of funds in this Act. The House proposed identical language as section 3001, and the Senate proposed identical language as section 9001.

Sec. 7002. The conference agreement includes a provision for Department of Defense—Military, as proposed by the House and Senate, concerning funds for intelligence related activities.

Sec. 7003. The conference agreement includes a provision for Department of Defense—Military, as proposed by the Senate, which makes a technical correction to section 8044 of the fiscal year 2006 Department of Defense Appropriations Act concerning the Office of Economic Adjustment.

The conference agreement does not include a provision for Department of Defense—Military, as proposed by the Senate, concerning mortuary affairs. The conferees have been advised that the Armed Services Committees in the House and Senate plan to address the Department of Defense mortuary affairs procedures in the fiscal year 2007 National Defense Authorization Act. The conferees encourage the Department to complete a thorough review of procedures to preserve and expeditiously return the bodies of American military casualties to their families and loved ones. Further, the conferees encourage the Department to continue to improve casualty assistance procedures in support of survivors of military decedents.

Sec. 7004. The conferees agree to rescind \$20,000,000 from lapsed fiscal year 2005 balances, instead of \$43,620,000 from unobligated balances available in the Immigration and Customs Enforcement Automation Modernization account as proposed by the House and no rescission as proposed by the Senate. The conferees direct the Secretary of the Department of Homeland Security to report to the Committees on Appropriations of the Senate and House of Representatives within fifteen days after enactment of this Act on the proposed distribution of the rescission of funds prior to its implementation pursuant to section 504 of Public Law 108–334. This report should specifically list the respective amount proposed to be rescinded by agency and appropriations account, and explain the original purpose of the appropriation and the reason why such funds are available.

The conferees agree to provide \$20,000,000 for United States Secret Service Salaries and Expenses, instead of \$43,620,000 as proposed by the House and no appropriation as proposed by the Senate. Of this total, \$18,000,000 is provided to restore a shortfall in overtime expenses, and \$2,000,000 is provided for the purchase of critical equipment.

Sec. 7005. The conferees agree to rescind \$3,960,000 from Office of Screening Coordination and Operations and reappropriate these funds to the Office of Policy within the Office of the Secretary and Executive Management, as proposed by the Senate. The House bill had no comparable provision.

Sec. 7006. The conferees agree to strike Section 528 of Public Law 109–90.

Section 7007 extends the authority for collection of fees, under the Surface Mining Control and Reclamation Act of 1977, through September 30, 2007, as proposed in section 9016 of the Senate bill. These fees are paid by coal producers and are subsequently appropriated for reclamation of abandoned mines.

The conference agreement does not include language, proposed in section 9015 of the Senate bill, providing an additional \$500,000 to the U.S. Geological Survey for assistance with assessments of critical reservoirs and dams.

The conference agreement does not include language, proposed in section 9036 of the Senate bill, providing an additional \$1,000,000 to the Environmental Protection Agency for assistance relating to assessments and monitoring of waters in the State of Hawaii.

HHS—LOW INCOME HOME ENERGY ASSISTANCE

The conference agreement does not include a provision proposed by the House that permitted the allocation of emergency funds provided under section 9001(a)(2) of the Deficit Reduction Act of 2005 to be available during the remainder of fiscal year 2006 and fiscal year 2007. The Senate did not include a similar provision.

DEPARTMENT OF LABOR—OFFICE OF JOB CORPS

The conference agreement deletes without prejudice language proposed by the Senate to prohibit the implementation of Secretary's Order 09–2006. The House had no similar provision. The conferees direct the Department to implement Section 102 of Public Law 109–149 retaining in the Job Corps those program functions previously administered by the Job Corps prior to the transfer and to ensure the support necessary for oversight and management responsibilities.

The conferees further expect that, although the Office of Assistant Secretary for Administration and Management will oversee the procurement process, this arrangement shall not alter the existing authorities, duties, or activities of Job Corps as it existed prior to the transfer. The Office of Job Corps and the Assistant Secretary for Administration and Management are directed to maintain controls to assure the procurement activities are completely separate from program operations. Further, the Department is directed to report to the Committees on Appropriations in the House and Senate by August 30, 2006 on steps necessary to establish a unified chief procurement officer with responsibilities for all procurement activities in the Department. The report shall include the comments and recommendations of the Department's Inspector General.

DEPARTMENT OF LABOR—MINE SAFETY

Sec. 7008. The conference agreement includes \$25,600,000 as proposed by the Senate for hiring of additional inspectors, including their training and equipment, to increase coal mine enforcement. The House had no similar provision. Funds are designated as emergency and are made available for two years. The conferees instruct the Department to include a plan for the allocation of funds in the first report to the House and Senate Committees on Appropriation and the House and Senate authorizing committees, due on July 15, 2006.

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

Sec. 7009. The conference agreement includes a provision that extends the funding availability for a fiscal year 2001 Congress-

sional project until September 30, 2009. The Senate included a similar provision, but extended the availability of funding until expended. The House did not propose a similar provision.

CENTERS FOR DISEASE CONTROL—MINE SAFETY

Sec. 7010. The conferees include \$10,000,000 for the National Institute for Occupational Safety and Health for research to develop mine safety technology, as proposed by the Senate. The House had no similar provision.

RAILROAD RETIREMENT BOARD

Sec. 7011. The conference agreement includes a provision proposed by the Senate to modify the dual benefit payments language contained in P.L. 109–149. The House had no similar provision.

HEAD START REGULATIONS EFFECTIVE DATE

Sec. 7012. The conference agreement includes a provision proposed by the Senate extending the effective date of a Head Start transportation regulation from June 30, 2006, to December 30, 2006. The House bill did not include a similar provision.

EMPLOYMENT AND TRAINING ADMINISTRATION

Sec. 7013. The conference agreement includes a provision limiting compensation from federal funds to a rate not greater than Executive Level II for any recipient or subrecipient receiving funds under the heading, “Employment and Training Administration”, similar to a provision proposed by the Senate. The House had no similar provision. The provision has been modified to include prior year funds that have yet to be expended.

SEGAL AMERICORPS EDUCATION AWARD

Sec. 7014. The conference agreement amends a provision included by the Senate to name the AmeriCorps education award as the “Segal AmeriCorps Education Award. The conference agreement further amends the provision to make the name change permanent. The House bill did not include a similar provision.

SINGLE HOLDER RULE REPEAL AND CONSOLIDATION INTO DIRECT LENDING

Sec. 7015. The conference agreement includes a provision repealing the “single holder rule” related to consolidated student loans and permitting consolidation loans under direct lending. Neither the House bill nor the Senate bill contained a similar provision.

The conferees agree to include a provision (Sec. 7016), as proposed by the Senate, to amend the authorization for a military construction project in Georgia. The House bill contained no similar provision.

The conferees agree to include a provision (Sec. 7017), as proposed by the Senate, to amend the authorization for a military construction project in Hawaii. The House bill contained no similar provision.

The conferees agree to include a provision (Sec. 7018), to amend a limitation on the total cost of military construction projects carried out by Defense agencies, to conform with provisions agreed to regarding military construction projects in Georgia and Hawaii. The House bill and Senate bill contained no similar provision.

The conferees agree to include a provision (Sec. 7019), as proposed by the Senate, to amend the authorization for a military land purchase in North Carolina. The House bill contained no similar provision.

The conferees do not agree to include a provision as proposed by the Senate to change the use of military construction funds provided in the fiscal year 2006 Appropriations bill. The House bill contained no similar provision.

The conference agreement includes language under section 7020 making a technical correction regarding Community Oriented Policing Services.

The conference agreement includes language under section 7021 making a technical correction regarding the National Aeronautics and Space Administration.

The conference agreement includes language under section 7022 making technical corrections regarding the Small Business Administration.

Sec. 7023. The conferees agree to a provision, as proposed by the Senate, amending Public Law 109-148 regarding the repair and reconstruction of the I-10 bridge in Louisiana.

Sec. 7024. The conferees agree to a provision, as proposed by the House, making technical changes to transit grant funds awarded to the New York City Department of Transportation.

Sec. 7025. The conferees agree to a provision, as proposed by the Senate, waiving the Federal matching share requirements for Federal transit assistance programs; allowing recipients to use funds for operating assistance; and canceling this authority for the Secretary in 2 years, unless a compelling need exists.

Sec. 7026. The conferees agree to a provision, as proposed by the Senate, adjusting the Department of the Treasury travel cap for certain offices.

Sec. 7027. The conferees agree to a provision, as proposed by the Senate, authorizing intelligence activities funded through the Departments of Justice and Treasury for fiscal year 2006.

Sec. 7028. The conferees agree to a provision, as proposed by both the House and Senate, expanding the households eligible for assistance to include HUD assisted project-based multifamily properties and waiving the requirements of Section 8(o)(7)(A) of the United States Housing Act of 1937 to enable HUD to establish voucher leases for 18 months.

Sec. 7029. The conferees agree to a provision amending Public Law 109-115 with regard to tenant-based rental assistance.

Sec. 7030. The conferees agree to a provision, as proposed by the House, making a technical correction to the list of economic development grants in Public Law 109-115.

Sec. 7031. The conferees agree to modify a provision, as proposed by the Senate, making technical corrections to economic development grants in Public Law 108-199.

Sec. 7032. The conferees agree to modify a provision, as proposed by the House, making technical corrections to economic development grants in Public Law 108–447.

Sec. 7033. The conferees agree to modify a provision, as proposed by the House, making technical corrections to economic development grants in Public Law 109–115.

Sec. 7034. The conferees agree to a provision, as proposed by the Senate, allowing for the transfer of real property to the City of Crosby, North Dakota, from GSA.

The conference agreement does not include section 9026 of the Senate bill regarding detail authority for the Department of Transportation.

The conference agreement does not include section 9028 of the Senate bill preventing the Secretary from issuing a final rule regarding foreign control of U.S. airlines.

The conference agreement does not include section 9037 of the Senate bill amending project number 4651 in section 1702 of SAFETEA–LU.

The conference agreement does not include section 9040 of the Senate bill amending section 1940 of SAFETEA–LU.

The conference agreement does not include section 9041 of the Senate bill regarding nonconforming signs.

The conference agreement does not include section 3013 of the House bill regarding registered and legal voters.

The conference agreement includes a provision (Sec. 7035) establishing discretionary spending allocations for the Committee on Appropriations of the Senate for fiscal year 2007.

The conference agreement does not include section 3011, as proposed by the House, regarding the prohibition of funds for the acquisition of any leases, contracts, rights, or other obligations of P&O Ports by Dubai Ports World. The decision by Dubai Ports World to transfer operations of United States ports to a United States entity makes such language unnecessary. The Senate did not propose similar language.

NOTIFICATION OF EMERGENCY LEGISLATION

The congressional budget resolution agreed to by Congress for fiscal year 2006, and both the House and Senate versions of the fiscal year 2007 budget resolution, include provisions relating to the notification of emergency spending. These provisions require a statement of how the emergency provisions meet the criteria for emergency spending identified by the budget resolutions.

The conference agreement on this bill contains emergency funding for fiscal year 2006 that is related to the global war on terror and hurricanes in the Gulf Coast region, and such spending is identified throughout the conference report. The funding is related to unanticipated needs and is for situations that are sudden, urgent, and unforeseen, specifically the global war on terror in the aftermath of 9/11, and the devastating hurricanes of 2006. These events fit the specific criteria for emergencies.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2006 recommended by the Committee of Conference, comparisons to the 2006 budget estimates, and the House and Senate bills for 2006 follow:

(In thousands of dollars)	
Budget estimates of new (obligational) authority, fiscal year 2006	92,220,585
House bill, fiscal year 2006	91,947,581
Senate bill, fiscal year 2006	108,897,907
Conference agreement, fiscal year 2006	94,429,554
Conference agreement compared with:	
Budget estimates of new (obligational) authority, fiscal year 2006 ¹	+2,208,969
House bill, fiscal year 2006	+2,481,973
Senate bill, fiscal year 2006	- 14,468,353

¹Including future-year spending in Title III (Emergency Agricultural Disaster Assistance) of \$91,000,000, the increase above the budget estimates equals \$2,300,000,000, which is equal to the amount provided in Title IV for costs related to pandemic flu.

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