

Union Calendar No. 31

110TH CONGRESS
1ST SESSION

H. R. 1591

[Report No. 110-60]

Making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2007

Mr. OBEY, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2007, and for other pur-
6 poses, namely:

1 TITLE I—SUPPLEMENTAL APPROPRIATIONS
2 FOR THE GLOBAL WAR ON TERROR

3 CHAPTER 1

4 DEPARTMENT OF AGRICULTURE

5 FOREIGN AGRICULTURAL SERVICE

6 PUBLIC LAW 480 TITLE II GRANTS

7 For an additional amount for “Public Law 480 Title
8 II Grants”, during the current fiscal year, not otherwise
9 recoverable, and unrecovered prior years’ costs, including
10 interest thereon, under the Agricultural Trade Develop-
11 ment and Assistance Act of 1954, for commodities sup-
12 plied in connection with dispositions abroad under title II
13 of said Act, \$450,000,000, to remain available until ex-
14 pended: *Provided*, That the amount provided under this
15 heading is designated as making appropriations for contin-
16 gency operations directly related to the global war on ter-
17 rorism, and other unanticipated defense-related oper-
18 ations, pursuant to section 402 of H. Con. Res. 376
19 (109th Congress), as made applicable to the House of
20 Representatives by section 511(a)(4) of H. Res. 6 (110th
21 Congress).

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CHAPTER 2

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for “Salaries and Expenses, General Legal Activities”, \$1,648,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for “Salaries and Expenses, United States Attorneys”, \$5,000,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by section 511(a)(4) of H. Res. 6 (110th Congress).

1 UNITED STATES MARSHALS SERVICE
2 SALARIES AND EXPENSES

3 For an additional amount for “Salaries and Ex-
4 penses”, \$2,750,000, to remain available until September
5 30, 2008: *Provided*, That the amount provided under this
6 heading is designated as making appropriations for contin-
7 gency operations directly related to the global war on ter-
8 rorism, and other unanticipated defense-related oper-
9 ations, pursuant to section 402 of H. Con. Res. 376
10 (109th Congress), as made applicable to the House of
11 Representatives by section 511(a)(4) of H. Res. 6 (110th
12 Congress).

13 NATIONAL SECURITY DIVISION
14 SALARIES AND EXPENSES

15 For an additional amount for “Salaries and Ex-
16 penses”, \$1,736,000, to remain available until September
17 30, 2008: *Provided*, That the amount provided under this
18 heading is designated as making appropriations for contin-
19 gency operations directly related to the global war on ter-
20 rorism, and other unanticipated defense-related oper-
21 ations, pursuant to section 402 of H. Con. Res. 376
22 (109th Congress), as made applicable to the House of
23 Representatives by section 511(a)(4) of H. Res. 6 (110th
24 Congress).

1 FEDERAL BUREAU OF INVESTIGATION
2 SALARIES AND EXPENSES

3 For an additional amount for “Salaries and Ex-
4 penses”, \$118,260,000, to remain available until Sep-
5 tember 30, 2008: *Provided*, That the amount provided
6 under this heading is designated as making appropriations
7 for contingency operations directly related to the global
8 war on terrorism, and other unanticipated defense-related
9 operations, pursuant to section 402 of H. Con. Res. 376
10 (109th Congress), as made applicable to the House of
11 Representatives by section 511(a)(4) of H. Res. 6 (110th
12 Congress).

13 DRUG ENFORCEMENT ADMINISTRATION
14 SALARIES AND EXPENSES

15 For an additional amount for “Salaries and Ex-
16 penses”, \$8,468,000, to remain available until September
17 30, 2008: *Provided*, That the amount provided under this
18 heading is designated as making appropriations for contin-
19 gency operations directly related to the global war on ter-
20 rorism, and other unanticipated defense-related oper-
21 ations, pursuant to section 402 of H. Con. Res. 376
22 (109th Congress), as made applicable to the House of
23 Representatives by section 511(a)(4) of H. Res. 6 (110th
24 Congress).

1 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
2 EXPLOSIVES
3 SALARIES AND EXPENSES

4 For an additional amount for “Salaries and Ex-
5 penses”, \$4,000,000, to remain available until September
6 30, 2008: *Provided*, That the amount provided under this
7 heading is designated as making appropriations for contin-
8 gency operations directly related to the global war on ter-
9 rorism, and other unanticipated defense-related oper-
10 ations, pursuant to section 402 of H. Con. Res. 376
11 (109th Congress), as made applicable to the House of
12 Representatives by section 511(a)(4) of H. Res. 6 (110th
13 Congress).

14 FEDERAL PRISON SYSTEM
15 SALARIES AND EXPENSES

16 For an additional amount for “Salaries and Ex-
17 penses”, \$17,000,000, to remain available until September
18 30, 2008: *Provided*, That the amount provided under this
19 heading is designated as making appropriations for contin-
20 gency operations directly related to the global war on ter-
21 rorism, and other unanticipated defense-related oper-
22 ations, pursuant to section 402 of H. Con. Res. 376
23 (109th Congress), as made applicable to the House of
24 Representatives by section 511(a)(4) of H. Res. 6 (110th
25 Congress).

1 MILITARY PERSONNEL, MARINE CORPS

2 For an additional amount for “Military Personnel,
3 Marine Corps”, \$1,495,828,000: *Provided*, That the
4 amount provided under this heading is designated as mak-
5 ing appropriations for contingency operations directly re-
6 lated to the global war on terrorism, and other unantici-
7 pated defense-related operations, pursuant to section 402
8 of H. Con. Res. 376 (109th Congress), as made applicable
9 to the House of Representatives by section 511(a)(4) of
10 H. Res. 6 (110th Congress).

11 MILITARY PERSONNEL, AIR FORCE

12 For an additional amount for “Military Personnel,
13 Air Force”, \$1,229,334,000: *Provided*, That the amount
14 provided under this heading is designated as making ap-
15 propriations for contingency operations directly related to
16 the global war on terrorism, and other unanticipated de-
17 fense-related operations, pursuant to section 402 of H.
18 Con. Res. 376 (109th Congress), as made applicable to
19 the House of Representatives by section 511(a)(4) of H.
20 Res. 6 (110th Congress).

21 RESERVE PERSONNEL, ARMY

22 For an additional amount for “Reserve Personnel,
23 Army”, \$173,244,000: *Provided*, That the amount pro-
24 vided under this heading is designated as making appro-
25 priations for contingency operations directly related to the

1 global war on terrorism, and other unanticipated defense-
2 related operations, pursuant to section 402 of H. Con.
3 Res. 376 (109th Congress), as made applicable to the
4 House of Representatives by section 511(a)(4) of H. Res.
5 6 (110th Congress).

6 RESERVE PERSONNEL, NAVY

7 For an additional amount for “Reserve Personnel,
8 Navy”, \$82,800,000: *Provided*, That the amount provided
9 under this heading is designated as making appropriations
10 for contingency operations directly related to the global
11 war on terrorism, and other unanticipated defense-related
12 operations, pursuant to section 402 of H. Con. Res. 376
13 (109th Congress), as made applicable to the House of
14 Representatives by section 511(a)(4) of H. Res. 6 (110th
15 Congress).

16 RESERVE PERSONNEL, MARINE CORPS

17 For an additional amount for “Reserve Personnel,
18 Marine Corps”, \$15,000,000: *Provided*, That the amount
19 provided under this heading is designated as making ap-
20 propriations for contingency operations directly related to
21 the global war on terrorism, and other unanticipated de-
22 fense-related operations, pursuant to section 402 of H.
23 Con. Res. 376 (109th Congress), as made applicable to
24 the House of Representatives by section 511(a)(4) of H.
25 Res. 6 (110th Congress).

1 RESERVE PERSONNEL, AIR FORCE

2 For an additional amount for “Reserve Personnel,
3 Air Force”, \$14,100,000: *Provided*, That the amount pro-
4 vided under this heading is designated as making appro-
5 priations for contingency operations directly related to the
6 global war on terrorism, and other unanticipated defense-
7 related operations, pursuant to section 402 of H. Con.
8 Res. 376 (109th Congress), as made applicable to the
9 House of Representatives by section 511(a)(4) of H. Res.
10 6 (110th Congress).

11 NATIONAL GUARD PERSONNEL, ARMY

12 For an additional amount for “National Guard Per-
13 sonnel, Army”, \$552,725,000: *Provided*, That the amount
14 provided under this heading is designated as making ap-
15 propriations for contingency operations directly related to
16 the global war on terrorism, and other unanticipated de-
17 fense-related operations, pursuant to section 402 of H.
18 Con. Res. 376 (109th Congress), as made applicable to
19 the House of Representatives by section 511(a)(4) of H.
20 Res. 6 (110th Congress).

21 NATIONAL GUARD PERSONNEL, AIR FORCE

22 For an additional amount for “National Guard Per-
23 sonnel, Air Force”, \$24,600,000: *Provided*, That the
24 amount provided under this heading is designated as mak-
25 ing appropriations for contingency operations directly re-

1 lated to the global war on terrorism, and other unantici-
2 pated defense-related operations, pursuant to section 402
3 of H. Con. Res. 376 (109th Congress), as made applicable
4 to the House of Representatives by section 511(a)(4) of
5 H. Res. 6 (110th Congress).

6 OPERATION AND MAINTENANCE

7 OPERATION AND MAINTENANCE, ARMY

8 For an additional amount for “Operation and Main-
9 tenance, Army”, \$20,897,672,000: *Provided*, That the
10 amount provided under this heading is designated as mak-
11 ing appropriations for contingency operations directly re-
12 lated to the global war on terrorism, and other unantici-
13 pated defense-related operations, pursuant to section 402
14 of H. Con. Res. 376 (109th Congress), as made applicable
15 to the House of Representatives by section 511(a)(4) of
16 H. Res. 6 (110th Congress).

17 OPERATION AND MAINTENANCE, NAVY

18 (INCLUDING TRANSFER OF FUNDS)

19 For an additional amount for “Operation and Main-
20 tenance, Navy”, \$5,115,397,000, of which up to
21 \$120,293,000 may be transferred to Coast Guard “Oper-
22 ating Expenses”, for reimbursement for activities which
23 support activities requested by the Navy: *Provided*, That
24 the amount provided under this heading is designated as
25 making appropriations for contingency operations directly

1 related to the global war on terrorism, and other unantici-
2 pated defense-related operations, pursuant to section 402
3 of H. Con. Res. 376 (109th Congress), as made applicable
4 to the House of Representatives by section 511(a)(4) of
5 H. Res. 6 (110th Congress).

6 OPERATION AND MAINTENANCE, MARINE CORPS

7 For an additional amount for “Operation and Main-
8 tenance, Marine Corps”, \$1,503,694,000: *Provided*, That
9 the amount provided under this heading is designated as
10 making appropriations for contingency operations directly
11 related to the global war on terrorism, and other unantici-
12 pated defense-related operations, pursuant to section 402
13 of H. Con. Res. 376 (109th Congress), as made applicable
14 to the House of Representatives by section 511(a)(4) of
15 H. Res. 6 (110th Congress).

16 OPERATION AND MAINTENANCE, AIR FORCE

17 For an additional amount for “Operation and Main-
18 tenance, Air Force”, \$6,909,259,000: *Provided*, That the
19 amount provided under this heading is designated as mak-
20 ing appropriations for contingency operations directly re-
21 lated to the global war on terrorism, and other unantici-
22 pated defense-related operations, pursuant to section 402
23 of H. Con. Res. 376 (109th Congress), as made applicable
24 to the House of Representatives by section 511(a)(4) of
25 H. Res. 6 (110th Congress).

1 OPERATION AND MAINTENANCE, DEFENSE-WIDE

2 For an additional amount for “Operation and Main-
3 tenance, Defense-Wide”, \$2,855,993,000, of which not to
4 exceed \$300,000,000, to remain available until expended,
5 may be used for payments to reimburse Pakistan, Jordan,
6 and other key cooperating nations, for logistical, military,
7 and other support provided, or to be provided, to United
8 States military operations, notwithstanding any other pro-
9 vision of law: *Provided*, That such payments may be made
10 in such amounts as the Secretary of Defense, with the con-
11 currence of the Secretary of State, and in consultation
12 with the Director of the Office of Management and Budg-
13 et, may determine, in his discretion, based on documenta-
14 tion determined by the Secretary of Defense to adequately
15 account for the support provided, and such determination
16 is final and conclusive upon the accounting officers of the
17 United States, and 15 days following notification to the
18 appropriate congressional committees: *Provided further*,
19 That the Secretary of Defense shall provide quarterly re-
20 ports to the congressional defense committees on the use
21 of funds provided in this paragraph: *Provided further*,
22 That the amount provided under this heading is des-
23 ignated as making appropriations for contingency oper-
24 ations directly related to the global war on terrorism, and
25 other unanticipated defense-related operations, pursuant

1 to section 402 of H. Con. Res. 376 (109th Congress), as
2 made applicable to the House of Representatives by sec-
3 tion 511(a)(4) of H. Res. 6 (110th Congress).

4 OPERATION AND MAINTENANCE, ARMY RESERVE

5 For an additional amount for “Operation and Main-
6 tenance, Army Reserve”, \$74,049,000: *Provided*, That the
7 amount provided under this heading is designated as mak-
8 ing appropriations for contingency operations directly re-
9 lated to the global war on terrorism, and other unantici-
10 pated defense-related operations, pursuant to section 402
11 of H. Con. Res. 376 (109th Congress), as made applicable
12 to the House of Representatives by section 511(a)(4) of
13 H. Res. 6 (110th Congress).

14 OPERATION AND MAINTENANCE, NAVY RESERVE

15 For an additional amount for “Operation and Main-
16 tenance, Navy Reserve”, \$111,066,000: *Provided*, That
17 the amount provided under this heading is designated as
18 making appropriations for contingency operations directly
19 related to the global war on terrorism, and other unantici-
20 pated defense-related operations, pursuant to section 402
21 of H. Con. Res. 376 (109th Congress), as made applicable
22 to the House of Representatives by section 511(a)(4) of
23 H. Res. 6 (110th Congress).

1 That the amount provided under this heading is des-
2 ignated as making appropriations for contingency oper-
3 ations directly related to the global war on terrorism, and
4 other unanticipated defense-related operations, pursuant
5 to section 402 of H. Con. Res. 376 (109th Congress), as
6 made applicable to the House of Representatives by sec-
7 tion 511(a)(4) of H. Res. 6 (110th Congress).

8 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

9 For an additional amount for “Operation and Main-
10 tenance, Air National Guard”, \$38,429,000: *Provided*,
11 That the amount provided under this heading is des-
12 ignated as making appropriations for contingency oper-
13 ations directly related to the global war on terrorism, and
14 other unanticipated defense-related operations, pursuant
15 to section 402 of H. Con. Res. 376 (109th Congress), as
16 made applicable to the House of Representatives by sec-
17 tion 511(a)(4) of H. Res. 6 (110th Congress).

18 AFGHANISTAN SECURITY FORCES FUND

19 For an additional amount for “Afghanistan Security
20 Forces Fund”, \$5,906,400,000, to remain available until
21 September 30, 2008: *Provided*, That the amount provided
22 under this heading is designated as making appropriations
23 for contingency operations directly related to the global
24 war on terrorism, and other unanticipated defense-related
25 operations, pursuant to section 402 of H. Con. Res. 376

1 (109th Congress), as made applicable to the House of
2 Representatives by section 511(a)(4) of H. Res. 6 (110th
3 Congress).

4 IRAQ SECURITY FORCES FUND

5 For an additional amount for “Iraq Security Forces
6 Fund”, \$3,842,300,000, to remain available until Sep-
7 tember 30, 2008: *Provided*, That the amount provided
8 under this heading is designated as making appropriations
9 for contingency operations directly related to the global
10 war on terrorism, and other unanticipated defense-related
11 operations, pursuant to section 402 of H. Con. Res. 376
12 (109th Congress), as made applicable to the House of
13 Representatives by section 511(a)(4) of H. Res. 6 (110th
14 Congress).

15 IRAQ FREEDOM FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For an additional amount for “Iraq Freedom Fund”,
18 \$155,600,000, to remain available for transfer until Sep-
19 tember 30, 2008: *Provided*, That the amount provided
20 under this heading is designated as making appropriations
21 for contingency operations directly related to the global
22 war on terrorism, and other unanticipated defense-related
23 operations, pursuant to section 402 of H. Con. Res. 376
24 (109th Congress), as made applicable to the House of

1 Representatives by section 511(a)(4) of H. Res. 6 (110th
2 Congress).

3 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

4 For an additional amount for “Joint Improvised Ex-
5 plosive Device Defeat Fund”, \$2,432,800,000, to remain
6 available until September 30, 2009: *Provided*, That the
7 amount provided under this heading is designated as mak-
8 ing appropriations for contingency operations directly re-
9 lated to the global war on terrorism, and other unantici-
10 pated defense-related operations, pursuant to section 402
11 of H. Con. Res. 376 (109th Congress), as made applicable
12 to the House of Representatives by section 511(a)(4) of
13 H. Res. 6 (110th Congress).

14 STRATEGIC RESERVE READINESS FUND

15 (INCLUDING TRANSFER OF FUNDS)

16 In addition to amounts provided in this or any other
17 Act, for training, operations, repair of equipment, pur-
18 chases of equipment, and other expenses related to im-
19 proving the readiness of non-deployed United States mili-
20 tary forces, \$2,500,000,000, to remain available until ex-
21 pended: *Provided*, That the Secretary of Defense may
22 transfer funds provided herein only to appropriations for
23 military personnel, operation and maintenance, procure-
24 ment, and defense working capital funds to accomplish the
25 purposes provided herein: *Provided further*, That the funds

1 transferred shall be merged with and shall be available for
2 the same purposes and for the same time period as the
3 appropriation to which transferred: *Provided further*, That
4 the Secretary of Defense shall, not fewer than five days
5 prior to making transfers under this authority, notify the
6 congressional defense committees in writing of the details
7 of any such transfers made pursuant to this authority:
8 *Provided further*, That funds shall be transferred to the
9 appropriation accounts not later than 120 days after the
10 enactment of this Act: *Provided further*, That the transfer
11 authority provided in this paragraph is in addition to any
12 other transfer authority available to the Department of
13 Defense: *Provided further*, That upon a determination that
14 all or part of the funds transferred from this appropriation
15 are not necessary for the purposes provided herein, such
16 amounts may be transferred back to this appropriation:
17 *Provided further*, That the amount provided under this
18 heading is designated as making appropriations for contin-
19 gency operations directly related to the global war on ter-
20 rorism, and other unanticipated defense-related oper-
21 ations, pursuant to section 402 of H. Con. Res. 376
22 (109th Congress), as made applicable to the House of
23 Representatives by section 511(a)(4) of H. Res. 6 (110th
24 Congress).

1 OTHER PROCUREMENT, ARMY

2 For an additional amount for “Other Procurement,
3 Army”, \$10,197,399,000, to remain available until Sep-
4 tember 30, 2009: *Provided*, That the amount provided
5 under this heading is designated as making appropriations
6 for contingency operations directly related to the global
7 war on terrorism, and other unanticipated defense-related
8 operations, pursuant to section 402 of H. Con. Res. 376
9 (109th Congress), as made applicable to the House of
10 Representatives by section 511(a)(4) of H. Res. 6 (110th
11 Congress).

12 AIRCRAFT PROCUREMENT, NAVY

13 For an additional amount for “Aircraft Procurement,
14 Navy”, \$995,797,000, to remain available until September
15 30, 2009: *Provided*, That the amount provided under this
16 heading is designated as making appropriations for contin-
17 gency operations directly related to the global war on ter-
18 rorism, and other unanticipated defense-related oper-
19 ations, pursuant to section 402 of H. Con. Res. 376
20 (109th Congress), as made applicable to the House of
21 Representatives by section 511(a)(4) of H. Res. 6 (110th
22 Congress).

23 WEAPONS PROCUREMENT, NAVY

24 For an additional amount for “Weapons Procure-
25 ment, Navy”, \$171,813,000, to remain available until

1 September 30, 2009: *Provided*, That the amount provided
2 under this heading is designated as making appropriations
3 for contingency operations directly related to the global
4 war on terrorism, and other unanticipated defense-related
5 operations, pursuant to section 402 of H. Con. Res. 376
6 (109th Congress), as made applicable to the House of
7 Representatives by section 511(a)(4) of H. Res. 6 (110th
8 Congress).

9 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
10 CORPS

11 For an additional amount for “Procurement of Am-
12 munition, Navy and Marine Corps”, \$159,833,000, to re-
13 main available until September 30, 2009: *Provided*, That
14 the amount provided under this heading is designated as
15 making appropriations for contingency operations directly
16 related to the global war on terrorism, and other unantici-
17 pated defense-related operations, pursuant to section 402
18 of H. Con. Res. 376 (109th Congress), as made applicable
19 to the House of Representatives by section 511(a)(4) of
20 H. Res. 6 (110th Congress).

21 OTHER PROCUREMENT, NAVY

22 For an additional amount for “Other Procurement,
23 Navy”, \$937,407,000, to remain available until September
24 30, 2009: *Provided*, That the amount provided under this
25 heading is designated as making appropriations for contin-

1 gency operations directly related to the global war on ter-
2 rorism, and other unanticipated defense-related oper-
3 ations, pursuant to section 402 of H. Con. Res. 376
4 (109th Congress), as made applicable to the House of
5 Representatives by section 511(a)(4) of H. Res. 6 (110th
6 Congress).

7 PROCUREMENT, MARINE CORPS

8 For an additional amount for “Procurement, Marine
9 Corps”, \$1,885,383,000, to remain available until Sep-
10 tember 30, 2009: *Provided*, That the amount provided
11 under this heading is designated as making appropriations
12 for contingency operations directly related to the global
13 war on terrorism, and other unanticipated defense-related
14 operations, pursuant to section 402 of H. Con. Res. 376
15 (109th Congress), as made applicable to the House of
16 Representatives by section 511(a)(4) of H. Res. 6 (110th
17 Congress).

18 AIRCRAFT PROCUREMENT, AIR FORCE

19 For an additional amount for “Aircraft Procurement,
20 Air Force”, \$2,474,916,000, to remain available until
21 September 30, 2009: *Provided*, That the amount provided
22 under this heading is designated as making appropriations
23 for contingency operations directly related to the global
24 war on terrorism, and other unanticipated defense-related
25 operations, pursuant to section 402 of H. Con. Res. 376

1 (109th Congress), as made applicable to the House of
2 Representatives by section 511(a)(4) of H. Res. 6 (110th
3 Congress).

4 MISSILE PROCUREMENT, AIR FORCE

5 For an additional amount for “Missile Procurement,
6 Air Force”, \$140,300,000, to remain available until Sep-
7 tember 30, 2009: *Provided*, That the amount provided
8 under this heading is designated as making appropriations
9 for contingency operations directly related to the global
10 war on terrorism, and other unanticipated defense-related
11 operations, pursuant to section 402 of H. Con. Res. 376
12 (109th Congress), as made applicable to the House of
13 Representatives by section 511(a)(4) of H. Res. 6 (110th
14 Congress).

15 PROCUREMENT OF AMMUNITION, AIR FORCE

16 For an additional amount for “Procurement of Am-
17 muniton, Air Force”, \$95,800,000, to remain available
18 until September 30, 2009: *Provided*, That the amount pro-
19 vided under this heading is designated as making appro-
20 priations for contingency operations directly related to the
21 global war on terrorism, and other unanticipated defense-
22 related operations, pursuant to section 402 of H. Con.
23 Res. 376 (109th Congress), as made applicable to the
24 House of Representatives by section 511(a)(4) of H. Res.
25 6 (110th Congress).

1 OTHER PROCUREMENT, AIR FORCE

2 For an additional amount for “Other Procurement,
3 Air Force”, \$2,042,183,000, to remain available until
4 September 30, 2009: *Provided*, That the amount provided
5 under this heading is designated as making appropriations
6 for contingency operations directly related to the global
7 war on terrorism, and other unanticipated defense-related
8 operations, pursuant to section 402 of H. Con. Res. 376
9 (109th Congress), as made applicable to the House of
10 Representatives by section 511(a)(4) of H. Res. 6 (110th
11 Congress).

12 PROCUREMENT, DEFENSE-WIDE

13 For an additional amount for “Procurement, De-
14 fense-Wide”, \$934,930,000, to remain available until Sep-
15 tember 30, 2009: *Provided*, That the amount provided
16 under this heading is designated as making appropriations
17 for contingency operations directly related to the global
18 war on terrorism, and other unanticipated defense-related
19 operations, pursuant to section 402 of H. Con. Res. 376
20 (109th Congress), as made applicable to the House of
21 Representatives by section 511(a)(4) of H. Res. 6 (110th
22 Congress).

1 RESEARCH, DEVELOPMENT, TEST AND
2 EVALUATION

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 ARMY

5 For an additional amount for “Research, Develop-
6 ment, Test and Evaluation, Army”, \$60,781,000, to re-
7 main available until September 30, 2008: *Provided*, That
8 the amount provided under this heading is designated as
9 making appropriations for contingency operations directly
10 related to the global war on terrorism, and other unantici-
11 pated defense-related operations, pursuant to section 402
12 of H. Con. Res. 376 (109th Congress), as made applicable
13 to the House of Representatives by section 511(a)(4) of
14 H. Res. 6 (110th Congress).

15 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
16 NAVY

17 For an additional amount for “Research, Develop-
18 ment, Test and Evaluation, Navy”, \$295,737,000, to re-
19 main available until September 30, 2008: *Provided*, That
20 the amount provided under this heading is designated as
21 making appropriations for contingency operations directly
22 related to the global war on terrorism, and other unantici-
23 pated defense-related operations, pursuant to section 402
24 of H. Con. Res. 376 (109th Congress), as made applicable

1 to the House of Representatives by section 511(a)(4) of
2 H. Res. 6 (110th Congress).

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 AIR FORCE

5 For an additional amount for “Research, Develop-
6 ment, Test and Evaluation, Air Force”, \$132,928,000, to
7 remain available until September 30, 2008: *Provided*,
8 That the amount provided under this heading is des-
9 ignated as making appropriations for contingency oper-
10 ations directly related to the global war on terrorism, and
11 other unanticipated defense-related operations, pursuant
12 to section 402 of H. Con. Res. 376 (109th Congress), as
13 made applicable to the House of Representatives by sec-
14 tion 511(a)(4) of H. Res. 6 (110th Congress).

15 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
16 DEFENSE-WIDE

17 For an additional amount for “Research, Develop-
18 ment, Test and Evaluation, Defense-Wide”,
19 \$545,904,000, to remain available until September 30,
20 2008: *Provided*, That the amount provided under this
21 heading is designated as making appropriations for contin-
22 gency operations directly related to the global war on ter-
23 rorism, and other unanticipated defense-related oper-
24 ations, pursuant to section 402 of H. Con. Res. 376
25 (109th Congress), as made applicable to the House of

1 Representatives by section 511(a)(4) of H. Res. 6 (110th
2 Congress).

3 REVOLVING AND MANAGEMENT FUNDS

4 DEFENSE WORKING CAPITAL FUNDS

5 For an additional amount for “Defense Working
6 Capital Funds”, \$1,315,526,000: *Provided*, That the
7 amount provided under this heading is designated as mak-
8 ing appropriations for contingency operations directly re-
9 lated to the global war on terrorism, and other unantici-
10 pated defense-related operations, pursuant to section 402
11 of H. Con. Res. 376 (109th Congress), as made applicable
12 to the House of Representatives by section 511(a)(4) of
13 H. Res. 6 (110th Congress).

14 NATIONAL DEFENSE SEALIFT FUND

15 For an additional amount for “National Defense Sea-
16 lift Fund”, \$5,000,000: *Provided*, That the amount pro-
17 vided under this heading is designated as making appro-
18 priations for contingency operations directly related to the
19 global war on terrorism, and other unanticipated defense-
20 related operations, pursuant to section 402 of H. Con.
21 Res. 376 (109th Congress), as made applicable to the
22 House of Representatives by section 511(a)(4) of H. Res.
23 6 (110th Congress).

1 OTHER DEPARTMENT OF DEFENSE PROGRAMS
2 DEFENSE HEALTH PROGRAM

3 For an additional amount for “Defense Health Pro-
4 gram”, \$2,789,703,000; of which \$2,289,703,000 shall be
5 for operation and maintenance, which shall remain avail-
6 able until September 30, 2008; and of which
7 \$500,000,000 shall be for research, development, test and
8 evaluation, which shall remain available until September
9 30, 2009: *Provided*, That the amount provided under this
10 heading is designated as making appropriations for contin-
11 gency operations directly related to the global war on ter-
12 rorism, and other unanticipated defense-related oper-
13 ations, pursuant to section 402 of H. Con. Res. 376
14 (109th Congress), as made applicable to the House of
15 Representatives by section 511(a)(4) of H. Res. 6 (110th
16 Congress).

17 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
18 DEFENSE

19 For an additional amount for “Drug Interdiction and
20 Counter-Drug Activities, Defense”, \$259,115,000, to re-
21 main available until expended: *Provided*, That the amount
22 provided under this heading is designated as making ap-
23 propriations for contingency operations directly related to
24 the global war on terrorism, and other unanticipated de-
25 fense-related operations, pursuant to section 402 of H.

1 Con. Res. 376 (109th Congress), as made applicable to
2 the House of Representatives by section 511(a)(4) of H.
3 Res. 6 (110th Congress).

4 RELATED AGENCIES

5 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

6 For an additional amount for “Intelligence Commu-
7 nity Management Account”, \$57,426,000: *Provided*, That
8 the amount provided under this heading is designated as
9 making appropriations for contingency operations directly
10 related to the global war on terrorism, and other unantici-
11 pated defense-related operations, pursuant to section 402
12 of H. Con. Res. 376 (109th Congress), as made applicable
13 to the House of Representatives by section 511(a)(4) of
14 H. Res. 6 (110th Congress).

15 GENERAL PROVISIONS—THIS CHAPTER

16 SEC. 1301. Appropriations provided in this chapter
17 are available for obligation until September 30, 2007, un-
18 less otherwise provided in this chapter.

19 (TRANSFER OF FUNDS)

20 SEC. 1302. Upon his determination that such action
21 is necessary in the national interest, the Secretary of De-
22 fense may transfer between appropriations up to
23 \$3,500,000,000 of the funds made available to the De-
24 partment of Defense in this chapter: *Provided*, That the
25 Secretary shall notify the Congress promptly of each
26 transfer made pursuant to the authority in this section:

1 poses for which such funds were contributed and accepted:
2 *Provided*, That such amounts shall be available for the
3 same time period as the appropriation to which trans-
4 ferred: *Provided further*, That the Secretary shall report
5 to the Congress all transfers made pursuant to this au-
6 thority: *Provided further*, That funds made available pur-
7 suant to this section are designated as making appropria-
8 tions for contingency operations directly related to the
9 global war on terrorism, and other unanticipated defense-
10 related operations, pursuant to section 402 of H. Con.
11 Res. 376 (109th Congress), as made applicable to the
12 House of Representatives by section 511(a)(4) of H. Res.
13 6 (110th Congress).

14 SEC. 1306. (a) AUTHORITY TO PROVIDE SUP-
15 PORT.—Of the amount appropriated by this chapter under
16 the heading, “Drug Interdiction and Counter-Drug Activi-
17 ties, Defense”, not to exceed \$100,000,000 may be used
18 for support for counter-drug activities of the Governments
19 of Afghanistan and Pakistan: *Provided*, That such support
20 shall be in addition to support provided for the counter-
21 drug activities of such Governments under any other pro-
22 vision of the law.

23 (b) TYPES OF SUPPORT.—

24 (1) Except as specified in subsection (b)(2) of
25 this section, the support that may be provided under

1 the authority in this section shall be limited to the
2 types of support specified in section 1033(c)(1) of
3 the National Defense Authorization Act for Fiscal
4 Year 1998 (Public Law 105–85, as amended by
5 Public Laws 106–398, 108–136, and 109–364) and
6 conditions on the provision of support as contained
7 in section 1033 shall apply for fiscal year 2007.

8 (2) The Secretary of Defense may transfer ve-
9 hicles, aircraft, and detection, interception, moni-
10 toring and testing equipment to said Governments
11 for counter-drug activities.

12 SEC. 1307. (a) From funds made available for oper-
13 ation and maintenance in this chapter to the Department
14 of Defense, not to exceed \$456,000,000 may be used, not-
15 withstanding any other provision of law, to fund the Com-
16 mander’s Emergency Response Program, for the purpose
17 of enabling military commanders in Iraq and Afghanistan
18 to respond to urgent humanitarian relief and reconstruc-
19 tion requirements within their areas of responsibility by
20 carrying out programs that will immediately assist the
21 Iraqi and Afghan people.

22 (b) QUARTERLY REPORTS.—Not later than 15 days
23 after the end of each fiscal year quarter, the Secretary
24 of Defense shall submit to the congressional defense com-
25 mittees a report regarding the source of funds and the

1 allocation and use of funds during that quarter that were
2 made available pursuant to the authority provided in this
3 section or under any other provision of law for the pur-
4 poses of the programs under subsection (a).

5 SEC. 1308. Supervision and administration costs as-
6 sociated with a construction project funded with appro-
7 priations available for operation and maintenance, and ex-
8 ecuted in direct support of the Global War on Terrorism
9 only in Iraq and Afghanistan, may be obligated at the time
10 a construction contract is awarded: *Provided*, That for the
11 purpose of this section, supervision and administration
12 costs include all in-house Government costs.

13 SEC. 1309. Section 9010 of division A of Public Law
14 109–289 is amended by striking “2007” each place it ap-
15 pears and inserting “2008”.

16 SEC. 1310. Section 1005(c)(2) of the National De-
17 fense Authorization Act, FY 2007 (Public Law 109–364)
18 is amended by striking “\$310,277,000” and inserting
19 “\$376,446,000”.

20 SEC. 1311. None of the funds appropriated or other-
21 wise made available by this or any other Act shall be obli-
22 gated or expended by the United States Government for
23 a purpose as follows:

1 United Nations Convention Against Torture and Other
2 Cruel, Inhuman or Degrading Treatment or Punishment
3 (done at New York on December 10, 1984):

4 (1) Section 2340A of title 18, United States
5 Code;

6 (2) Section 2242 of the Foreign Affairs Reform
7 and Restructuring Act of 1998 (division G of Public
8 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
9 note) and regulations prescribed thereto, including
10 regulations under part 208 of title 8, Code of Fed-
11 eral Regulations, and part 95 of title 22, Code of
12 Federal Regulations;

13 (3) Sections 1002 and 1003 of the Department
14 of Defense, Emergency Supplemental Appropriations
15 to Address Hurricanes in the Gulf of Mexico, and
16 Pandemic Influenza Act, 2006 (Public Law 109–
17 148); and

18 (4) The limitation included in this section also
19 applies to renditions.

20 SEC. 1314. (a) Not more than 50 percent of the
21 amount of the funds appropriated by this Act under each
22 of the headings “Iraq Security Forces Fund” and “Af-
23 ghanistan Security Forces Fund” shall be available for ob-
24 ligation or expenditure until the Secretary of Defense sub-
25 mits the initial report required by subsection (b) and the

1 Director of the Office of Management and Budget submits
2 the initial report required by subsection (c).

3 (b) REPORT BY SECRETARY OF DEFENSE.—

4 (1) The Secretary of Defense shall submit to
5 the congressional defense committees a report that
6 contains individual transition readiness assessments
7 by unit of Iraq and Afghan security forces. The Sec-
8 retary of Defense shall submit to the congressional
9 defense committees updates of the report required
10 by this subsection on a monthly basis until October
11 1, 2008. The report and updates of the report re-
12 quired by this subsection shall be submitted in clas-
13 sified form.

14 (2) In this subsection, the term “congressional
15 defense committees” means the Committees on Ap-
16 propriations and Armed Services of the House of
17 Representatives and the Committees on Appropria-
18 tions and Armed Services of the Senate.

19 (c) REPORT BY OMB.—

20 (1) The Director of the Office of Management
21 and Budget, in consultation with the Secretary of
22 Defense; the Commander, Multi-National Security
23 Transition Command—Iraq; the Commander, Com-
24 bined Security Transition Command—Afghanistan;
25 and the Committees on Appropriations of the House

1 of Representatives and the Senate, shall submit to
2 the Committees on Appropriations not later than 60
3 days after the date of the enactment of this Act and
4 every 90 days thereafter a report on the proposed
5 use of all funds under each of the headings “Iraq
6 Security Forces Fund” and “Afghanistan Security
7 Forces Fund” on a project-by-project basis, for
8 which the obligation of funds is anticipated during
9 the three month period from such date, including es-
10 timates by the commanders referred to in this para-
11 graph of the costs required to complete each such
12 project.

13 (2) The report required by this subsection shall
14 include the following:

15 (A) The use of all funds on a project-by-
16 project basis for which funds appropriated
17 under the headings referred to in paragraph (1)
18 were obligated prior to the submission of the re-
19 port, including estimates by the commanders
20 referred to in paragraph (1) of the costs to
21 complete each project.

22 (B) The use of all funds on a project-by-
23 project basis for which funds were appropriated
24 under the headings referred to in paragraph (1)
25 in prior appropriations Acts, or for which funds

1 were made available by transfer, reprogram-
2 ming, or allocation from other headings in prior
3 appropriations Acts, including estimates by the
4 commanders referred to in paragraph (1) of the
5 costs to complete each project.

6 (C) An estimated total cost to train and
7 equip the Iraq and Afghan security forces,
8 disaggregated by major program and sub-ele-
9 ments by force, arrayed by fiscal year.

10 (d) NOTIFICATION.—The Secretary of Defense shall
11 notify the Committees on Appropriations of the House of
12 Representatives and the Senate of any proposed new
13 projects or transfers of funds between sub-activity groups
14 in excess of \$15,000,000 using funds appropriated by this
15 Act under the headings “Iraq Security Forces Fund” and
16 “Afghanistan Security Forces Fund”.

17 SEC. 1315. None of the funds appropriated or other-
18 wise made available by this chapter may be obligated or
19 expended to provide award fees to any defense contractor
20 contrary to the provisions of section 814 of the National
21 Defense Authorization Act, FY 2007 (Public Law 109–
22 364).

23 SEC. 1316. (a) Not more than 90 percent of the
24 funds appropriated in this chapter for operation and main-
25 tenance shall be available for obligation unless and until

1 the Secretary of Defense submits to the congressional de-
2 fense committees a report detailing the use of contracted
3 services in support of United States military and recon-
4 struction activities in Iraq and Afghanistan: *Provided*,
5 That the Secretary of Defense shall prepare the report in
6 consultation with the Director of the Office of Manage-
7 ment and Budget and the Secretary of State: *Provided*
8 *further*, That the report shall provide detailed information
9 specifying the number of contracts, private contractors,
10 and contractor personnel used to provide services in fiscal
11 year 2006, with sub-allocations by major service cat-
12 egories: *Provided further*, That the report also shall in-
13 clude estimates of the number of contracts to be executed
14 in fiscal year 2007 with the associated number of contrac-
15 tors and contractor personnel, and provide information re-
16 garding the Federal department(s) or agency(s) respon-
17 sible for executing these contracts: *Provided further*, That
18 the report shall be submitted to the congressional defense
19 committees not later than 90 days after enactment of this
20 Act.

21 (b) Amounts appropriated for operation and mainte-
22 nance in this chapter are hereby reduced by \$815,000,000
23 to reflect savings attributable to efficiencies and manage-
24 ment improvements in the funding of contracts in the mili-
25 tary departments: *Provided*, That the Secretary of Defense

1 shall allocate this reduction proportionally to each oper-
2 ation and maintenance account contained in this chapter:
3 *Provided further*, That the Secretary of Defense shall, not
4 fewer than five days prior to making such reductions, no-
5 tify the congressional defense committees in writing of the
6 details of such reductions.

7 SEC. 1317. Section 1477 of title 10, United States
8 Code, is amended—

9 (1) in subsection (a), by striking “A death gra-
10 tuity” and inserting “Subject to subsection (d), a
11 death gratuity”;

12 (2) by redesignating subsection (d) as sub-
13 section (e) and, in such subsection, by striking “If
14 an eligible survivor dies before he” and inserting “If
15 a person entitled to all or a portion of a death gra-
16 tuity under subsection (a) or (d) dies before the per-
17 son” ; and

18 (3) by inserting after subsection (c) the fol-
19 lowing new subsection (d):

20 “(d) During the period beginning on the date of the
21 enactment of this subsection and ending on September 30,
22 2007, a person covered by section 1475 or 1476 of this
23 title may designate another person to receive not more
24 than 50 percent of the amount payable under section 1478
25 of this title. The designation shall indicate the percentage

1 of the amount, to be specified only in 10 percent incre-
2 ments up to the maximum of 50 percent, that the des-
3 ignated person may receive. The balance of the amount
4 of the death gratuity shall be paid to or for the living sur-
5 vivors of the person concerned in accordance with para-
6 graphs (1) through (5) of subsection (a).”.

7 SEC. 1318. Section 9007 of division A of Public Law
8 109–289 is amended by striking “20” and inserting
9 “170”.

10 SEC. 1319. Section 1403(a) of the Floyd D. Spence
11 National Defense Authorization Act for Fiscal Year 2001
12 (as enacted into law by Public Law 106–398), as amended
13 by section 1052 of the National Defense Authorization Act
14 for Fiscal Year 2006 (Public Law 109–163) and section
15 1073 of the John Warner National Defense Authorization
16 Act for Fiscal Year 2007 (Public Law 109–364), is
17 amended by striking “September 30, 2007” and inserting
18 “June 30, 2008”.

19 SEC. 1320. There is appropriated to the Secretary of
20 Defense such sums as may be necessary to implement the
21 recommendations of the Army Inspector General with re-
22 gard to trained military attorneys dedicated to rep-
23 resenting soldiers who are pursuing claims before physical
24 evaluation boards and earlier in the Army disability eval-
25 uation system process.

1 global war on terrorism, and other unanticipated defense-
2 related operations, pursuant to section 402 of H. Con.
3 Res. 376 (109th Congress), as made applicable to the
4 House of Representatives by section 511(a)(4) of H. Res.
5 6 (110th Congress).

6 CUSTOMS AND BORDER PROTECTION

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For an additional amount for “Salaries and Ex-
10 penses”, \$100,000,000, to remain available until Sep-
11 tember 30, 2008, to be used to increase the number of
12 inspectors, intelligence analysts and support staff respon-
13 sible for container security inspections, and for other ef-
14 forts to improve supply chain security: *Provided*, That up
15 to \$1,000,000 shall be transferred to “Salaries and Ex-
16 penses, Federal Law Enforcement Training Center” for
17 basic training costs: *Provided further*, That the amount
18 provided under this heading is designated as making ap-
19 propriations for contingency operations directly related to
20 the global war on terrorism, and other unanticipated de-
21 fense-related operations, pursuant to section 402 of H.
22 Con. Res. 376 (109th Congress), as made applicable to
23 the House of Representatives by section 511(a)(4) of H.
24 Res. 6 (110th Congress).

1 AIR AND MARINE INTERDICTION, OPERATIONS,
2 MAINTENANCE, AND PROCUREMENT

3 For an additional amount for “Air and Marine Inter-
4 diction, Operations, Maintenance, and Procurement”,
5 \$150,000,000, to remain available until September 30,
6 2008, to be used to complete and expand airwings on the
7 Northern Border: *Provided*, That the amount provided
8 under this heading is designated as making appropriations
9 for contingency operations directly related to the global
10 war on terrorism, and other unanticipated defense-related
11 operations, pursuant to section 402 of H. Con. Res. 376
12 (109th Congress), as made applicable to the House of
13 Representatives by section 511(a)(4) of H. Res. 6 (110th
14 Congress).

15 TRANSPORTATION SECURITY ADMINISTRATION

16 AVIATION SECURITY

17 For an additional amount for “Aviation Security”,
18 \$1,250,000,000, to remain available until expended: *Pro-*
19 *vided*, That of the total amount provided under this head-
20 ing, \$1,000,000,000 shall be for explosive detection pro-
21 curement and installation, \$90,000,000 shall be for expan-
22 sion of checkpoint explosive detection pilot systems, and
23 \$160,000,000 shall be for screening of cargo carried on
24 passenger aircraft: *Provided further*, That the amount pro-
25 vided under this heading is designated as making appro-
26 priations for contingency operations directly related to the

1 global war on terrorism, and other unanticipated defense-
2 related operations, pursuant to section 402 of H. Con.
3 Res. 376 (109th Congress), as made applicable to the
4 House of Representatives by section 511(a)(4) of H. Res.
5 6 (110th Congress).

6 NATIONAL PROTECTION AND PROGRAMS
7 INFRASTRUCTURE PROTECTION AND INFORMATION
8 SECURITY

9 For an additional amount for “Infrastructure Protec-
10 tion and Information Security”, \$25,000,000, to remain
11 available until September 30, 2008, to be used for develop-
12 ment of State and local interoperability plans in conjunc-
13 tion with the SAFECOM program office: *Provided*, That
14 the amount provided under this heading is designated as
15 making appropriations for contingency operations directly
16 related to the global war on terrorism, and other unantici-
17 pated defense-related operations, pursuant to section 402
18 of H. Con. Res. 376 (109th Congress), as made applicable
19 to the House of Representatives by section 511(a)(4) of
20 H. Res. 6 (110th Congress).

21 FEDERAL EMERGENCY MANAGEMENT AGENCY
22 SALARIES AND EXPENSES

23 For salaries and expenses of the Federal Emergency
24 Management Agency, \$25,000,000, to remain available
25 until September 30, 2008, for regional disaster commu-

1 nications capability and support for mutual aid agree-
2 ments: *Provided*, That the amount provided under this
3 heading is designated as making appropriations for contin-
4 gency operations directly related to the global war on ter-
5 rorism, and other unanticipated defense-related oper-
6 ations, pursuant to section 402 of H. Con. Res. 376
7 (109th Congress), as made applicable to the House of
8 Representatives by section 511(a)(4) of H. Res. 6 (110th
9 Congress).

10 STATE AND LOCAL PROGRAMS

11 For an additional amount for “State and Local Pro-
12 grams”, \$415,000,000, of which \$190,000,000 shall be for
13 port security grants and \$225,000,000 shall be for inter-
14 city rail passenger transportation, freight rail, and transit
15 security grants: *Provided*, That the amount provided
16 under this heading is designated as making appropriations
17 for contingency operations directly related to the global
18 war on terrorism, and other unanticipated defense-related
19 operations, pursuant to section 402 of H. Con. Res. 376
20 (109th Congress), as made applicable to the House of
21 Representatives by section 511(a)(4) of H. Res. 6 (110th
22 Congress).

23 EMERGENCY MANAGEMENT PERFORMANCE GRANTS

24 For an additional amount for “Emergency Manage-
25 ment Performance Grants”, \$100,000,000: *Provided*,
26 That the amount provided under this heading is des-

1 ignated as making appropriations for contingency oper-
2 ations directly related to the global war on terrorism, and
3 other unanticipated defense-related operations, pursuant
4 to section 402 of H. Con. Res. 376 (109th Congress), as
5 made applicable to the House of Representatives by sec-
6 tion 511(a)(4) of H. Res. 6 (110th Congress).

7 DOMESTIC NUCLEAR DETECTION OFFICE

8 SYSTEMS ACQUISITION

9 For an additional amount for “Systems Acquisition”,
10 \$400,000,000, to remain available until expended: *Pro-*
11 *vided*, That the amount provided under this heading is
12 designated as making appropriations for contingency oper-
13 ations directly related to the global war on terrorism, and
14 other unanticipated defense-related operations, pursuant
15 to section 402 of H. Con. Res. 376 (109th Congress), as
16 made applicable to the House of Representatives by sec-
17 tion 511(a)(4) of H. Res. 6 (110th Congress).

18 GENERAL PROVISIONS—THIS CHAPTER

19 SEC. 1501. (a) LIMITATION ON USE OF FUNDS.—

20 (1) IN GENERAL.—None of the funds made
21 available in this or any other Act shall be used by
22 the Secretary of Homeland Security to approve a
23 site security plan for a chemical facility, unless the
24 facility meets or exceeds security standards or re-
25 quirements established for such a facility by the

1 State or local government for the area where the fa-
2 cility is located.

3 (2) DEFINITIONS.—In this subsection, each of
4 the terms “site security plan” and “chemical facil-
5 ity” has the meaning that the term has in section
6 550 of the Department of Homeland Security Ap-
7 propriations Act, 2007 (Public Law 109–295; 120
8 Stat. 1388).

9 (b) AMENDMENTS.—Section 550 of the Department
10 of Homeland Security Appropriations Act, 2007 (Public
11 Law 109–295; 120 Stat. 1388) is amended—

12 (1) in subsection (a), by striking “the Secretary
13 may not disapprove a site security plan submitted
14 under this section based on the presence or absence
15 of a particular security measure, but”;

16 (2) in subsection (c), by striking “consistent
17 with similar” and inserting “identical to the protec-
18 tions given”;

19 (3) in subsection (c), by striking “, site security
20 plans, and other information submitted to or ob-
21 tained by the Secretary under this section, and re-
22 lated vulnerability or security information, shall be
23 treated as if the information were classified mate-
24 rial” and inserting “and site security plans shall be
25 treated as sensitive security information (as that

1 term is used in section 1520.5 of title 49, Code of
2 Federal Regulations)”; and

3 (4) in subsection (d), by striking “: *Provided*,
4 That nothing in this section confers upon any person
5 except the Secretary a right of action against an
6 owner or operator of a chemical facility to enforce
7 any provision of this section”.

8 CHAPTER 6

9 LEGISLATIVE BRANCH

10 HOUSE OF REPRESENTATIVES

11 SALARIES AND EXPENSES

12 For an additional amount for “Salaries and Ex-
13 penses”, \$6,437,000, as follows:

14 ALLOWANCES AND EXPENSES

15 For an additional amount for allowances and ex-
16 penses as authorized by House resolution or law,
17 \$6,437,000 for business continuity and disaster recovery,
18 to remain available until expended: *Provided*, That the
19 amount provided under this heading is designated as mak-
20 ing appropriations for contingency operations directly re-
21 lated to the global war on terrorism, and other unantici-
22 pated defense-related operations, pursuant to section 402
23 of H. Con. Res. 376 (109th Congress), as made applicable
24 to the House of Representatives by section 511(a)(4) of
25 H. Res. 6 (110th Congress).

1 \$401,700,000 shall not be obligated or expended until the
2 Secretary of Defense submits a detailed spending plan, in-
3 cluding a 1391 form for each project, to support Army
4 end-strength growth to the Committees on Appropriations
5 of the House of Representatives and Senate and an ap-
6 proval is issued: *Provided further*, That the amount pro-
7 vided under this heading is designated as making appro-
8 priations for contingency operations directly related to the
9 global war on terrorism, and other unanticipated defense-
10 related operations, pursuant to section 402 of H. Con.
11 Res. 376 (109th Congress), as made applicable to the
12 House of Representatives by section 511(a)(4) of H. Res.
13 6 (110th Congress).

14 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

15 For an additional amount for “Military Construction,
16 Navy and Marine Corps”, \$389,300,000, to remain avail-
17 able until September 30, 2008: *Provided*, That notwith-
18 standing any other provision of law, such funds may be
19 obligated and expended to carry out planning and design
20 and military construction projects not otherwise author-
21 ized by law: *Provided further*, That of the funds provided
22 under this heading, not to exceed \$49,600,000 shall be
23 available for study, planning, design, and architect and en-
24 gineer services: *Provided further*, That of the funds made
25 available under this heading, \$200,000,000 shall not be

1 obligated or expended until the Secretary of Defense sub-
2 mits a detailed spending plan, including a 1391 form, for
3 each project to support Marine Corps end-strength growth
4 to the Committees on Appropriations of the House of Rep-
5 resentatives and Senate and an approval is issued: *Pro-*
6 *vided further*, That the amount provided under this head-
7 ing is designated as making appropriations for contin-
8 gency operations directly related to the global war on ter-
9 rorism, and other unanticipated defense-related oper-
10 ations, pursuant to section 402 of H. Con. Res. 376
11 (109th Congress), as made applicable to the House of
12 Representatives by section 511(a)(4) of H. Res. 6 (110th
13 Congress).

14 MILITARY CONSTRUCTION, AIR FORCE

15 For an additional amount for “Military Construction,
16 Air Force”, \$60,200,000, to remain available until Sep-
17 tember 30, 2008: *Provided*, That notwithstanding any
18 other provision of law, such funds may be obligated and
19 expended to carry out planning and design and military
20 construction projects not otherwise authorized by law:
21 *Provided further*, That of the funds provided under this
22 heading, not to exceed \$3,900,000 shall be available for
23 study, planning, design, and architect and engineer serv-
24 ices: *Provided further*, That the amount provided under
25 this heading is designated as making appropriations for

1 contingency operations directly related to the global war
2 on terrorism, and other unanticipated defense-related op-
3 erations, pursuant to section 402 of H. Con. Res. 376
4 (109th Congress), as made applicable to the House of
5 Representatives by section 511(a)(4) of H. Res. 6 (110th
6 Congress).

7 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

8 2005

9 For deposit into the Department of Defense Base
10 Closure Account 2005, established by section 2906A(a)(1)
11 of the Defense Base Closure and Realignment Act of 1990
12 (10 U.S.C. 2687 note), \$3,136,802,000, to remain avail-
13 able until expended: *Provided*, That within 30 days of the
14 enactment of this Act, the Secretary of Defense shall sub-
15 mit a detailed spending plan to the Committees on Appro-
16 priations of the House of Representatives and Senate:
17 *Provided further*, That the amount provided under this
18 heading is designated as making appropriations for contin-
19 gency operations directly related to the global war on ter-
20 rorism, and other unanticipated defense-related oper-
21 ations, pursuant to section 402 of H. Con. Res. 376
22 (109th Congress), as made applicable to the House of
23 Representatives by section 511(a)(4) of H. Res. 6 (110th
24 Congress).

1 DEPARTMENT OF VETERANS AFFAIRS
2 VETERANS BENEFITS ADMINISTRATION
3 COMPENSATION AND PENSIONS

4 For an additional amount for “Compensation and
5 Pensions”, \$20,000,000, to remain available until ex-
6 pended, for a pilot program for disability examinations as
7 authorized by law (38 U.S.C. 5101 note).

8 VETERANS HEALTH ADMINISTRATION
9 MEDICAL SERVICES

10 For an additional amount for “Medical Services”,
11 \$414,982,000, to remain available until expended, of
12 which \$30,000,000 shall be for a new Level I comprehen-
13 sive polytrauma center; \$56,000,000 shall be for pros-
14 thetics; \$100,000,000 shall be for contract mental health
15 care when appointment waiting times exceed 30 days; and
16 \$228,982,000 shall be for treatment of veterans of the
17 global war on terror: *Provided*, That the amount provided
18 under this heading is designated as making appropriations
19 for contingency operations directly related to the global
20 war on terrorism, and other unanticipated defense-related
21 operations, pursuant to section 402 of H. Con. Res. 376
22 (109th Congress), as made applicable to the House of
23 Representatives by section 511(a)(4) of H. Res. 6 (110th
24 Congress).

1 MEDICAL ADMINISTRATION

2 For an additional amount for “Medical Administra-
3 tion”, \$256,300,000, to remain available until expended,
4 of which \$6,300,000 shall be used for polytrauma support
5 clinic teams for case management: *Provided*, That the
6 amount provided under this heading is designated as mak-
7 ing appropriations for contingency operations directly re-
8 lated to the global war on terrorism, and other unantici-
9 pated defense-related operations, pursuant to section 402
10 of H. Con. Res. 376 (109th Congress), as made applicable
11 to the House of Representatives by section 511(a)(4) of
12 H. Res. 6 (110th Congress).

13 MEDICAL FACILITIES

14 For an additional amount for “Medical Facilities”,
15 \$595,000,000, to remain available until expended, of
16 which \$45,000,000 shall be used for upgrades to
17 polytrauma care centers; and \$550,000,000 shall be for
18 non-recurring maintenance as identified in the Depart-
19 ment of Veterans Affairs Facility Condition Assessment
20 report: *Provided*, That the amount provided under this
21 heading is designated as making appropriations for contin-
22 gency operations directly related to the global war on ter-
23 rorism, and other unanticipated defense-related oper-
24 ations, pursuant to section 402 of H. Con. Res. 376
25 (109th Congress), as made applicable to the House of

1 Representatives by section 511(a)(4) of H. Res. 6 (110th
2 Congress).

3 MEDICAL AND PROSTHETIC RESEARCH

4 For an additional amount for “Medical and Pros-
5 thetic Research”, \$35,000,000, to remain available until
6 expended, which shall be used for research initiatives re-
7 lated to Operation Iraqi Freedom/Operation Enduring
8 Freedom survivors: *Provided*, That the amount provided
9 under this heading is designated as making appropriations
10 for contingency operations directly related to the global
11 war on terrorism, and other unanticipated defense-related
12 operations, pursuant to section 402 of H. Con. Res. 376
13 (109th Congress), as made applicable to the House of
14 Representatives by section 511(a)(4) of H. Res. 6 (110th
15 Congress).

16 DEPARTMENTAL ADMINISTRATION

17 GENERAL OPERATING EXPENSES

18 For an additional amount for “General Operating
19 Expenses”, \$62,000,000, to remain available until ex-
20 pended, of which \$1,250,000 shall be for digitization of
21 records and \$60,750,000 shall be for expenses related to
22 hiring and training new claims processing personnel: *Pro-*
23 *vided*, That the amount provided under this heading is
24 designated as making appropriations for contingency oper-
25 ations directly related to the global war on terrorism, and
26 other unanticipated defense-related operations, pursuant

1 to section 402 of H. Con. Res. 376 (109th Congress), as
2 made applicable to the House of Representatives by sec-
3 tion 511(a)(4) of H. Res. 6 (110th Congress).

4 INFORMATION TECHNOLOGY SYSTEMS

5 For an additional amount for “Information Tech-
6 nology Systems”, \$35,000,000, to remain available until
7 expended, for system development upgrades to address
8 global war on terror requirements: *Provided*, That the
9 amount provided under this heading is designated as mak-
10 ing appropriations for contingency operations directly re-
11 lated to the global war on terrorism, and other unantici-
12 pated defense-related operations, pursuant to section 402
13 of H. Con. Res. 376 (109th Congress), as made applicable
14 to the House of Representatives by section 511(a)(4) of
15 H. Res. 6 (110th Congress).

16 CONSTRUCTION, MAJOR PROJECTS

17 For an additional amount for “Construction, Major
18 Projects”, \$23,800,000, to remain available until ex-
19 pended, which shall be for the authorized completion of
20 a spinal cord injury center: *Provided*, That the amount
21 provided under this heading is designated as making ap-
22 propriations for contingency operations directly related to
23 the global war on terrorism, and other unanticipated de-
24 fense-related operations, pursuant to section 402 of H.
25 Con. Res. 376 (109th Congress), as made applicable to

1 the House of Representatives by section 511(a)(4) of H.
2 Res. 6 (110th Congress).

3 CONSTRUCTION, MINOR PROJECTS

4 For an additional amount for “Construction, Minor
5 Projects”, \$260,000,000, to remain available until ex-
6 pended: *Provided*, That the amount provided under this
7 heading is designated as making appropriations for contin-
8 gency operations directly related to the global war on ter-
9 rorism, and other unanticipated defense-related oper-
10 ations, pursuant to section 402 of H. Con. Res. 376
11 (109th Congress), as made applicable to the House of
12 Representatives by section 511(a)(4) of H. Res. 6 (110th
13 Congress).

14 CHAPTER 8

15 DEPARTMENT OF STATE

16 ADMINISTRATION OF FOREIGN AFFAIRS

17 DIPLOMATIC AND CONSULAR PROGRAMS

18 (INCLUDING TRANSFER OF FUNDS)

19 For an additional amount for “Diplomatic and Con-
20 sular Programs”, \$966,954,000, to remain available until
21 September 30, 2008, of which \$102,155,000 for World
22 Wide Security Upgrades is available until expended: *Pro-*
23 *vided*, That of the amount available under this heading,
24 \$258,000 shall be transferred to, and merged with, funds
25 available in fiscal year 2007 for expenses for the United
26 States Commission on International Religious Freedom:

1 *Provided further*, That \$395,000,000 of the amount avail-
2 able for Iraq operations shall not be obligated until the
3 Committee on Appropriations of the House of Representa-
4 tives receives and approves a detailed plan for expenditure,
5 prepared by the Secretary of State, and submitted within
6 60 days after the date of enactment of this Act: *Provided*
7 *further*, That up to \$50,000,000 may be made available
8 to establish and maintain a civilian reserve corps: *Provided*
9 *further*, That none of the funds for a civilian reserve corps
10 may be obligated without specific authorization in a subse-
11 quent Act of Congress: *Provided further*, That the amount
12 provided under this heading is designated as making ap-
13 propriations for contingency operations directly related to
14 the global war on terrorism, and other unanticipated de-
15 fense-related operations, pursuant to section 402 of H.
16 Con. Res. 376 (109th Congress), as made applicable to
17 the House of Representatives by section 511(a)(4) of H.
18 Res. 6 (110th Congress).

19 OFFICE OF THE INSPECTOR GENERAL

20 (INCLUDING TRANSFER OF FUNDS)

21 For an additional amount for “Office of Inspector
22 General”, \$46,800,000, to remain available until Decem-
23 ber 31, 2008: *Provided*, That \$45,500,000 shall be trans-
24 ferred to the Special Inspector General for Iraq Recon-
25 struction for reconstruction oversight: *Provided further*,
26 That the amount provided under this heading is des-

1 ignated as making appropriations for contingency oper-
2 ations directly related to the global war on terrorism, and
3 other unanticipated defense-related operations, pursuant
4 to section 402 of H. Con. Res. 376 (109th Congress), as
5 made applicable to the House of Representatives by sec-
6 tion 511(a)(4) of H. Res. 6 (110th Congress).

7 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

8 For an additional amount for “Educational and Cul-
9 tural Exchange Programs”, \$20,000,000, to remain avail-
10 able until expended: *Provided*, That the amount provided
11 under this heading is designated as making appropriations
12 for contingency operations directly related to the global
13 war on terrorism, and other unanticipated defense-related
14 operations, pursuant to section 402 of H. Con. Res. 376
15 (109th Congress), as made applicable to the House of
16 Representatives by section 511(a)(4) of H. Res. 6 (110th
17 Congress).

18 INTERNATIONAL ORGANIZATIONS

19 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

20 ACTIVITIES

21 For an additional amount for “Contributions for
22 International Peacekeeping Activities”, \$288,000,000, to
23 remain available until September 30, 2008: *Provided*,
24 That the amount provided under this heading is des-
25 ignated as making appropriations for contingency oper-

1 ations directly related to the global war on terrorism, and
2 other unanticipated defense-related operations, pursuant
3 to section 402 of H. Con. Res. 376 (109th Congress), as
4 made applicable to the House of Representatives by sec-
5 tion 511(a)(4) of H. Res. 6 (110th Congress).

6 RELATED AGENCY

7 BROADCASTING BOARD OF GOVERNORS

8 INTERNATIONAL BROADCASTING OPERATIONS

9 For an additional amount for “International Broad-
10 casting Operations”, for activities related to broadcasting
11 to the Middle East, \$10,000,000, to remain available until
12 September 30, 2008: *Provided*, That the amount provided
13 under this heading is designated as making appropriations
14 for contingency operations directly related to the global
15 war on terrorism, and other unanticipated defense-related
16 operations, pursuant to section 402 of H. Con. Res. 376
17 (109th Congress), as made applicable to the House of
18 Representatives by section 511(a)(4) of H. Res. 6 (110th
19 Congress).

20 BILATERAL ECONOMIC ASSISTANCE

21 FUNDS APPROPRIATED TO THE PRESIDENT

22 UNITED STATES AGENCY FOR INTERNATIONAL

23 DEVELOPMENT

24 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

25 For an additional amount for “Child Survival and
26 Health Programs Fund”, \$161,000,000, to remain avail-

1 able until September 30, 2008: *Provided*, That the amount
2 provided under this heading is designated as making ap-
3 propriations for contingency operations directly related to
4 the global war on terrorism, and other unanticipated de-
5 fense-related operations, pursuant to section 402 of H.
6 Con. Res. 376 (109th Congress), as made applicable to
7 the House of Representatives by section 511(a)(4) of H.
8 Res. 6 (110th Congress).

9 INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

10 For an additional amount for “International Disaster
11 and Famine Assistance”, \$135,000,000, to remain avail-
12 able until expended: *Provided*, That the amount provided
13 under this heading is designated as making appropriations
14 for contingency operations directly related to the global
15 war on terrorism, and other unanticipated defense-related
16 operations, pursuant to section 402 of H. Con. Res. 376
17 (109th Congress), as made applicable to the House of
18 Representatives by section 511(a)(4) of H. Res. 6 (110th
19 Congress).

20 OPERATING EXPENSES OF THE UNITED STATES AGENCY

21 FOR INTERNATIONAL DEVELOPMENT

22 For an additional amount for “Operating Expenses
23 of the United States Agency for International Develop-
24 ment”, \$10,700,000, to remain available until September
25 30, 2008: *Provided*, That the amount provided under this
26 heading is designated as making appropriations for contin-

1 gency operations directly related to the global war on ter-
2 rorism, and other unanticipated defense-related oper-
3 ations, pursuant to section 402 of H. Con. Res. 376
4 (109th Congress), as made applicable to the House of
5 Representatives by section 511(a)(4) of H. Res. 6 (110th
6 Congress).

7 OPERATING EXPENSES OF THE UNITED STATES AGENCY
8 FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-
9 SPECTOR GENERAL

10 For an additional amount for “Operating Expenses
11 of the United States Agency for International Develop-
12 ment Office of Inspector General”, \$3,500,000, to remain
13 available until September 30, 2008: *Provided*, That the
14 amount provided under this heading is designated as mak-
15 ing appropriations for contingency operations directly re-
16 lated to the global war on terrorism, and other unantici-
17 pated defense-related operations, pursuant to section 402
18 of H. Con. Res. 376 (109th Congress), as made applicable
19 to the House of Representatives by section 511(a)(4) of
20 H. Res. 6 (110th Congress).

21 OTHER BILATERAL ECONOMIC ASSISTANCE
22 ECONOMIC SUPPORT FUND

23 For an additional amount for “Economic Support
24 Fund”, \$2,953,000,000, to remain available until Sep-
25 tember 30, 2008: *Provided*, That the amount provided
26 under this heading is designated as making appropriations

1 for contingency operations directly related to the global
2 war on terrorism, and other unanticipated defense-related
3 operations, pursuant to section 402 of H. Con. Res. 376
4 (109th Congress), as made applicable to the House of
5 Representatives by section 511(a)(4) of H. Res. 6 (110th
6 Congress).

7 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
8 STATES

9 For an additional amount for “Assistance for East-
10 ern Europe and the Baltic States”, \$239,000,000, to re-
11 main available until September 30, 2008: *Provided*, That
12 the amount provided under this heading is designated as
13 making appropriations for contingency operations directly
14 related to the global war on terrorism, and other unantici-
15 pated defense-related operations, pursuant to section 402
16 of H. Con. Res. 376 (109th Congress), as made applicable
17 to the House of Representatives by section 511(a)(4) of
18 H. Res. 6 (110th Congress).

19 DEPARTMENT OF STATE
20 INTERNATIONAL NARCOTICS CONTROL AND LAW
21 ENFORCEMENT

22 For an additional amount for “International Nar-
23 cotics Control and Law Enforcement”, \$334,500,000, to
24 remain available until September 30, 2008: *Provided*,
25 That the amount provided under this heading is des-
26 ignated as making appropriations for contingency oper-

1 ations directly related to the global war on terrorism, and
2 other unanticipated defense-related operations, pursuant
3 to section 402 of H. Con. Res. 376 (109th Congress), as
4 made applicable to the House of Representatives by sec-
5 tion 511(a)(4) of H. Res. 6 (110th Congress).

6 MIGRATION AND REFUGEE ASSISTANCE

7 For an additional amount for “Migration and Ref-
8 ugee Assistance”, \$111,500,000, to remain available until
9 September 30, 2008: *Provided*, That the amount provided
10 under this heading is designated as making appropriations
11 for contingency operations directly related to the global
12 war on terrorism, and other unanticipated defense-related
13 operations, pursuant to section 402 of H. Con. Res. 376
14 (109th Congress), as made applicable to the House of
15 Representatives by section 511(a)(4) of H. Res. 6 (110th
16 Congress).

17 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
18 ASSISTANCE FUND

19 For an additional amount for “United States Emer-
20 gency Refugee and Migration Assistance Fund”,
21 \$35,000,000, to remain available until expended: *Pro-*
22 *vided*, That the amount provided under this heading is
23 designated as making appropriations for contingency oper-
24 ations directly related to the global war on terrorism, and
25 other unanticipated defense-related operations, pursuant
26 to section 402 of H. Con. Res. 376 (109th Congress), as

1 made applicable to the House of Representatives by sec-
2 tion 511(a)(4) of H. Res. 6 (110th Congress).

3 NONPROLIFERATION, ANTITERRORISM, DEMINING AND
4 RELATED PROGRAMS

5 For an additional amount for “Nonproliferation,
6 Anti-Terrorism, Demining, and Related Programs”,
7 \$87,500,000, to remain available until September 30,
8 2008: *Provided*, That the amount provided under this
9 heading is designated as making appropriations for contin-
10 gency operations directly related to the global war on ter-
11 rorism, and other unanticipated defense-related oper-
12 ations, pursuant to section 402 of H. Con. Res. 376
13 (109th Congress), as made applicable to the House of
14 Representatives by section 511(a)(4) of H. Res. 6 (110th
15 Congress).

16 DEPARTMENT OF THE TREASURY

17 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

18 For an additional amount for “International Affairs
19 Technical Assistance”, \$2,750,000, to remain available
20 until September 30, 2008: *Provided*, That the amount pro-
21 vided under this heading is designated as making appro-
22 priations for contingency operations directly related to the
23 global war on terrorism, and other unanticipated defense-
24 related operations, pursuant to section 402 of H. Con.
25 Res. 376 (109th Congress), as made applicable to the

1 House of Representatives by section 511(a)(4) of H. Res.
2 6 (110th Congress).

3 MILITARY ASSISTANCE

4 FUNDS APPROPRIATED TO THE PRESIDENT

5 FOREIGN MILITARY FINANCING PROGRAM

6 For an additional amount for “Foreign Military Fi-
7 nancing Program”, \$260,000,000: *Provided*, That the
8 amount provided under this heading is designated as mak-
9 ing appropriations for contingency operations directly re-
10 lated to the global war on terrorism, and other unantici-
11 pated defense-related operations, pursuant to section 402
12 of H. Con. Res. 376 (109th Congress), as made applicable
13 to the House of Representatives by section 511(a)(4) of
14 H. Res. 6 (110th Congress).

15 PEACEKEEPING OPERATIONS

16 For an additional amount for “Peacekeeping Oper-
17 ations”, \$225,000,000, to remain available until Sep-
18 tember 30, 2008: *Provided*, That the amount provided
19 under this heading is designated as making appropriations
20 for contingency operations directly related to the global
21 war on terrorism, and other unanticipated defense-related
22 operations, pursuant to section 402 of H. Con. Res. 376
23 (109th Congress), as made applicable to the House of
24 Representatives by section 511(a)(4) of H. Res. 6 (110th
25 Congress).

1 GENERAL PROVISIONS—THIS CHAPTER

2 SEC. 1801. Section 3001(o)(1)(B) of the Emergency
3 Supplemental Appropriations Act for Defense and for the
4 Reconstruction of Iraq and Afghanistan, 2004 (Public
5 Law 108–106; 117 Stat. 1238; 5 U.S.C. App., note to sec-
6 tion 8G of Public Law 95–452) is amended by striking
7 “fiscal year 2006” and inserting “fiscal years 2006, 2007,
8 or 2008”.

9 SEC. 1802. (a) LIMITATION ON ECONOMIC SUPPORT
10 FUND ASSISTANCE FOR LEBANON.—None of the funds
11 made available in this Act under the heading “ECO-
12 NOMIC SUPPORT FUND” for cash transfer assistance
13 for the Government of Lebanon may be made available
14 for obligation until the Secretary of State reports to the
15 Committees on Appropriations of the House of Represent-
16 atives and the Senate on Lebanon’s economic reform plan
17 and on the specific conditions and verifiable benchmarks
18 that have been agreed upon by the United States and the
19 Government of Lebanon pursuant to the Memorandum of
20 Understanding on cash transfer assistance for Lebanon.

21 (b) LIMITATION ON FOREIGN MILITARY FINANCING
22 PROGRAM AND INTERNATIONAL NARCOTICS CONTROL
23 AND LAW ENFORCEMENT ASSISTANCE FOR LEBANON.—
24 None of the funds made available in this Act under the
25 heading “FOREIGN MILITARY FINANCING PRO-

1 GRAM” or “INTERNATIONAL NARCOTICS CON-
2 TROL AND LAW ENFORCEMENT” for military or po-
3 lice assistance to Lebanon may be made available for obli-
4 gation until the Secretary of State submits to the Commit-
5 tees on Appropriations of the House of Representatives
6 and the Senate a report on procedures established to de-
7 termine eligibility of members and units of the armed
8 forces and police forces of Lebanon to participate in
9 United States training and assistance programs and on
10 the end use monitoring of all equipment provided under
11 such programs to the Lebanese armed forces and police
12 forces.

13 (c) REPORT REQUIRED.—Not later than 45 days
14 after the date of the enactment of this Act, the Secretary
15 of State shall submit to the Committees on Appropriations
16 of the House of Representatives and the Senate a report
17 on the Government of Lebanon’s actions to implement sec-
18 tion 14 of United Nations Security Council Resolution
19 1701 (August 11, 2006).

20 CHAPTER 9

21 GENERAL PROVISIONS—THIS TITLE

22 SEC. 1901. (a) Congress finds that it is Defense De-
23 partment policy that units should not be deployed for com-
24 bat unless they are rated “fully mission capable”.

1 (b) None of the funds appropriated or otherwise
2 made available in this or any other Act may be used to
3 deploy any unit of the Armed Forces to Iraq unless the
4 chief of the military department concerned has certified
5 in writing to the Committees on Appropriations and the
6 Committees on Armed Services at least 15 days in advance
7 of the deployment that the unit is fully mission capable.

8 (c) For purposes of subsection (b), the term “fully
9 mission capable” means capable of performing assigned
10 mission essential tasks to prescribed standards under the
11 conditions expected in the theater of operations, consistent
12 with the guidelines set forth in the Department of Defense
13 readiness reporting system.

14 (d) The President, by certifying in writing to the
15 Committees on Appropriations and the Committees on
16 Armed Services that the deployment to Iraq of a unit that
17 is not assessed fully mission capable is required for rea-
18 sons of national security and by submitting along with the
19 certification a report in classified and unclassified form
20 detailing the particular reason or reasons why the unit’s
21 deployment is necessary despite the chief of the military
22 department’s assessment that the unit is not fully mission
23 capable, may waive the limitation prescribed in subsection
24 (b) on a unit-by-unit basis.

1 SEC. 1902. (a) Congress finds that it is Defense De-
2 partment policy that Army, Army Reserve, and National
3 Guard units should not be deployed for combat beyond
4 365 days or that Marine Corps and Marine Corps Reserve
5 units should not be deployed for combat beyond 210 days.

6 (b) None of the funds appropriated or otherwise
7 made available in this or any other Act may be obligated
8 or expended to initiate the development of, continue the
9 development of, or execute any order that has the effect
10 of extending the deployment for Operation Iraqi Freedom
11 of—

12 (1) any unit of the Army, Army Reserve, or
13 Army National Guard beyond 365 days; or

14 (2) any unit of the Marine Corps or Marine
15 Corps Reserve beyond 210 days.

16 (c) The limitation prescribed in subsection (b) shall
17 not be construed to require force levels in Iraq to be de-
18 creased below the total United States force levels in Iraq
19 prior to January 10, 2007.

20 (d) The President, by certifying in writing to the
21 Committees on Appropriations and the Committees on
22 Armed Services that the extension of a unit's deployment
23 in Iraq beyond the periods specified in subsection (b) is
24 required for reasons of national security and by submit-
25 ting along with the certification a report in classified and

1 unclassified form detailing the particular reason or rea-
2 sons why the unit's extended deployment is necessary, may
3 waive the limitations prescribed in subsection (b) on a
4 unit-by-unit basis.

5 SEC. 1903. (a) Congress finds that it is Defense De-
6 partment policy that Army, Army Reserve, and National
7 Guard units should not be redeployed for combat if the
8 unit has been deployed within the previous 365 consecu-
9 tive days or that Marine Corps and Marine Corps Reserve
10 units should not be redeployed for combat if the unit has
11 been deployed within the previous 210 days.

12 (b) None of the funds appropriated or otherwise
13 made available in this or any other Act may be obligated
14 or expended to initiate the development of, continue the
15 development of, or execute any order that has the effect
16 of deploying for Operation Iraqi Freedom of—

17 (1) any unit of the Army, Army Reserve, or
18 Army National Guard if such unit has been deployed
19 within the previous 365 consecutive days; or

20 (2) any unit of the Marine Corps or Marine
21 Corps Reserve if such unit has been deployed within
22 the previous 210 consecutive days.

23 (c) The limitation prescribed in subsection (b) shall
24 not be construed to require force levels in Iraq to be de-

1 creased below the total United States force levels in Iraq
2 prior to January 10, 2007.

3 (d) The President, by certifying in writing to the
4 Committees on Appropriations and the Committees on
5 Armed Services that the redeployment of a unit to Iraq
6 in advance of the periods specified in subsection (b) is re-
7 quired for reasons of national security and by submitting
8 along with the certification a report in classified and un-
9 classified form detailing the particular reason or reasons
10 why the unit's redeployment is necessary, may waive the
11 limitations prescribed in subsection (b) on a unit-by-unit
12 basis.

13 SEC. 1904. (a) The President shall make and trans-
14 mit to Congress the following determinations, along with
15 reports in classified and unclassified form detailing the
16 basis for each determination, on or before July 1, 2007:

17 (1) whether the Government of Iraq has given
18 United States Armed Forces and Iraqi Security
19 Forces the authority to pursue all extremists, includ-
20 ing Sunni insurgents and Shiite militias, and is
21 making substantial progress in delivering necessary
22 Iraqi Security Forces for Baghdad and protecting
23 such Forces from political interference; intensifying
24 efforts to build balanced security forces throughout
25 Iraq that provide even-handed security for all Iraqis;

1 ensuring that Iraq's political authorities are not un-
2 dermining or making false accusations against mem-
3 bers of the Iraqi Security Forces; eliminating militia
4 control of local security; establishing a strong militia
5 disarmament program; ensuring fair and just en-
6 forcement of laws; establishing political, media, eco-
7 nomic, and service committees in support of the
8 Baghdad Security Plan; and eradicating safe havens;

9 (2) whether the Government of Iraq is making
10 substantial progress in meeting its commitment to
11 pursue reconciliation initiatives, including enactment
12 of a hydro-carbon law; adoption of legislation nec-
13 essary for the conduct of provincial and local elec-
14 tions; reform of current laws governing the de-
15 Baathification process; amendment of the Constitu-
16 tion of Iraq; and allocation of Iraqi revenues for re-
17 construction projects; and

18 (3) whether the Government of Iraq and United
19 States Armed Forces are making substantial
20 progress in reducing the level of sectarian violence in
21 Iraq.

22 (b) On or before October 1, 2007, the President—

23 (1) shall certify to the Congress that the Gov-
24 ernment of Iraq has enacted a broadly accepted
25 hydro-carbon law that equitably shares oil revenues

1 among all Iraqis; adopted legislation necessary for
2 the conduct of provincial and local elections, taken
3 steps to implement such legislation, and set a sched-
4 ule to conduct provincial and local elections; re-
5 formed current laws governing the de-Baathification
6 process to allow for more equitable treatment of in-
7 dividuals affected by such laws; amended the Con-
8 stitution of Iraq consistent with the principles con-
9 tained in article 137 of such constitution; and allo-
10 cated and begun expenditure of \$10 billion in Iraqi
11 revenues for reconstruction projects, including deliv-
12 ery of essential services, on an equitable basis; or

13 (2) shall report to the Congress that he is un-
14 able to make such certification.

15 (c) If in the transmissions to Congress required by
16 subsection (a) the President determines that any of the
17 conditions specified in such subsection have not been met,
18 or if the President is unable to make the certification spec-
19 ified in subsection (b) by the required date, the Secretary
20 of Defense shall commence the redeployment of the Armed
21 Forces from Iraq and complete such redeployment within
22 180 days.

23 (d) If the President makes the certification specified
24 in subsection (b), the Secretary of Defense shall commence
25 the redeployment of the Armed Forces from Iraq not later

1 than March 1, 2008, and complete such redeployment
2 within 180 days.

3 (e) Notwithstanding any other provision of law, funds
4 appropriated or otherwise made available in this or any
5 other Act are immediately available for obligation and ex-
6 penditure to plan and execute a safe and orderly redeploy-
7 ment of the Armed Forces from Iraq, as specified in sub-
8 sections (c) and (d).

9 (f) After the conclusion of the 180-day period for re-
10 deployment specified in subsections (c) and (d), the Sec-
11 retary of Defense may not deploy or maintain members
12 of the Armed Forces in Iraq for any purpose other than
13 the following:

14 (1) Protecting American diplomatic facilities
15 and American citizens, including members of the
16 U.S. Armed Forces.

17 (2) Serving in roles consistent with customary
18 diplomatic positions.

19 (3) Engaging in targeted special actions limited
20 in duration and scope to killing or capturing mem-
21 bers of al-Qaeda and other terrorist organizations
22 with global reach.

23 (4) Training members of the Iraqi Security
24 Forces.

1 (g) Notwithstanding any other provision of law, 50
2 percent of the funds appropriated by title I of this Act
3 for assistance to Iraq under each of the headings “IRAQ
4 SECURITY FORCES FUND”, “ECONOMIC SUP-
5 PORT FUND”, and “INTERNATIONAL NARCOTICS
6 CONTROL AND LAW ENFORCEMENT” shall be with-
7 held from obligation until the President has made a certifi-
8 cation to Congress regarding the matters specified in sub-
9 section (b)(1).

10 (h) The requirement to withhold funds from obliga-
11 tion pursuant to subsection (g) shall not apply with re-
12 spect to funds made available under the heading “ECO-
13 NOMIC SUPPORT FUND” for continued support for
14 the Community Action Program and Community Sta-
15 bilization Program in Iraq administered by the United
16 States Agency for International Development or for pro-
17 grams and activities to promote democracy in Iraq.

18 SEC. 1905. (a) COORDINATOR FOR IRAQ ASSIST-
19 ANCE.—Not later than 30 days after the date of the enact-
20 ment of this Act, the President shall appoint a Coordi-
21 nator for Iraq Assistance (hereinafter in this section re-
22 ferred to as the “Coordinator”), by and with the advice
23 and consent of the Senate, who shall report directly to the
24 President.

1 (b) DUTIES.—The Coordinator shall be responsible
2 for—

3 (1) Developing and implementing an overall
4 strategy for political, economic, and military assist-
5 ance for Iraq;

6 (2) Coordinating and ensuring coherence of
7 Iraq assistance programs and policy among all de-
8 partments and agencies of the Government of the
9 United States that are implementing assistance pro-
10 grams in Iraq, including the Department of State,
11 the United States Agency for International Develop-
12 ment, the Department of Defense, the Department
13 of the Treasury, and the Department of Justice;

14 (3) Working with the Government of Iraq in
15 meeting the benchmarks described in section
16 1904(b) of this Act in order to ensure Iraq con-
17 tinues to be eligible to receive United States assist-
18 ance described in such section;

19 (4) Coordinating with other donors and inter-
20 national organizations that are providing assistance
21 for Iraq;

22 (5) Ensuring adequate management and ac-
23 countability of United States assistance programs
24 for Iraq;

1 (6) Resolving policy and program disputes
2 among departments and agencies of the United
3 States Government that are implementing assistance
4 programs in Iraq; and

5 (7) Coordinating United States assistance pro-
6 grams with the reconstruction programs funded and
7 implemented by the Government of Iraq.

8 (c) RANK AND STATUS.—The Coordinator shall have
9 the rank and status of ambassador.

10 SEC. 1906. Notwithstanding any other provision of
11 law, none of the funds in this or any other Act may be
12 used to close Walter Reed Army Medical Center.

13 **SEC. 1907. CONGRESSIONAL PLEDGE TO FULLY SUPPORT**

14 **MEMBERS OF THE ARMED FORCES IN HARM'S**

15 **WAY.**

16 (a) FINDINGS.—Congress makes the following find-
17 ings:

18 (1) On September 14, 2001, both the Senate
19 and the House of Representatives passed S.J. Res.
20 23 of the 107th Congress, which became Public Law
21 107–40 and authorized the use of military force in
22 Afghanistan.

23 (2) On October 10, 2002, the House of Rep-
24 resentatives passed H.J. Res. 114 of the 107th Con-

1 gress, which authorized the use of military force in
2 Iraq.

3 (3) After passage by the Senate, H.J. Res. 114
4 became Public Law 107–243, the Authorization for
5 Use of Military Force Against Iraq Resolution of
6 2002.

7 (4) Members of the United States Armed
8 Forces have served honorably in their mission to
9 fight terrorism and protect the greater security of
10 the United States.

11 (5) These members of the Armed Forces and
12 their families have made many sacrifices, in many
13 cases the ultimate sacrifice, to protect the security
14 of the United States and the freedom Americans
15 hold dear.

16 (6) Congress and the American people are for-
17 ever grateful to the members of the Armed Forces
18 for the service they have provided to the United
19 States.

20 (b) FAITHFUL SUPPORT OF CONGRESS.—Congress
21 will fully support the needs of members of the Armed
22 Forces who the Commander in Chief has deployed in
23 harm’s way in support of Operation Iraqi Freedom and
24 Operation Enduring Freedom, and their families.

1 **SEC. 1908. SENSE OF THE CONGRESS REGARDING PRESI-**
2 **DENT AS COMMANDER IN CHIEF AND CON-**
3 **GRESSIONAL POWER TO DECLARE WAR.**

4 (a) It is the sense of Congress that Congress acknowl-
5 edges the President as the Commander in Chief, and that
6 role is granted solely to the President by article II, section
7 2, of the United States Constitution.

8 (b) It is further the sense of Congress that Congress
9 has the power solely to declare war under article I, section
10 8, clause 11, of the United States Constitution.

11 **SEC. 1909. SENSE OF CONGRESS REGARDING CONDUCT OF**
12 **IRAQ WAR BY COMMANDERS.**

13 It is the sense of Congress that, because the com-
14 manders of the United States Armed Forces in Iraq have
15 the training, experience, and first-hand knowledge of the
16 situation on the ground—

17 (1) the commanders should be allowed to con-
18 duct the war and manage the movements of the
19 troops; and

20 (2) Congress should remain focused on exe-
21 cuting its oversight role.

1 TITLE II—ADDITIONAL HURRICANE DISASTER
2 RELIEF AND RECOVERY

3 CHAPTER 1

4 DEPARTMENT OF AGRICULTURE

5 GENERAL PROVISIONS—THIS CHAPTER

6 SEC. 2101. In addition to the funds provided else-
7 where in this Act, \$25,000,000 is appropriated to the Sec-
8 retary of Agriculture, to remain available through Sep-
9 tember 30, 2008, to resume the 2005 Hurricanes Live-
10 stock Indemnity Program to provide additional compensa-
11 tion to livestock producers in the geographic area covered
12 by the natural disaster declaration related to Hurricane
13 Katrina or Hurricane Rita that suffered losses in excess
14 of the maximum amount of assistance authorized under
15 the 2005 Hurricanes Livestock Indemnity Program. The
16 total amount of assistance that an eligible producer may
17 receive for such additional livestock losses under this sec-
18 tion, the 2005 Hurricanes Livestock Indemnity Program,
19 or any other provision of law may not exceed twice the
20 maximum amount of assistance authorized under the 2005
21 Hurricanes Livestock Indemnity Program. The amount
22 provided under this section is designated as an emergency
23 requirement pursuant to section 501 of H. Con. Res. 376
24 (109th Congress), as made applicable to the House of

1 Representatives by section 511(a)(4) of H. Res. 6 (110th
2 Congress).

3 SEC. 2102. In addition to the funds provided else-
4 where in the Act, \$15,000,000 is appropriated to the Sec-
5 retary of Agriculture, to remain available through Sep-
6 tember 30, 2008, for the purpose of providing assistance,
7 in connection with the provision of emergency financial as-
8 sistance for losses for 2005 or 2006 crops due to dam-
9 aging weather or any related condition, to producers with
10 respect to irrigated crops in the geographic area covered
11 by the natural disaster declaration related to Hurricane
12 Katrina or Hurricane Rita that, due to contamination by
13 saltwater intrusion resulting from Hurricane Katrina or
14 Hurricane Rita, were planted in 2006 and suffered a loss
15 or were prevented from being planted. However, the fac-
16 tors otherwise applicable under section 1480.12(g) of title
17 7, Code of Federal Regulations, shall not apply to the pro-
18 vision of such assistance. The amount provided under this
19 section is designated as an emergency requirement pursu-
20 ant to section 501 of H. Con. Res. 376 (109th Congress),
21 as made applicable to the House of Representatives by sec-
22 tion 511(a)(4) of H. Res. 6 (110th Congress).

23 SEC. 2103. In addition to the funds provided else-
24 where in this Act, \$100,000,000 is appropriated to the
25 Secretary of Agriculture, to remain available through Sep-

1 tember 30, 2008, to resume the 2005 Hurricanes Citrus
2 Program to provide additional compensation to citrus pro-
3 ducers in the geographic area covered by the natural dis-
4 aster declaration related to Hurricane Katrina or Hurri-
5 cane Rita that suffered losses in excess of the maximum
6 amount of assistance authorized under the 2005 Hurri-
7 canes Citrus Program. The total amount of assistance
8 that an eligible producer may receive for such additional
9 citrus losses under this section, the 2005 Hurricanes Cit-
10 rus Program, or any other provision of law may not exceed
11 twice the maximum amount of assistance authorized under
12 the 2005 Hurricanes Citrus Program. The amount pro-
13 vided under this section is designated as an emergency re-
14 quirement pursuant to section 501 of H. Con. Res. 376
15 (109th Congress), as made applicable to the House of
16 Representatives by section 511(a)(4) of H. Res. 6 (110th
17 Congress).

18 CHAPTER 2

19 DEPARTMENT OF COMMERCE

20 NATIONAL OCEANIC AND ATMOSPHERIC

21 ADMINISTRATION

22 OPERATIONS, RESEARCH, AND FACILITIES

23 For an additional amount for “Operations, Research,
24 and Facilities” for necessary expenses related to the con-
25 sequences of Hurricane Katrina on the shrimp and men-

1 haden fishing industries, \$120,000,000, to remain avail-
2 able until September 30, 2008: *Provided*, That the amount
3 provided under this heading is designated as an emergency
4 requirement pursuant to section 501 of H. Con. Res. 376
5 (109th Congress), as made applicable to the House of
6 Representatives by section 511(a)(4) of H. Res. 6 (110th
7 Congress).

8 NATIONAL AERONAUTICS AND SPACE

9 ADMINISTRATION

10 EXPLORATION CAPABILITIES

11 For an additional amount for “Exploration Capabili-
12 ties” for necessary expenses related to the consequences
13 of Hurricane Katrina, \$35,000,000, to remain available
14 until September 30, 2009: *Provided*, That the amount pro-
15 vided under this heading is designated as an emergency
16 requirement pursuant to section 501 of H. Con. Res. 376
17 (109th Congress), as made applicable to the House of
18 Representatives by section 511(a)(4) of H. Res. 6 (110th
19 Congress).

20 GENERAL PROVISION—THIS CHAPTER

21 SEC. 2201. Up to \$48,000,000 of amounts made
22 available to the National Aeronautics and Space Adminis-
23 tration in Public Law 109–148 and Public Law 109–234
24 for emergency hurricane and other natural disaster-re-
25 lated expenses may be used to reimburse hurricane-related

1 costs incurred by NASA in fiscal year 2005: *Provided*,
2 That the amount provided under this heading is des-
3 ignated as an emergency requirement pursuant to section
4 501 of H. Con. Res. 376 (109th Congress), as made appli-
5 cable to the House of Representatives by section 511(a)(4)
6 of H. Res. 6 (110th Congress).

7 CHAPTER 3

8 DEPARTMENT OF DEFENSE—CIVIL

9 DEPARTMENT OF THE ARMY

10 CORPS OF ENGINEERS—CIVIL

11 CONSTRUCTION

12 For an additional amount for “Construction” to re-
13 duce the risk of hurricane and storm damage to the Mis-
14 sissippi coastal area, \$37,080,000, to remain available
15 until expended: *Provided*, That such sums shall be subject
16 to authorization: *Provided further*, That the amount pro-
17 vided under this heading is designated as an emergency
18 requirement pursuant to section 501 of H. Con. Res. 376
19 (109th Congress), as made applicable to the House of
20 Representatives by section 511(a)(4) of H. Res. 6 (110th
21 Congress).

22 FLOOD CONTROL AND COASTAL EMERGENCIES

23 For an additional amount for “Flood Control and
24 Coastal Emergencies”, as authorized by section 5 of the
25 Act of August 18, 1941 (33 U.S.C. 701n), for necessary
26 expenses related to the consequences of Hurricane

1 Katrina, \$1,300,000,000, to remain available until ex-
2 pended: *Provided*, That this amount shall be used to re-
3 store the flood damage reduction and hurricane and storm
4 damage reduction projects, and related works, to provide
5 the level of protection for which they were designed, and
6 to accelerate completion of unconstructed portions of au-
7 thorized hurricane, storm damage reduction and flood con-
8 trol projects in the greater New Orleans and south Lou-
9 isiana area at full Federal expense: *Provided further*, That
10 the Chief of Engineers, acting through the Assistant Sec-
11 retary of the Army for Civil Works, shall provide, at a
12 minimum, a monthly report to the House and Senate
13 Committees on Appropriations detailing the allocation and
14 obligation of these funds, beginning not later than July
15 30, 2007: *Provided further*, That the amount provided
16 under this heading is designated as an emergency require-
17 ment pursuant to section 501 of H. Con. Res. 376 (109th
18 Congress), as made applicable to the House of Representa-
19 tives by section 511(a)(4) of H. Res. 6 (110th Congress).

20 GENERAL PROVISION—THIS CHAPTER

21 SEC. 2301. Up to \$650,000,000 of the appropriations
22 made available under the heading “Flood Control and
23 Coastal Emergencies” in title II, Chapter 3 of Public Law
24 109–234, for projects in the greater New Orleans metro-
25 politan area that remain available as of the date of enact-

1 ment of this Act may be used by the Secretary of the Army
2 to improve protection at the Inner Harbor Navigation
3 Canal, as described under the heading “Flood Control and
4 Coastal Emergencies”, in Chapter 3 of Public Law 109–
5 234: *Provided*, That the obligation of these funds may be
6 made without regard to individual amounts specified in
7 title II, Chapter 3 of Public Law 109–234: *Provided fur-*
8 *ther*, That the expenditure of such funds shall not be con-
9 sidered a transfer or reprogramming under any provision
10 of law and shall be carried out in accordance with the
11 terms and conditions specified in an Act making appro-
12 priations for energy and water development or any other
13 appropriations Act making additional funds available for
14 energy and water development: *Provided further*, That the
15 amount provided under this heading is designated as an
16 emergency requirement pursuant to section 501 of H.
17 Con. Res. 376 (109th Congress), as made applicable to
18 the House of Representatives by section 511(a)(4) of H.
19 Res. 6 (110th Congress).

20 CHAPTER 4

21 SMALL BUSINESS ADMINISTRATION

22 DISASTER LOANS PROGRAM ACCOUNT

23 For an additional amount for “Disaster Loans Pro-
24 gram Account” for administrative expenses to carry out
25 the disaster loan program, \$25,069,000, to remain avail-

1 able until expended, which may be transferred to and
 2 merged with “Small Business Administration, Salaries
 3 and Expenses”: *Provided*, That the amount provided
 4 under this heading is designated as an emergency require-
 5 ment pursuant to section 501 of H. Con. Res. 376 (109th
 6 Congress), as made applicable to the House of Representa-
 7 tives by section 511(a)(4) of H. Res. 6 (110th Congress).

8 CHAPTER 5

9 DEPARTMENT OF HOMELAND SECURITY

10 FEDERAL EMERGENCY MANAGEMENT AGENCY

11 DISASTER RELIEF

12 (INCLUDING TRANSFER OF FUNDS)

13 For an additional amount for “Disaster Relief”,
 14 \$4,310,000,000, to remain available until expended: *Pro-*
 15 *vided*, That \$4,000,000 shall be transferred to “Office of
 16 Inspector General”: *Provided further*, That the amount
 17 provided under this heading is designated as an emergency
 18 requirement pursuant to section 501 of H. Con. Res. 376
 19 (109th Congress), as made applicable to the House of
 20 Representatives by section 511(a)(4) of H. Res. 6 (110th
 21 Congress).

22 GENERAL PROVISIONS—THIS CHAPTER

23 SEC. 2501. (a) IN GENERAL.—Notwithstanding any
 24 other provision of law, including any agreement, the Fed-
 25 eral share of assistance, including direct Federal assist-
 26 ance, provided for the States of Louisiana, Mississippi,

1 Florida, and Texas in connection with Hurricanes
2 Katrina, Wilma, Dennis, and Rita under sections 403,
3 406, 407, and 408 of the Robert T. Stafford Disaster Re-
4 lief and Emergency Assistance Act (42 U.S.C. 5170b,
5 5172, 5173, and 5174) shall be 100 percent of the eligible
6 costs under such sections.

7 (b) APPLICABILITY.—

8 (1) IN GENERAL.—Subject to paragraph (2),
9 the Federal share provided by subsection (a) shall
10 apply to disaster assistance provided before the date
11 of enactment of this Act.

12 (2) LIMITATION.—In the case of disaster assist-
13 ance provided under sections 403, 406, and 407 of
14 the Robert T. Stafford Disaster Relief and Emer-
15 gency Assistance Act, the Federal share provided by
16 subsection (a) shall be limited to assistance provided
17 for projects for which project worksheets have been
18 approved by the Federal Emergency Management
19 Agency before the date of enactment of this Act.

20 SEC. 2502. (a) COMMUNITY DISASTER LOAN ACT.—

21 (1) IN GENERAL.—Section 2(a) of the Commu-
22 nity Disaster Loan Act of 2005 (Public Law 109–
23 88) is amended by striking “*Provided further, That*
24 notwithstanding section 417(c)(1) of the Stafford
25 Act, such loans may not be canceled:”.

1 (2) EFFECTIVE DATE.—The amendment made
2 by paragraph (1) shall be effective on the date of en-
3 actment of the Community Disaster Loan Act of
4 2005 (Public Law 109–88).

5 (b) EMERGENCY SUPPLEMENTAL APPROPRIATIONS
6 ACT.—

7 (1) IN GENERAL.—Chapter 4 of title II of the
8 Emergency Supplemental Appropriations Act for
9 Defense, the Global War on Terror, and Hurricane
10 Recovery, 2006 (Public Law 109–234) is amended
11 under the heading “Federal Emergency Manage-
12 ment Agency Disaster Assistance Direct Loan Pro-
13 gram Account” by striking “*Provided further, That*
14 notwithstanding section 417(c)(1) of such Act, such
15 loans may not be canceled.”.

16 (2) EFFECTIVE DATE.—The amendment made
17 by paragraph (1) shall be effective on the date of en-
18 actment of the Emergency Supplemental Appropria-
19 tions Act for Defense, the Global War on Terror,
20 and Hurricane Recovery, 2006 (Public Law 109–
21 234).

22 (c) The amounts provided in this section are des-
23 ignated as emergency requirements pursuant to section
24 501 of H. Con. Res. 376 (109th Congress), as made appli-

1 cable to the House of Representatives by section 511(a)(4)
2 of H. Res. 6 (110th Congress).

3 SEC. 2503. (a) IN GENERAL.—Section 2401 of the
4 Emergency Supplemental Appropriations Act for Defense,
5 the Global War on Terror, and Hurricane Recovery, 2006
6 (Public Law 109–234) is amended by striking “12
7 months” and inserting “24 months”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 this section shall be effective on the date of enactment of
10 the Emergency Supplemental Appropriations Act for De-
11 fense, the Global War on Terror, and Hurricane Recovery,
12 2006 (Public Law 109–234).

13 CHAPTER 6

14 DEPARTMENT OF HEALTH AND HUMAN 15 SERVICES

16 ADMINISTRATION FOR CHILDREN AND FAMILIES

17 SOCIAL SERVICES BLOCK GRANT

18 Notwithstanding section 2002(c) of the Social Secu-
19 rity Act (42 U.S.C. 1397a(c)), funds made available under
20 the heading “Social Services Block Grant” in division B
21 of Public Law 109–148 shall be available for expenditure
22 by the States through the end of fiscal year 2008: *Pro-*
23 *vided*, That the amount provided under this heading is
24 designated as an emergency requirement pursuant to sec-
25 tion 501 of H. Con. Res. 376 (109th Congress), as made

1 applicable to the House of Representatives by section
2 511(a)(4) of H. Res. 6 (110th Congress).

3 DEPARTMENT OF EDUCATION

4 INNOVATION AND IMPROVEMENT

5 For carrying out activities authorized by subpart 1
6 of part D of title V of the Elementary and Secondary Edu-
7 cation Act of 1965, \$30,000,000, to remain available until
8 expended, for use by the States of Louisiana, Mississippi,
9 and Alabama for the following costs: (1) recruiting and
10 compensating teachers, principals, other school adminis-
11 trators, and other educators for positions in reopening
12 public elementary and secondary schools impacted by Hur-
13 ricane Katrina or Hurricane Rita, including through such
14 mechanisms as paying salary premiums, performance bo-
15 nuses, housing subsidies and relocation costs; and (2) ac-
16 tivities to build the capacity of reopening such public ele-
17 mentary and secondary schools to provide an effective edu-
18 cation, including the design, adaptation, and implementa-
19 tion of high-quality formative assessments; the establish-
20 ment of partnerships with nonprofit entities with a dem-
21 onstrated track record in recruiting and retaining out-
22 standing teachers and other school leaders; and paid re-
23 lease time for teachers and principals to identify and rep-
24 licate successful practices from the fastest-improving and
25 highest-performing schools: *Provided*, That the Secretary

1 of Education shall allocate such funds among such States
2 that submit applications; that such allocation shall be
3 based on the number of public elementary and secondary
4 schools in each State that were closed for 30 days or more
5 during the period beginning on August 29, 2005, and end-
6 ing on December 31, 2005, due to Hurricane Katrina or
7 Hurricane Rita; and that such States shall in turn allocate
8 funds, on a competitive basis, to local education agencies,
9 giving priority to such agencies with the highest percent-
10 ages of public elementary and secondary schools that are
11 closed as a result of such hurricanes as of the date of en-
12 actment of this Act and the highest percentages of public
13 elementary and secondary schools with a student-teacher
14 ratio of at least 25 to 1: *Provided further*, That not later
15 than 60 days after the date of enactment of this Act, the
16 State educational agency, in cooperation with local edu-
17 cational agencies, teachers' unions, local principals' orga-
18 nizations, local parents' organizations, local business orga-
19 nizations, and local charter schools organizations, shall de-
20 velop a plan for a rating system for performance bonuses
21 and if the State educational agency has failed to reach
22 such an agreement that is satisfactory to all consulting
23 entities by such deadline, the State educational agency
24 shall immediately notify Congress of such failure and rea-
25 sons for it and shall, not later than 30 days after such

1 notification, establish and implement a rating system that
2 shall be based on strong learning gains for students and
3 growth in student achievement, based on classroom obser-
4 vation and feedback at least 4 times annually, conducted
5 by multiple sources (including principals and master
6 teachers), and evaluated against research-validated ru-
7 brics that use planning, instructional, and learning envi-
8 ronment standards to measure teaching performance: *Pro-*
9 *vided further*, That the amount provided under this head-
10 ing is designated as an emergency requirement pursuant
11 to section 501 of H. Con. Res. 376 (109th Congress), as
12 made applicable to the House of Representatives by sec-
13 tion 511(a)(4) of H. Res. 6 (110th Congress).

14 HURRICANE EDUCATION RECOVERY

15 PROGRAMS TO RESTART SCHOOL OPERATIONS

16 Funds made available under section 102 of the Hur-
17 ricane Education Recovery Act (title IV of division B of
18 Public Law 109–148) may be used by the States of Lou-
19 isiana, Mississippi, Alabama, and Texas, in addition to the
20 uses of funds described in section 102(e) for the following
21 costs: (1) recruiting and compensating teachers, prin-
22 cipals, other school administrators, and other educators
23 for positions in reopening public elementary and secondary
24 schools impacted by Hurricane Katrina or Hurricane Rita,
25 including through such mechanisms as paying salary pre-

1 miums, performance bonuses, housing subsidies and relo-
2 cation costs; and (2) activities to build the capacity of re-
3 opening such public elementary and secondary schools to
4 provide an effective education, including the design, adap-
5 tation, and implementation of high-quality formative as-
6 sessments; the establishment of partnerships with non-
7 profit entities with a demonstrated track record in recruit-
8 ing and retaining outstanding teachers and other school
9 leaders; and paid release time for teachers and principals
10 to identify and replicate successful practices from the fast-
11 est-improving and highest-performing schools: *Provided,*
12 That not later than 60 days after the date of enactment
13 of this Act, the State educational agency, in cooperation
14 with local educational agencies, teachers' unions, local
15 principals' organizations, local parents' organizations,
16 local business organizations, and local charter schools or-
17 ganizations, shall develop a plan for a rating system for
18 performance bonuses and if the State educational agency
19 has failed to reach such an agreement that is satisfactory
20 to all consulting entities by such deadline, the State edu-
21 cational agency shall immediately notify Congress of such
22 failure and reasons for it and shall, not later than 30 days
23 after such notification, establish and implement a rating
24 system that shall be based on strong learning gains for
25 students and growth in student achievement, based on

1 classroom observation and feedback at least 4 times annu-
2 ally, conducted by multiple sources (including principals
3 and master teachers), and evaluated against research-vali-
4 dated rubrics that use planning, instructional, and learn-
5 ing environment standards to measure teaching perform-
6 ance: *Provided further*, That the amount provided under
7 this heading is designated as an emergency requirement
8 pursuant to section 501 of H. Con. Res. 376 (109th Con-
9 gress), as made applicable to the House of Representatives
10 by section 511(a)(4) of H. Res. 6 (110th Congress).

11 HIGHER EDUCATION

12 For an additional amount under part B of title VII
13 of the Higher Education Act of 1965 (“HEA”) for institu-
14 tions of higher education (as defined in section 102 of that
15 Act) that are located in an area in which a major disaster
16 was declared in accordance with section 401 of the Robert
17 T. Stafford Disaster Relief and Emergency Assistance Act
18 related to hurricanes in the Gulf of Mexico in calendar
19 year 2005, \$30,000,000: *Provided*, That such funds shall
20 be available to the Secretary of Education only for pay-
21 ments to help defray the expenses (which may include lost
22 revenue, reimbursement for expenses already incurred,
23 and construction) incurred by such institutions of higher
24 education that were forced to close for at least 30 consecu-
25 tive calendar days between August 25, 2005, and January

1 1, 2006, as a result of damage directly caused by such
2 hurricanes and for payments to enable such institutions
3 to provide grants to students who attend such institutions
4 for academic years beginning on or after July 1, 2006:
5 *Provided further,* That such payments shall be made in
6 accordance with criteria established by the Secretary and
7 made publicly available without regard to section 437 of
8 the General Education Provisions Act, section 553 of title
9 5, United States Code, or part B of title VII of the HEA:
10 *Provided further,* That the amount provided under this
11 heading is designated as an emergency requirement pursu-
12 ant to section 501 of H. Con. Res. 376 (109th Congress),
13 as made applicable to the House of Representatives by sec-
14 tion 511(a)(4) of H. Res. 6 (110th Congress).

15 GENERAL PROVISION—THIS CHAPTER

16 SEC. 2601. Section 105(b) of title IV of division B
17 of Public Law 109–148 is amended by adding at the end
18 the following new sentence: “With respect to the program
19 authorized by section 102 of this Act, the waiver authority
20 in subsection (a) of this section shall be available until
21 the end of fiscal year 2008.”.

CHAPTER 7

DEPARTMENT OF HOUSING AND URBAN

DEVELOPMENT

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

6 For an additional amount for the purposes specified
7 under, and subject to the provisions of, this heading in
8 chapter 9 of title I of division B of Public Law 109–148
9 (119 Stat. 2779), \$80,000,000, to remain available until
10 December 31, 2007: *Provided*, That the third proviso
11 under such heading in Public Law 109–148 shall be ap-
12 plied to amounts made available under this heading and
13 under such heading in Public Law 109–148 by sub-
14 stituting “until December 31, 2007” for “for up to 18
15 months”: *Provided further*, That \$80,000,000 shall be re-
16 scinded from unobligated balances remaining from the
17 amounts made available under such heading in Public Law
18 109–148: *Provided further*, That the amount provided
19 under this heading is designated as an emergency require-
20 ment pursuant to section 501 of H. Con. Res. 376 (109th
21 Congress), as made applicable to the House of Representa-
22 tives by section 511(a)(4) of H. Res. 6 (110th Congress).

OFFICE OF INSPECTOR GENERAL

24 For an additional amount for “Office of Inspector
25 General” for necessary expenses related to the con-

1 sequences of Hurricane Katrina and other hurricanes of
2 the 2005 season, \$10,240,000, to remain available until
3 September 30, 2007: *Provided*, That the amount provided
4 under this heading is designated as an emergency require-
5 ment pursuant to section 501 of H. Con. Res. 376 (109th
6 Congress), as made applicable to the House of Representa-
7 tives by section 511(a)(4) of H. Res. 6 (110th Congress).

8 TITLE III—AGRICULTURAL ASSISTANCE

9 SEC. 3101. CROP DISASTER ASSISTANCE.

10 (a) ASSISTANCE AVAILABLE.—There are hereby ap-
11 propriated to the Secretary of Agriculture such sums as
12 are necessary, to remain available until expended, to make
13 emergency financial assistance available to producers on
14 a farm that incurred qualifying quantity or quality losses
15 for the 2005 or 2006 crop, or for the 2007 crop before
16 the date of the enactment of this Act, due to damaging
17 weather or any related condition (including losses due to
18 crop diseases, insects, and delayed harvest), as determined
19 by the Secretary. However, to be eligible for assistance,
20 the crop subject to the loss must have been harvested be-
21 fore the date of the enactment of this Act or, in the case
22 of prevented planting or other total loss, would have been
23 harvested before the date of the enactment of this Act in
24 the absence of the damaging weather or any related condi-
25 tion.

1 (b) ELECTION OF CROP YEAR.—If a producer in-
2 curred qualifying crop losses in more than one of the
3 2005, 2006, or 2007 crop years, the producer shall elect
4 to receive assistance under this section for losses incurred
5 in only one of such crop years. The producer may not re-
6 ceive assistance under this section for more than one crop
7 year.

8 (c) ADMINISTRATION.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), the Secretary of Agriculture shall make
11 assistance available under this section in the same
12 manner as provided under section 815 of the Agri-
13 culture, Rural Development, Food and Drug Admin-
14 istration and Related Agencies Appropriations Act,
15 2001 (Public Law 106–387; 114 Stat. 1549A–55),
16 including using the same loss thresholds for quantity
17 and economic losses as were used in administering
18 that section, except that the payment rate shall be
19 50 percent of the established price, instead of 65
20 percent.

21 (2) LOSS THRESHOLDS FOR QUALITY
22 LOSSES.—In the case of a payment for quality loss
23 for a crop under subsection (a), the loss thresholds
24 for quality loss for the crop shall be determined
25 under subsection (d).

1 (d) QUALITY LOSSES.—

2 (1) IN GENERAL.—Subject to paragraph (3),
3 the amount of a payment made to producers on a
4 farm for a quality loss for a crop under subsection
5 (a) shall be equal to the amount obtained by multi-
6 plying—

7 (A) 65 percent of the payment quantity de-
8 termined under paragraph (2); by

9 (B) 50 percent of the payment rate deter-
10 mined under paragraph (3).

11 (2) PAYMENT QUANTITY.—For the purpose of
12 paragraph (1)(A), the payment quantity for quality
13 losses for a crop of a commodity on a farm shall
14 equal the lesser of—

15 (A) the actual production of the crop af-
16 fected by a quality loss of the commodity on the
17 farm; or

18 (B) the quantity of expected production of
19 the crop affected by a quality loss of the com-
20 modity on the farm, using the formula used by
21 the Secretary of Agriculture to determine quan-
22 tity losses for the crop of the commodity under
23 subsection (a).

24 (3) PAYMENT RATE.—For the purpose of para-
25 graph (1)(B) and in accordance with paragraphs (5)

1 and (6), the payment rate for quality losses for a
2 crop of a commodity on a farm shall be equal to the
3 difference between—

4 (A) the per unit market value that the
5 units of the crop affected by the quality loss
6 would have had if the crop had not suffered a
7 quality loss; and

8 (B) the per unit market value of the units
9 of the crop affected by the quality loss.

10 (4) ELIGIBILITY.—For producers on a farm to
11 be eligible to obtain a payment for a quality loss for
12 a crop under subsection (a), the amount obtained by
13 multiplying the per unit loss determined under para-
14 graph (1) by the number of units affected by the
15 quality loss shall be at least 25 percent of the value
16 that all affected production of the crop would have
17 had if the crop had not suffered a quality loss.

18 (5) MARKETING CONTRACTS.—In the case of
19 any production of a commodity that is sold pursuant
20 to 1 or more marketing contracts (regardless of
21 whether the contract is entered into by the pro-
22 ducers on the farm before or after harvest) and for
23 which appropriate documentation exists, the quan-
24 tity designated in the contracts shall be eligible for

1 quality loss assistance based on the 1 or more prices
2 specified in the contracts.

3 (6) OTHER PRODUCTION.—For any additional
4 production of a commodity for which a marketing
5 contract does not exist or for which production con-
6 tinues to be owned by the producer, quality losses
7 shall be based on the average local market discounts
8 for reduced quality, as determined by the appro-
9 priate State committee of the Farm Service Agency.

10 (7) QUALITY ADJUSTMENTS AND DISCOUNTS.—
11 The appropriate State committee of the Farm Serv-
12 ice Agency shall identify the appropriate quality ad-
13 justment and discount factors to be considered in
14 carrying out this subsection, including—

15 (A) the average local discounts actually ap-
16 plied to a crop; and

17 (B) the discount schedules applied to loans
18 made by the Farm Service Agency or crop in-
19 surance coverage under the Federal Crop Insur-
20 ance Act (7 U.S.C. 1501 et seq.).

21 (8) ELIGIBLE PRODUCTION.—The Secretary of
22 Agriculture shall carry out this subsection in a fair
23 and equitable manner for all eligible production, in-
24 cluding the production of fruits and vegetables,
25 other specialty crops, and field crops.

1 (e) PAYMENT LIMITATIONS.—

2 (1) LIMIT ON AMOUNT OF ASSISTANCE.—As-
3 sistance provided under this section to a producer
4 for losses to a crop, together with the amounts speci-
5 fied in paragraph (2) applicable to the same crop,
6 may not exceed 95 percent of what the value of the
7 crop would have been in the absence of the losses,
8 as estimated by the Secretary of Agriculture.

9 (2) OTHER PAYMENTS.—In applying the limita-
10 tion in paragraph (1), the Secretary shall include the
11 following:

12 (A) Any crop insurance payment made
13 under the Federal Crop Insurance Act (7
14 U.S.C. 1501 et seq.) or payment under section
15 196 of the Federal Agricultural Improvement
16 and Reform Act of 1996 (7 U.S.C. 7333) that
17 the producer receives for losses to the same
18 crop.

19 (B) The value of the crop that was not lost
20 (if any), as estimated by the Secretary.

21 (3) DUPLICATIVE PAYMENTS.—The Secretary
22 of Agriculture shall ensure, to the maximum extent
23 practicable, that no producer on a farm receives du-
24 plicative payments under this section and any other
25 Federal program for the same loss.

1 (f) ELIGIBILITY REQUIREMENTS AND LIMITA-
2 TIONS.—The producers on a farm shall not be eligible for
3 assistance under this section with respect to losses to an
4 insurable commodity or noninsurable commodity if the
5 producers on the farm—

6 (1) in the case of an insurable commodity, did
7 not obtain a policy or plan of insurance for the in-
8 surable commodity under the Federal Crop Insur-
9 ance Act (7 U.S.C. 1501 et seq.) for the crop incur-
10 ring the losses;

11 (2) in the case of a noninsurable commodity,
12 did not file the required paperwork, and pay the ad-
13 ministrative fee by the applicable State filing dead-
14 line, for the noninsurable commodity under section
15 196 of the Federal Agriculture Improvement and
16 Reform Act of 1996 (7 U.S.C. 7333) for the crop
17 incurring the losses; or

18 (3) were not in compliance with highly erodible
19 land conservation and wetland conservation provi-
20 sions.

21 (g) TIMING.—

22 (1) IN GENERAL.—Subject to paragraph (2),
23 the Secretary of Agriculture shall make payments to
24 producers on a farm for a crop under this section
25 not later than 60 days after the date the producers

1 on the farm submit to the Secretary a completed ap-
2 plication for the payments.

3 (2) INTEREST.—If the Secretary does not make
4 payments to the producers on a farm by the date de-
5 scribed in paragraph (1), the Secretary shall pay to
6 the producers on a farm interest on the payments at
7 a rate equal to the current (as of the sign-up dead-
8 line established by the Secretary) market yield on
9 outstanding, marketable obligations of the United
10 States with maturities of 30 years.

11 (h) DEFINITIONS.—In this section:

12 (1) INSURABLE COMMODITY.—The term “insur-
13 able commodity” means an agricultural commodity
14 (excluding livestock) for which the producers on a
15 farm are eligible to obtain a policy or plan of insur-
16 ance under the Federal Crop Insurance Act (7
17 U.S.C. 1501 et seq.).

18 (2) NONINSURABLE COMMODITY.—The term
19 “noninsurable commodity” means a crop for which
20 the producers on a farm are eligible to obtain assist-
21 ance under section 196 of the Federal Agriculture
22 Improvement and Reform Act of 1996 (7 U.S.C.
23 7333).

24 **SEC. 3102. LIVESTOCK ASSISTANCE.**

25 (a) LIVESTOCK COMPENSATION PROGRAM.—

1 (1) AVAILABILITY OF ASSISTANCE.—There are
2 hereby appropriated to the Secretary of Agriculture
3 such sums as are necessary, to remain available
4 until expended, to carry out the livestock compensa-
5 tion program established under subpart B of part
6 1416 of title 7, Code of Federal Regulations, as an-
7 nounced by the Secretary on February 12, 2007 (72
8 Fed. Reg. 6443), to provide compensation for live-
9 stock losses during calendar years 2005 and 2006,
10 and during calendar year 2007 before the date of
11 the enactment of this Act, due to a disaster, as de-
12 termined by the Secretary, including wildfire in the
13 State of Texas and other States and blizzards in the
14 States of Colorado, Kansas, Nebraska, New Mexico,
15 and Oklahoma. However, the payment rate for com-
16 pensation under this subsection shall be 75 percent
17 of the payment rate otherwise applicable under such
18 program.

19 (2) ELIGIBLE APPLICANTS.—In carrying out
20 the program described in paragraph (1), the Sec-
21 retary shall provide assistance to any applicant
22 that—

23 (A) conducts a livestock operation that is
24 located in a disaster county with eligible live-
25 stock specified in paragraph (1) of section

1 1416.102(a) of title 7, Code of Federal Regula-
2 tions (72 Fed. Reg. 6444), an animal described
3 in section 10806(a)(1) of the Farm Security
4 and Rural Investment Act of 2002 (21 U.S.C.
5 321d(a)(1)), or other animals designated by the
6 Secretary as livestock for purposes of this sub-
7 section; and

8 (B) meets the requirements of paragraphs
9 (3) and (4) of section 1416.102(a) of title 7,
10 Code of Federal Regulations, and all other eligi-
11 bility requirements established by the Secretary
12 for the program.

13 (3) ELECTION OF LOSSES.—If a producer in-
14 curred eligible livestock losses in more than one of
15 the 2005, 2006, or 2007 calendar years, the pro-
16 ducer shall elect to receive payments under this sub-
17 section for losses incurred in only one of such cal-
18 endar years, and such losses must have been in-
19 curred in a county declared or designated as a dis-
20 aster county in that same calendar year.

21 (4) MITIGATION.—In determining the eligibility
22 for or amount of payments for which a producer is
23 eligible under the livestock compensation program,
24 the Secretary shall not penalize a producer that
25 takes actions (recognizing disaster conditions) that

1 reduce the average number of livestock the producer
2 owned for grazing during the production year for
3 which assistance is being provided.

4 (5) LIMITATION.—The Secretary shall ensure,
5 to the maximum extent practicable, that no producer
6 on a farm receives duplicative payments under this
7 subsection and another Federal program with re-
8 spect to any loss.

9 (6) DEFINITIONS.—In this subsection:

10 (A) DISASTER COUNTY.—The term “dis-
11 aster county” means—

12 (i) a county included in the geo-
13 graphic area covered by a natural disaster
14 declaration; and

15 (ii) each county contiguous to a coun-
16 ty described in clause (i).

17 (B) NATURAL DISASTER DECLARATION.—
18 The term “natural disaster declaration”
19 means—

20 (i) a natural disaster declared by the
21 Secretary during calendar year 2005 or
22 2006, or calendar year 2007 before the
23 date of the enactment of this Act, under
24 section 321(a) of the Consolidated Farm

1 and Rural Development Act (7 U.S.C.
2 1961(a)); or

3 (ii) a major disaster or emergency
4 designated by the President during cal-
5 endar year 2005 or 2006, or calendar year
6 2007 before the date of the enactment of
7 this Act, under the Robert T. Stafford Dis-
8 aster Relief and Emergency Assistance Act
9 (42 U.S.C. 5121 et seq.).

10 (b) LIVESTOCK INDEMNITY PAYMENTS.—

11 (1) AVAILABILITY OF ASSISTANCE.—There are
12 hereby appropriated to the Secretary of Agriculture
13 such sums as are necessary, to remain available
14 until expended, to make livestock indemnity pay-
15 ments to producers on farms that have incurred live-
16 stock losses during calendar years 2005 and 2006,
17 and during calendar year 2007 before the date of
18 the enactment of this Act, due to a disaster, as de-
19 termined by the Secretary, including hurricanes,
20 floods, anthrax, wildfires in the State of Texas and
21 other States, and blizzards in the States of Colo-
22 rado, Kansas, Nebraska, New Mexico, and Okla-
23 homa.

24 (2) ELECTION OF LOSSES.—If a producer in-
25 curred eligible livestock losses in more than one of

1 the 2005, 2006, or 2007 calendar years, the pro-
2 ducer shall elect to receive payments under this sub-
3 section for losses incurred in only one of such cal-
4 endar years. The producer may not receive payments
5 under this subsection for more than one calendar
6 year.

7 (3) PAYMENT RATES.—Indemnity payments to
8 a producer on a farm under paragraph (1) shall be
9 made at a rate of not less than 30 percent of the
10 market value of the applicable livestock on the day
11 before the date of death of the livestock, as deter-
12 mined by the Secretary.

13 (4) LIVESTOCK DEFINED.—In this subsection,
14 the term “livestock” means an animal that—

15 (A) is specified in clause (i) of section
16 1416.203(a)(2) of title 7, Code of Federal Reg-
17 ulations (72 Fed. Reg. 6445), or is designated
18 by the Secretary as livestock for purposes of
19 this subsection; and

20 (B) meets the requirements of clauses (iii)
21 and (iv) of such section.

22 (c) LIMIT ON AMOUNT OF ASSISTANCE.—The Sec-
23 retary of Agriculture shall ensure, to the maximum extent
24 practicable, that no producer on a farm receives duplica-

1 tive payments under this section and any other Federal
2 program for the same loss.

3 **SEC. 3103. SPINACH.**

4 There is hereby appropriated to the Secretary of Ag-
5 riculture \$25,000,000, to remain available until expended,
6 to make payments to growers and first handlers, as de-
7 fined by the Secretary, of fresh spinach that were unable
8 to market spinach crops as a result of the Food and Drug
9 Administration Public Health Advisory issued on Sep-
10 tember 14, 2006. The payment made to a grower or first
11 handler under this section shall not exceed 75 percent of
12 the value of the unmarketed spinach crops.

13 **SEC. 3104. EMERGENCY CONSERVATION PROGRAM.**

14 There is hereby appropriated to the Secretary of Ag-
15 riculture \$20,000,000, to remain available until expended,
16 to provide assistance under the Emergency Conservation
17 Program under title IV of the Agriculture Credit Act of
18 1978 (16 U.S.C. 2201 et seq.) for the cleanup and restora-
19 tion of farmland damaged by freezing temperatures at any
20 time during the period beginning on January 1, 2007, and
21 ending on the date of the enactment of this Act.

22 **SEC. 3105. PAYMENT LIMITATIONS.**

23 (a) REDUCTION IN PAYMENTS TO REFLECT PAY-
24 MENTS FOR SAME OR SIMILAR LOSSES.—The amount of
25 any payment for which a producer is eligible under sec-

1 tions 3101 and 3102 shall be reduced by any amount re-
2 ceived by the producer for the same loss or any similar
3 loss under—

4 (1) the Department of Defense, Emergency
5 Supplemental Appropriations to Address Hurricanes
6 in the Gulf of Mexico, and Pandemic Influenza Act,
7 2006 (Public Law 109–148; 119 Stat. 2680); or

8 (2) an agricultural disaster assistance provision
9 contained in the announcement of the Secretary of
10 Agriculture on January 26, 2006.

11 (b) ADJUSTED GROSS INCOME LIMITATION.—Section
12 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–
13 3a) shall apply with respect to assistance provided under
14 sections 3101, 3102, 3103, and 3104.

15 **SEC. 3106. ADMINISTRATION.**

16 (a) REGULATIONS.—The Secretary of Agriculture
17 may promulgate such regulations as are necessary to im-
18 plement sections 3101 and 3102.

19 (b) PROCEDURE.—The promulgation of the imple-
20 menting regulations and the administration of sections
21 3101 and 3102 shall be made without regard to—

22 (1) the notice and comment provisions of sec-
23 tion 553 of title 5, United States Code;

24 (2) the Statement of Policy of the Secretary of
25 Agriculture effective July 24, 1971 (36 Fed. Reg.

1 13804), relating to notices of proposed rulemaking
2 and public participation in rulemaking; and

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

6 (c) CONGRESSIONAL REVIEW OF AGENCY RULE-
7 MAKING.—In carrying out this section, the Secretary of
8 Agriculture shall use the authority provided under section
9 808 of title 5, United States Code.

10 (d) USE OF COMMODITY CREDIT CORPORATION;
11 LIMITATION.—In implementing sections 3101 and 3102,
12 the Secretary of Agriculture may use the facilities, serv-
13 ices, and authorities of the Commodity Credit Corpora-
14 tion. The Corporation shall not make any expenditures to
15 carry out sections 3101 and 3102 unless funds have been
16 specifically appropriated for such purpose.

17 **SEC. 3107. MILK INCOME LOSS CONTRACT PROGRAM.**

18 Notwithstanding subsections (c)(3), (f), and (g) of
19 section 1502 of the Farm Security and Rural Investment
20 Act of 2002 (7 U.S.C. 7982), there is hereby appropriated
21 \$283,000,000, to remain available until expended, for pay-
22 ments under such section, using the payment rate speci-
23 fied in subsection (c)(3)(B) of such section, from Sep-
24 tember 1, 2007, through September 30, 2008. Of such
25 amount, \$252,000,000 shall be available only on or after

1 September 30, 2007, and only so long as an Act to provide
2 for the continuation of agricultural programs for fiscal
3 years after 2007, including such section 1502, is not en-
4 acted.

5 **SEC. 3108. PEANUT STORAGE COSTS.**

6 Notwithstanding subsection (a)(6) of section 1307 of
7 the Farm Security and Rural Investment Act of 2002 (7
8 U.S.C. 7957), there is hereby appropriated \$74,000,000,
9 to remain available until expended, for the payment of
10 storage, handling, and other associated costs for the 2007
11 crop of peanuts to ensure proper storage of peanuts for
12 which a loan is made under such section. Of such amount,
13 \$74,000,000 shall be available only on or after September
14 30, 2007, and only so long as an Act to provide for the
15 continuation of agricultural programs for fiscal years after
16 2007, including such section 1307, is not enacted.

17 **SEC. 3109. LOSSES DUE TO APHIS EMERGENCY ORDER.**

18 There is hereby appropriated to the Secretary of Ag-
19 riculture \$5,000,000, to remain available until expended,
20 to provide compensation to aquaculture operations and
21 other persons in the United States engaged in the business
22 of breeding, rearing, or transporting live fish to cover all
23 or a portion of the economic losses incurred by the oper-
24 ation or person as a result of the emergency order issued
25 by the Animal and Plant Health Inspection Service on Oc-

1 tober 24, 2006, prohibiting the importation of specified
 2 species of live fish from Ontario and Quebec, Canada, and
 3 the interstate movement of these same species of fish from
 4 New York, Pennsylvania, Ohio, Michigan, Indiana, Illi-
 5 nois, Minnesota, or Wisconsin due to outbreaks of viral
 6 hemorrhagic septicemia. The operation or person seeking
 7 compensation shall be required to document to the satis-
 8 faction of the Secretary the economic losses so incurred
 9 as a result of the emergency order.

10 **SEC. 3110. EMERGENCY DESIGNATION.**

11 The amounts provided in this title are designated as
 12 an emergency requirement pursuant to section 501 of H.
 13 Con. Res. 376 (109th Congress), as made applicable to
 14 the House of Representatives by section 511(a)(4) of H.
 15 Res. 6 (110th Congress).

16 TITLE IV—OTHER MATTERS

17 CHAPTER 1

18 DEPARTMENT OF AGRICULTURE

19 FARM SERVICE AGENCY

20 SALARIES AND EXPENSES

21 For an additional amount for “Salaries and Ex-
 22 penses”, \$48,000,000.

23 GENERAL PROVISIONS—THIS CHAPTER

24 SEC. 4101. Of the funds made available through ap-
 25 propriations to the Food and Drug Administration for fis-

1 cal year 2007, not less than \$4,000,000 shall be for the
2 Office of Women’s Health of such Administration.

3 SEC. 4102. None of the funds made available to the
4 Department of Agriculture for fiscal year 2007 may be
5 used for a risk-based inspection program for poultry or
6 meat unless the Secretary of Agriculture considers such
7 program to be a rule under chapter 5 of title 5, United
8 States Code.

9 CHAPTER 2

10 DEPARTMENT OF COMMERCE

11 NATIONAL OCEANIC AND ATMOSPHERIC

12 ADMINISTRATION

13 OPERATIONS, RESEARCH, AND FACILITIES

14 For an additional amount for “Operations, Research,
15 and Facilities”, National Marine Fisheries Service,
16 \$60,400,000, to remain available until September 30,
17 2008: *Provided*, That the National Marine Fisheries Serv-
18 ice shall cause such amounts to be distributed among fish-
19 ing communities, Indian tribes, individuals, small busi-
20 nesses, including fishermen, fish processors, and related
21 businesses, and other persons for assistance to mitigate
22 the economic and other social effects caused by the com-
23 mercial fishery failure as determined by the Secretary on
24 August 10, 2006: *Provided further*, That the amount pro-
25 vided under this heading is designated as an emergency

1 requirement pursuant to section 501 of H. Con. Res. 376
2 (109th Congress), as made applicable to the House of
3 Representatives by section 511(a)(4) of H. Res. 6 (110th
4 Congress).

5 CHAPTER 3

6 SEC. 4301. (a) Section 102(a)(3)(B) of the Help
7 America Vote Act of 2002 (42 U.S.C. 15302(a)(3)(B)) is
8 amended by striking “January 1, 2006” and inserting
9 “January 1, 2008”.

10 (b) The amendment made by subsection (a) shall take
11 effect as if included in the enactment of the Help America
12 Vote Act of 2002.

13 CHAPTER 4

14 DEPARTMENT OF HOMELAND SECURITY

15 GENERAL PROVISIONS

16 (RESCISSION)

17 SEC. 4401. Of the unobligated balances made avail-
18 able pursuant to section 505 of Public Law 109–90,
19 \$89,800,000 are rescinded.

20 SEC. 4402. The last two provisos under the heading
21 “Department of Homeland Security, Customs and Border
22 Protection—Salaries and Expenses” in Public Law 109–
23 90 shall remain in effect through September 30, 2007.

1 SEC. 4403. (a) IN GENERAL.—Any contract, sub-
2 contract, or task order described in subsection (b) shall
3 contain the following:

4 (1) A requirement for a technical review of all
5 designs, design changes, and engineering change
6 proposals, and a requirement to specifically address
7 all engineering concerns identified in the review be-
8 fore the obligation of further funds may occur.

9 (2) A requirement that the Coast Guard main-
10 tain technical warrant holder authority, or the equiv-
11 alent, for major assets.

12 (3) A requirement for independent cost esti-
13 mates of major changes.

14 (4) A requirement for measurement of con-
15 tractor and subcontractor performance based on the
16 status of all work performed.

17 (b) CONTRACTS, SUBCONTRACTS, AND TASK ORDERS
18 COVERED.—Subsection (a) applies to—

19 (1) any major procurement contract entered
20 into by the Coast Guard;

21 (2) any subcontract entered into under such a
22 contract; and

23 (3) any task order issued pursuant to such a
24 contract or subcontract.

1 (c) PLAN FOR EXPENDITURE OF DEEPWATER
2 FUNDS.—The funds appropriated in Public Law 109–295
3 for the Integrated Deepwater Systems program may not
4 be obligated until the Committees on Appropriations of the
5 Senate and the House of Representatives receive and ap-
6 prove a plan for expenditure that—

7 (1) defines activities, milestones, yearly costs,
8 and lifecycle costs for each procurement of a major
9 asset, including an independent cost estimate for
10 each;

11 (2) identifies lifecycle staffing and training
12 needs of Coast Guard project managers and of pro-
13 curement and contract staff;

14 (3) identifies all Integrated Product Teams that
15 are not chaired by Coast Guard personnel and ex-
16 plains why the Coast Guard does not chair;

17 (4) identifies competition to be conducted in
18 each procurement;

19 (5) does not rely on a single industry entity or
20 contract;

21 (6) contains very limited indefinite delivery/in-
22 definite quantity contracts and explains the need for
23 any indefinite delivery/indefinite quantity contracts;

24 (7) complies with all applicable acquisition
25 rules, requirements, and guidelines, and incorporates

1 the best systems acquisition management practices
2 of the Federal Government;

3 (8) complies with the capital planning and in-
4 vestment control requirements established by the Of-
5 fice of Management and Budget, including circular
6 A-11, part 7;

7 (9) includes a certification by the Chief Pro-
8 curement Officer of the Department of Homeland
9 Security that the Coast Guard has established suffi-
10 cient controls and procedures to comply with all con-
11 tracting requirements and that any apparent con-
12 flicts of interest have been sufficiently addressed;

13 (10) includes a description of the process used
14 to act upon deviations from the contractually speci-
15 fied performance requirements and clearly explains
16 the actions taken on such deviations; and

17 (11) is reviewed by the Government Account-
18 ability Office.

19 SEC. 4404. (a) IN GENERAL.—With respect to con-
20 tracts entered into after May 1, 2007, and except as pro-
21 vided in subsection (b), no entity performing lead system
22 integrator functions in the acquisition of a major system
23 by the Department of Homeland Security may have any
24 direct financial interest in the development or construction

1 of any individual system or element of any system of sys-
2 tems.

3 (b) EXCEPTION.—An entity described in subsection
4 (a) may have a direct financial interest in the development
5 or construction of an individual system or element of a
6 system of systems if—

7 (1) the Secretary of Homeland Security cer-
8 tifies to the Committees on Appropriations of the
9 Senate and the House of Representatives and the
10 House Committee on Homeland Security that—

11 (A) the entity was selected by the Depart-
12 ment of Homeland Security as a contractor to
13 develop or construct the system or element con-
14 cerned through the use of competitive proce-
15 dures; and

16 (B) the Department took appropriate steps
17 to prevent any organizational conflict of interest
18 in the selection process; or

19 (2) the entity was selected by a subcontractor
20 to serve as a lower-tier subcontractor, through a
21 process over which the entity exercised no control.

22 (c) CONSTRUCTION.—Nothing in this section shall be
23 construed to preclude an entity described in subsection (a)
24 from performing work necessary to integrate two or more

1 individual systems or elements of a system of systems with
2 each other.

3 (d) REGULATIONS UPDATE.—Not later than May 1,
4 2007, the Secretary of Homeland Security shall update
5 the acquisition regulations of the Department of Home-
6 land Security in order to specify fully in such regulations
7 the matters with respect to lead system integrators set
8 forth in this section. Included in such regulations shall be
9 (1) a precise and comprehensive definition of the term
10 “lead system integrator”, modeled after that used by the
11 Department of Defense, and (2) a specification of various
12 types of contracts and fee structures that are appropriate
13 for use by lead system integrators in the production, field-
14 ing, and sustainment of complex systems.

15 CHAPTER 5

16 DEPARTMENT OF THE INTERIOR

17 BUREAU OF LAND MANAGEMENT

18 WILDLAND FIRE MANAGEMENT

19 (INCLUDING TRANSFER OF FUNDS)

20 For an additional amount for “Wildland Fire Man-
21 agement”, \$100,000,000, to remain available until ex-
22 pended, for urgent wildland fire suppression activities:
23 *Provided*, That such funds shall only become available if
24 funds previously provided for wildland fire suppression will
25 be exhausted imminently and the Secretary of the Interior
26 notifies the House and Senate Committees on Appropria-

1 tions in writing of the need for these additional funds: *Pro-*
2 *vided further*, That such funds are also available for repay-
3 ment to other appropriation accounts from which funds
4 were transferred for wildfire suppression: *Provided further*,
5 That the amount provided under this heading is des-
6 ignated as an emergency requirement pursuant to section
7 501 of H. Con. Res. 376 (109th Congress), as made appli-
8 cable to the House of Representatives by section 511(a)(4)
9 of H. Res. 6 (110th Congress).

10 UNITED STATES FISH AND WILDLIFE SERVICE

11 RESOURCE MANAGEMENT

12 For an additional amount for “Resource Manage-
13 ment” for the detection of highly pathogenic avian influ-
14 enza in wild birds, including the investigation of morbidity
15 and mortality events, targeted surveillance in live wild
16 birds, and targeted surveillance in hunter-taken birds,
17 \$7,398,000, to remain available until September 30, 2008.

18 NATIONAL PARK SERVICE

19 OPERATION OF THE NATIONAL PARK SYSTEM

20 For an additional amount for “Operation of the Na-
21 tional Park System” for the detection of highly pathogenic
22 avian influenza in wild birds, including the investigation
23 of morbidity and mortality events, \$525,000, to remain
24 available until September 30, 2008.

1 U.S. GEOLOGICAL SURVEY
2 SURVEYS, INVESTIGATIONS, AND RESEARCH

3 For an additional amount for “Surveys, Investiga-
4 tions, and Research” for the detection of highly patho-
5 genic avian influenza in wild birds, including the investiga-
6 tion of morbidity and mortality events, targeted surveil-
7 lance in live wild birds, and targeted surveillance in
8 hunter-taken birds, \$5,270,000, to remain available until
9 September 30, 2008.

10 DEPARTMENT OF AGRICULTURE

11 FOREST SERVICE

12 WILDLAND FIRE MANAGEMENT

13 (INCLUDING TRANSFER OF FUNDS)

14 For an additional amount for “Wildland Fire Man-
15 agement”, \$400,000,000, to remain available until ex-
16 pended, for urgent wildland fire suppression activities:
17 *Provided*, That such funds shall only become available if
18 funds provided previously for wildland fire suppression will
19 be exhausted imminently and the Secretary of Agriculture
20 notifies the House and Senate Committees on Appropria-
21 tions in writing of the need for these additional funds: *Pro-*
22 *vided further*, That such funds are also available for repay-
23 ment to other appropriation accounts from which funds
24 were transferred for wildfire suppression: *Provided further*,
25 That the amount provided under this heading is des-
26 ignated as an emergency requirement pursuant to section

1 501 of H. Con. Res. 376 (109th Congress), as made appli-
2 cable to the House of Representatives by section 511(a)(4)
3 of H. Res. 6 (110th Congress).

4 GENERAL PROVISIONS—THIS CHAPTER

5 SEC. 4501. There is appropriated not to exceed
6 \$400,000,000 to the Department of Agriculture, to be
7 used for one-time payments to be allocated, to the max-
8 imum extent practicable, in the same amounts and in the
9 same manner as were paid to States and others in 2006
10 under the Secure Rural Schools and Community Self-De-
11 termination Act of 2000 (Public Law 106–393; 16 U.S.C.
12 500 note): *Provided*, That the amount provided under this
13 heading is designated as an emergency requirement pursu-
14 ant to section 501 of H. Con. Res. 376 (109th Congress),
15 as made applicable to the House of Representatives by sec-
16 tion 511(a)(4) of H. Res. 6 (110th Congress).

17 SEC. 4502. Section 20515 of the Continuing Appro-
18 priations Resolution, 2007 (division B of Public Law 109–
19 289, as amended by Public Law 110–5) is amended by
20 inserting before the period: “; and of which, not to exceed
21 \$9,019,000 shall be available, in addition to amounts oth-
22 erwise available, for contract support costs”.

23 SEC. 4503. Section 20512 of the Continuing Appro-
24 priations Resolution, 2007 (division B of Public Law 109–
25 289, as amended by Public Law 110–5) is amended by

1 inserting after the first dollar amount: “, of which, not
2 to exceed \$5,000,000 shall be available, in addition to
3 amounts otherwise available, for contract support costs;
4 and of which, not to exceed \$7,300,000 may be trans-
5 ferred to the ‘Indian Health Facilities’ account,”.

6 SEC. 4504. Section 20501 of the Continuing Appro-
7 priations Resolution, 2007 (division B of Public Law 109-
8 289, as amended by Public Law 110-5) is amended by
9 inserting after \$55,663,000 “of which \$13,000,000 shall
10 be for Save America’s Treasures”.

11 CHAPTER 6

12 DEPARTMENT OF HEALTH AND HUMAN 13 SERVICES

14 NATIONAL INSTITUTES OF HEALTH

15 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS 16 DISEASES

17 (TRANSFER OF FUNDS)

18 Of the amount provided by the Continuing Appro-
19 priations Resolution, 2007 (division B of Public Law 109-
20 289, as amended by Public Law 110-5) for “National In-
21 stitute of Allergy and Infectious Diseases”, \$49,500,000
22 shall be transferred to “Public Health and Social Services
23 Emergency Fund” to carry out activities relating to ad-
24 vanced research and development as provided by section
25 319L of the Public Health Service Act.

1 ADMINISTRATION FOR CHILDREN AND FAMILIES
2 LOW-INCOME HOME ENERGY ASSISTANCE

3 For an additional amount to make payments under
4 section 2604(a)–(d) of the Low-Income Home Energy As-
5 sistance Act of 1981 (42 U.S.C. 8623(a)–(d)),
6 \$200,000,000: *Provided*, That grantees may obligate the
7 funds made available by this paragraph through Sep-
8 tember 30, 2008, to meet the home energy assistance
9 needs arising from an emergency as defined in section
10 2603(1) of such Act (42 U.S.C. 8622(1)) or for energy
11 crisis intervention under section 2604(c) of such Act (42
12 U.S.C. 8623(c)) except that, in carrying out this para-
13 graph, the Governor of a State (or equivalent authority
14 in the case of grantee other than a State) shall be treated
15 as the Secretary for purposes of such section 2603(1):
16 *Provided further*, That the amount provided by this para-
17 graph is designated as an emergency requirement pursu-
18 ant to section 501 of H. Con. Res. 376 (109th Congress),
19 as made applicable to the House of Representatives by sec-
20 tion 511(a)(4) of H. Res. 6 (110th Congress).

21 For an additional amount to make payments under
22 section 2604(e) of the Low-Income Home Energy Assist-
23 ance Act of 1981 (42 U.S.C. 8623(e)), \$200,000,000: *Pro-*
24 *vided*, That the amount provided by this paragraph is des-
25 ignated as an emergency requirement pursuant to section

1 501 of H. Con. Res. 376 (109th Congress), as made appli-
2 cable to the House of Representatives by section 511(a)(4)
3 of H. Res. 6 (110th Congress).

4 OFFICE OF THE SECRETARY
5 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
6 FUND
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Public Health and So-
9 cial Services Emergency Fund” to prepare for and re-
10 spond to an influenza pandemic, \$969,650,000 to remain
11 available until expended: *Provided*, That \$870,000,000
12 shall be for activities including the development and pur-
13 chase of vaccine, antivirals, necessary medical supplies,
14 diagnostics, and other surveillance tools: *Provided further*,
15 That products purchased with these funds may, at the dis-
16 cretion of the Secretary of Health and Human Services,
17 be deposited in the Strategic National Stockpile: *Provided*
18 *further*, That notwithstanding section 496(b) of the Public
19 Health Service Act, funds may be used for the construc-
20 tion or renovation of privately owned facilities for the pro-
21 duction of pandemic vaccine and other biologicals, where
22 the Secretary finds such a contract necessary to secure
23 sufficient supplies of such vaccines or biologicals: *Provided*
24 *further*, That funds appropriated herein may be trans-
25 ferred to other appropriation accounts of the Department
26 of Health and Human Services, as determined by the Sec-

1 retary to be appropriate, to be used for the purposes speci-
2 fied in this sentence: *Provided further*, That not less than
3 \$34,650,000 shall be for the Centers for Disease Control
4 and Prevention for laboratory diagnostics and analytical
5 capabilities: *Provided further*, That the amount provided
6 under this heading is designated as an emergency require-
7 ment pursuant to section 501 of H. Con. Res. 376 (109th
8 Congress), as made applicable to the House of Representa-
9 tives by section 511(a)(4) of H. Res. 6 (110th Congress).

10 COVERED COUNTERMEASURE PROCESS FUND

11 For carrying out section 319F-4 of the Public Health
12 Service Act (42 U.S.C. 247d-6e) to compensate individ-
13 uals for injuries caused by H5N1 vaccine, in accordance
14 with the declaration regarding avian influenza viruses
15 issued by the Secretary of Health and Human Services
16 on January 26, 2007, pursuant to section 319F-3(b) of
17 such Act (42 U.S.C. 247d-6d(b)), \$50,000,000 to remain
18 available until expended: *Provided*, That the amount pro-
19 vided under this heading is designated as an emergency
20 requirement pursuant to section 501 of H. Con. Res. 376
21 (109th Congress), as made applicable to the House of
22 Representatives by section 511(a)(4) of H. Res. 6 (110th
23 Congress).

1 GENERAL PROVISIONS—THIS CHAPTER

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 4601. Section 20602 of the Continuing Appro-
4 priations Resolution, 2007 (division B of Public Law 109–
5 289, as amended by Public Law 110–5) is amended by
6 striking “of which no less than \$5,000,000 shall be” and
7 inserting the following: “of which \$7,500,000 (together
8 with an additional \$7,000,000 which shall be transferred
9 by the Pension Benefit Guaranty Corporation as an au-
10 thorized administrative cost) shall be available when need-
11 ed through September 30, 2008,”.

12 SEC. 4602. Section 20608(a) of the Continuing Ap-
13 propriations Resolution, 2007 (division B of Public Law
14 109–289, as amended by Public Law 110–5) is amended
15 by inserting “and which shall be available for obligation
16 by the States through December 31, 2007,” after “Public
17 Law 103–353,”.

18 SEC. 4603. Section 20625(b)(1) of the Continuing
19 Appropriations Resolution, 2007 (division B of Public
20 Law 109–289, as amended by Public Law 110–5) is
21 amended by—

22 (1) striking “\$7,172,994,000” and inserting
23 “\$7,176,431,000”;

24 (2) amending subparagraph (A) to read as fol-
25 lows: “(A) \$5,454,824,000 shall be for basic grants

1 under section 1124 of the Elementary and Sec-
2 ondary Education Act of 1965 (ESEA), of which up
3 to \$3,437,000 shall be available to the Secretary of
4 Education on October 1, 2006, to obtain annually
5 updated educational-agency-level census poverty data
6 from the Bureau of the Census;” and

7 (3) amending subparagraph (C) to read as fol-
8 lows: “(C) not to exceed \$2,352,000 may be avail-
9 able for section 1608 of the ESEA and for a clear-
10 inghouse on comprehensive school reform under part
11 D of title V of the ESEA;”.

12 SEC. 4604. The provision in the first proviso under
13 the heading “Rehabilitation Services and Disability Re-
14 search” in the Department of Education Appropriations
15 Act, 2006, relating to alternative financing programs
16 under section 4(b)(2)(D) of the Assistive Technology Act
17 of 1998 shall not apply to funds appropriated by the Con-
18 tinuing Appropriations Resolution, 2007.

19 CHAPTER 7

20 LEGISLATIVE BRANCH

21 PAYMENT TO WIDOWS AND HEIRS OF

22 DECEASED MEMBERS OF CONGRESS

23 For payment to Gloria W. Norwood, widow of Charles
24 W. Norwood, Jr., late a Representative from the State of
25 Georgia, \$165,200.

1 ARCHITECT OF THE CAPITOL
2 CAPITOL POWER PLANT

3 For an additional amount for “Capitol Power Plant”,
4 \$50,000,000, for asbestos abatement and other improve-
5 ments, to remain available until September 30, 2011: *Pro-*
6 *vided*, That the amount provided under this heading is
7 designated as an emergency requirement pursuant to sec-
8 tion 501 of H. Con. Res. 376 (109th Congress), as made
9 applicable to the House of Representatives by section
10 511(a)(4) of H. Res. 6 (110th Congress).

11 CHAPTER 8

12 DEPARTMENT OF STATE

13 INTERNATIONAL COMMISSIONS

14 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

15 UNITED STATES AND MEXICO

16 CONSTRUCTION

17 For an additional amount for “International Bound-
18 ary and Water Commission, United States and Mexico,
19 Construction”, \$10,000,000, to remain available until ex-
20 pended, as authorized.

21 GENERAL PROVISIONS—THIS CHAPTER

22 SEC. 4801. (a) MIDDLE EAST FOUNDATION.—Sec-
23 tion 534(k) of the Foreign Operations, Export Financing,
24 and Related Programs Appropriations Act, 2006 (Public
25 Law 109–102) is amended, in the second proviso, by in-
26 serting after “subsection (b) of that section” the following:

1 (division B of Public Law 109–289, as amended by Public
2 Law 110–5) include amounts necessary to make lease pay-
3 ments due in fiscal year 2007 on an obligation incurred
4 in 2001 under a capital lease.

5 SEC. 4902. Section 21033 of the Continuing Appro-
6 priations Resolution, 2007 (division B of Public Law 109–
7 289, as amended by Public Law 110–5) is amended by
8 adding after the second proviso: “: *Provided further*, That
9 paragraph (2) under such heading in Public Law 109–
10 115 (119 Stat. 2441) shall be funded at \$149,300,000,
11 but additional section 8 tenant protection rental assistance
12 costs may be funded in 2007 by using unobligated bal-
13 ances, notwithstanding the purposes for which such
14 amounts were appropriated, including recaptures and car-
15 ryover, remaining from funds appropriated to the Depart-
16 ment of Housing and Urban Development under this
17 heading, the heading ‘Annual Contributions for Assisted
18 Housing’, the heading ‘Housing Certificate Fund’, and the
19 heading ‘Project-Based Rental Assistance’ for fiscal year
20 2006 and prior fiscal years: *Provided further*, That para-
21 graph (3) under such heading in Public Law 109–115
22 (119 Stat. 2441) shall be funded at \$47,500,000: *Pro-*
23 *vided further*, That paragraph (4) under such heading in
24 Public Law 109–115 (119 Stat. 2441) shall be funded at
25 \$5,900,000: *Provided further*, That paragraph (5) under

1 such heading in Public Law 109–115 (119 Stat. 2441)
2 shall be funded at \$1,281,100,000, of which
3 \$1,251,100,000 shall be allocated for the calendar year
4 2007 funding cycle on a pro rata basis to public housing
5 agencies based on the amount public housing agencies
6 were eligible to receive in calendar year 2006, and of which
7 up to \$30,000,000 shall be available to the Secretary to
8 allocate to public housing agencies that need additional
9 funds to administer their section 8 programs, with up to
10 \$20,000,000 to be for fees associated with section 8 tenant
11 protection rental assistance”.

12 SEC. 4903. Section 21033 of the Continuing Appro-
13 priations Resolution, 2007 (division B of Public Law 109–
14 289, as amended by Public Law 110–5) is amended (prior
15 to amendment by the preceding section of this chapter)
16 by adding after the third proviso: “: *Provided further*, That
17 notwithstanding the previous proviso, except for applying
18 the 2007 Annual Adjustment Factor and making any
19 other specified adjustments, public housing agencies in the
20 following categories shall receive renewal funding for cal-
21 endar year 2007 equal to the amounts, prior to prorations,
22 such public housing agencies were eligible to receive in cal-
23 endar year 2006, prorated at the calendar year 2006 rate:
24 (1) public housing agencies that would receive less funding
25 under the previous proviso than they would receive under

1 this proviso and that are located in any area declared a
2 major disaster under the Robert T. Stafford Disaster Re-
3 lief and Emergency Act (42 U.S.C. 1521 et seq.) with re-
4 spect to hurricanes that occurred in calendar years 2004
5 and 2005; (2) public housing agencies participating in the
6 Moving to Work Demonstration; (3) public housing agen-
7 cies that, during calendar year 2007 but prior to June
8 1, 2007, are in receivership, or the Department of Hous-
9 ing and Urban Development has declared to be in breach
10 of an Annual Contributions Contract; or (4) public hous-
11 ing agencies that overspent their allocation for calendar
12 year 2006 and available housing assistance payments bal-
13 ance from calendar year 2005”.

14 SEC. 4904. Chapter 10 of title II of the Continuing
15 Appropriations Resolution, 2007 (division B of Public
16 Law 109–289, as amended by Public Law 110–5) is
17 amended by inserting after section 21041 the following
18 new section:

19 “SEC. 21041A. The provisions under the heading
20 ‘Department of Housing and Urban Development, Office
21 of Federal Housing Enterprise Oversight, Salaries and
22 Expenses’ in title III of division A of Public Law 109–
23 115 shall be applied to funds appropriated by this division
24 by substituting ‘\$67,568,000’ for ‘\$60,000,000’.”.

1 SEC. 4905. Section 21033 of the Continuing Appro-
2 priations Resolution, 2007 (division B of Public Law 109–
3 289, as amended by Public Law 110–5) is amended (prior
4 to amendment by the preceding sections of this chapter)
5 by striking the sixth proviso.

6 SEC. 4906. Section 232(b) of the Departments of
7 Veterans Affairs and Housing and Urban Development,
8 and Independent Agencies Appropriations Act, 2001
9 (Public Law 106–377) is amended to read as follows:

10 “(b) APPLICABILITY.—In the case of any dwelling
11 unit that, upon the date of the enactment of this Act, is
12 assisted under a housing assistance payment contract
13 under section 8(o)(13) as in effect before such enactment,
14 or under section 8(d)(2) of the United States Housing Act
15 of 1937 (42 U.S.C. 1437f(d)(2)) as in effect before the
16 enactment of the Quality Housing and Work Responsi-
17 bility Act of 1998 (title V of Public Law 105–276), assist-
18 ance may be renewed or extended under such section
19 8(o)(13), as amended by subsection (a), provided that the
20 initial contract term and rent of such renewed or extended
21 assistance shall be determined pursuant to subparagraphs
22 (F) and (H), and subparagraphs (C) and (D) of such sec-
23 tion shall not apply to such extensions or renewals.”.

1 GENERAL PROVISION—THIS ACT

2 SEC. 4910. No part of any appropriation contained
3 in this Act shall remain available for obligation beyond
4 the current fiscal year unless expressly so provided herein.

5 TITLE V—CONTRACTING REFORM

6 **SEC. 5001. MINIMIZING SOLE-SOURCE CONTRACTS.**

7 (a) PLANS REQUIRED.—Subject to subsection (c),
8 the head of each executive agency covered by title III of
9 the Federal Property and Administrative Services Act of
10 1949 (41 U.S.C. 251 et seq.) and the head of each agency
11 covered by chapter 137 of title 10, United States Code,
12 shall develop and implement a plan to minimize the use
13 of contracts entered into using procedures other than com-
14 petitive procedures by the agency concerned. The plan
15 shall contain measurable goals and shall be completed and
16 submitted to the Committee on Oversight and Government
17 Reform of the House of Representatives and the Com-
18 mittee on Homeland Security and Governmental Affairs
19 of the Senate, the Committees on Appropriations of the
20 House of Representatives and the Senate, with a copy pro-
21 vided to the Comptroller General, not later than 1 year
22 after the date of the enactment of this Act.

23 (b) COMPTROLLER GENERAL REVIEW.—The Comp-
24 troller General shall review the plans provided under sub-
25 section (a) and submit a report to Congress on the plans

1 not later than 18 months after the date of the enactment
2 of this Act.

3 (c) REQUIREMENT LIMITED TO CERTAIN AGEN-
4 CIES.—The requirement of subsection (a) shall apply only
5 to those agencies that awarded contracts in a total amount
6 of at least \$1,000,000,000 in the fiscal year preceding the
7 fiscal year in which the report is submitted.

8 **SEC. 5002. MINIMIZING COST-REIMBURSEMENT TYPE CON-**
9 **TRACTS.**

10 (a) PLANS REQUIRED.—Subject to subsection (c),
11 the head of each executive agency covered by title III of
12 the Federal Property and Administrative Services Act of
13 1949 (41 U.S.C. 251 et seq.) and the head of each agency
14 covered by chapter 137 of title 10, United States Code,
15 shall develop and implement a plan to minimize the use
16 of cost-reimbursement type contracts by the agency con-
17 cerned. The plan shall contain measurable goals and shall
18 be completed and submitted to the Committee on Over-
19 sight and Government Reform of the House of Represent-
20 atives and the Committee on Homeland Security and Gov-
21 ernmental Affairs of the Senate, the Committees on Ap-
22 propriations of the House of Representatives and the Sen-
23 ate, with a copy provided to the Comptroller General, not
24 later than 1 year after the date of the enactment of this
25 Act.

1 (b) COMPTROLLER GENERAL REVIEW.—The Comp-
2 troller General shall review the plans provided under sub-
3 section (a) and submit a report to Congress on the plans
4 not later than 18 months after the date of the enactment
5 of this Act.

6 (c) REQUIREMENT LIMITED TO CERTAIN AGEN-
7 CIES.—The requirement of subsection (a) shall apply only
8 to those agencies that awarded contracts in a total amount
9 of at least \$1,000,000,000 in the fiscal year preceding the
10 fiscal year in which the report is submitted.

11 **SEC. 5003. PUBLIC DISCLOSURE OF JUSTIFICATION AND**
12 **APPROVAL DOCUMENTS FOR NONCOMPETI-**
13 **TIVE CONTRACTS.**

14 (a) CIVILIAN AGENCY CONTRACTS.—Section 303 of
15 the Federal Property and Administrative Services Act of
16 1949 (41 U.S.C. 253) is amended by adding at the end
17 the following new subsection:

18 “(j)(1) In the case of a procurement permitted by
19 subsection (c), the head of an executive agency shall make
20 publicly available, within 14 days after the award of the
21 contract, the documents containing the justification and
22 approval required by subsection (f)(1) with respect to the
23 procurement.

1 “(2) The documents shall be made available on the
2 website of the agency and through the Federal Procure-
3 ment Data System.

4 “(3) This subsection does not require the public avail-
5 ability of information that is exempt from public disclosure
6 under section 552(b) of title 5, United States Code.”.

7 (b) **DEFENSE AGENCY CONTRACTS.**—Section 2304
8 of title 10, United States Code, is amended by adding at
9 the end the following new subsection:

10 “(1)(1) In the case of a procurement permitted by
11 subsection (c), the head of an agency shall make publicly
12 available, within 14 days after the award of the contract,
13 the documents containing the justification and approval
14 required by subsection (f)(1) with respect to the procure-
15 ment.

16 “(2) The documents shall be made available on the
17 website of the agency and through the Federal Procure-
18 ment Data System.

19 “(3) This subsection does not require the public avail-
20 ability of information that is exempt from public disclosure
21 under section 552(b) of title 5, United States Code.”.

22 **SEC. 5004. DISCLOSURE OF GOVERNMENT CONTRACTOR**
23 **OVERCHARGES.**

24 (a) **QUARTERLY REPORT TO CONGRESS.**—

1 (1) The head of each Federal agency or depart-
2 ment shall submit to the chairman and ranking
3 member of each committee specified in paragraph
4 (2) on a quarterly basis a report that includes the
5 following:

6 (A) A list of audits or other reports issued
7 during the applicable quarter that describe con-
8 tractor costs in excess of \$1,000,000 that have
9 been identified as unjustified, unsupported,
10 questioned, or unreasonable under any contract,
11 task or delivery order, or subcontract.

12 (B) The specific amounts of costs identi-
13 fied as unjustified, unsupported, questioned, or
14 unreasonable and the percentage of their total
15 value of the contract, task or delivery order, or
16 subcontract.

17 (C) A list of audits or other reports issued
18 during the applicable quarter that identify sig-
19 nificant or substantial deficiencies in the per-
20 formance of any contractor or in any business
21 system of any contractor under any contract,
22 task or delivery order, or subcontract.

23 (2) The report described in paragraph (1) shall
24 be submitted to the Committee on Oversight and
25 Government Reform of the House of Representa-

1 tives, the Committee on Homeland Security and
2 Governmental Affairs of the Senate, the Committees
3 on Appropriations of the House of Representatives
4 and the Senate, and other committees of jurisdic-
5 tion.

6 (3) Paragraph (1) shall not apply to an agency
7 or department with respect to a calendar quarter if
8 no audits or other reports described in paragraph
9 (1) were issued during that quarter.

10 (b) SUBMISSION OF INDIVIDUAL AUDITS.—The head
11 of each Federal agency or department shall provide, within
12 14 days after a request in writing by the chairman or
13 ranking member of any of the committees described in
14 subsection (a)(2), a full and unredacted copy of any audit
15 or other report described in subsection (a)(1).

16 TITLE VI—ELIMINATION OF SCHIP SHORTFALL
17 DEPARTMENT OF HEALTH AND HUMAN
18 SERVICES

19 CENTERS FOR MEDICARE AND MEDICAID SERVICES
20 STATE CHILDREN’S HEALTH INSURANCE FUND

21 For an additional amount to provide additional allot-
22 ments to remaining shortfall States under section
23 2104(h)(4) of the Social Security Act, as inserted by sec-
24 tion 6001, \$750,000,000, to remain available until ex-
25 pended: *Provided*, That the amount provided under this

1 heading is designated as an emergency requirement pursu-
2 ant to section 501 of H. Con. Res. 376 (109th Congress),
3 as made applicable to the House of Representatives by sec-
4 tion 511(a)(4) of H. Res. 6 (110th Congress).

5 **SEC. 6001. ELIMINATION OF REMAINDER OF SCHIP FUND-**
6 **ING SHORTFALLS FOR FISCAL YEAR 2007.**

7 (a) ELIMINATION OF REMAINDER OF FUNDING
8 SHORTFALLS, TIERED MATCH, AND OTHER LIMITATION
9 ON EXPENDITURES.—Section 2104(h) of the Social Secu-
10 rity Act (42 U.S.C. 1397dd(h)), as added by section
11 201(a) of the National Institutes of Health Reform Act
12 of 2006 (Public Law 109–482), is amended—

13 (1) in the heading for paragraph (2), by strik-
14 ing “REMAINDER OF REDUCTION” and inserting
15 “PART”; and

16 (2) by striking paragraph (4) and inserting the
17 following:

18 “(4) ADDITIONAL AMOUNTS TO ELIMINATE RE-
19 MAINDER OF FISCAL YEAR 2007 FUNDING SHORT-
20 FALLS.—

21 “(A) IN GENERAL.—From the amounts
22 provided in advance in appropriations Acts, the
23 Secretary shall allot to each remaining shortfall
24 State described in subparagraph (B) such
25 amount as the Secretary determines will elimi-

1 nate the estimated shortfall described in such
2 subparagraph for the State for fiscal year 2007.

3 “(B) REMAINING SHORTFALL STATE DE-
4 SCRIBED.—For purposes of subparagraph (A),
5 a remaining shortfall State is a State with a
6 State child health plan approved under this title
7 for which the Secretary estimates, on the basis
8 of the most recent data available to the Sec-
9 retary as of the date of the enactment of this
10 paragraph, that the projected Federal expendi-
11 tures under such plan for the State for fiscal
12 year 2007 will exceed the sum of—

13 “(i) the amount of the State’s allot-
14 ments for each of fiscal years 2005 and
15 2006 that will not be expended by the end
16 of fiscal year 2006;

17 “(ii) the amount of the State’s allot-
18 ment for fiscal year 2007; and

19 “(iii) the amounts, if any, that are to
20 be redistributed to the State during fiscal
21 year 2007 in accordance with paragraphs
22 (1) and (2).”.

23 (b) CONFORMING AMENDMENTS.—Section 2104(h)
24 of such Act (42 U.S.C. 1397dd(h)) (as so added), is
25 amended—

1 (1) in paragraph (1)(B), by striking “subject to
2 paragraph (4)(B) and”;

3 (2) in paragraph (2)(B), by striking “subject to
4 paragraph (4)(B) and”;

5 (3) in paragraph (5)(A), by striking “and (3)”
6 and inserting “(3), and (4)”; and

7 (4) in paragraph (6), by striking “and (3)” and
8 inserting “(3), and (4)”.

9 TITLE VII—MINIMUM WAGE INCREASE AND
10 SMALL BUSINESS TAX RELIEF

11 CHAPTER 1

12 **SEC. 7101. SHORT TITLE.**

13 This chapter may be cited as the “Fair Minimum
14 Wage Act of 2007”.

15 **SEC. 7102. MINIMUM WAGE.**

16 (a) IN GENERAL.—Section 6(a)(1) of the Fair Labor
17 Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended
18 to read as follows:

19 “(1) except as otherwise provided in this sec-
20 tion, not less than—

21 “(A) \$5.85 an hour, beginning on the 60th
22 day after the date of enactment of the Fair
23 Minimum Wage Act of 2007;

24 “(B) \$6.55 an hour, beginning 12 months
25 after that 60th day; and

1 “(C) \$7.25 an hour, beginning 24 months
2 after that 60th day;”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) shall take effect 60 days after the date of
5 enactment of this Act.

6 **SEC. 7103. APPLICABILITY OF MINIMUM WAGE TO THE**
7 **COMMONWEALTH OF THE NORTHERN MAR-**
8 **IANA ISLANDS.**

9 (a) **IN GENERAL.**—Section 6 of the Fair Labor
10 Standards Act of 1938 (29 U.S.C. 206) shall apply to the
11 Commonwealth of the Northern Mariana Islands.

12 (b) **TRANSITION.**—Notwithstanding subsection (a),
13 the minimum wage applicable to the Commonwealth of the
14 Northern Mariana Islands under section 6(a)(1) of the
15 Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1))
16 shall be—

17 (1) \$3.55 an hour, beginning on the 60th day
18 after the date of enactment of this Act; and

19 (2) increased by \$0.50 an hour (or such lesser
20 amount as may be necessary to equal the minimum
21 wage under section 6(a)(1) of such Act), beginning
22 6 months after the date of enactment of this Act
23 and every 6 months thereafter until the minimum
24 wage applicable to the Commonwealth of the North-

1 ern Mariana Islands under this subsection is equal
2 to the minimum wage set forth in such section.

3 **SEC. 7104. APPLICABILITY OF MINIMUM WAGE TO AMER-**
4 **ICAN SAMOA.**

5 (a) APPLICABILITY.—

6 (1) IN GENERAL.—Section 6 of the Fair Labor
7 Standards Act of 1938 (29 U.S.C. 206) shall apply
8 to American Samoa.

9 (2) CONFORMING AMENDMENT.—Section 6(a)
10 of the Fair Labor Standards Act of 1938 (29 U.S.C.
11 206(a)) is amended by striking paragraph (3) and
12 redesignating paragraphs (4) and (5) as paragraphs
13 (3) and (4), respectively.

14 (b) TRANSITION.—

15 (1) IN GENERAL.—Notwithstanding subsection
16 (a), the minimum wage applicable to American
17 Samoa under section 6(a)(1) of the Fair Labor
18 Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall
19 be—

20 (A) \$3.55 an hour, beginning on the 60th
21 day after the date of enactment of this Act; and

22 (B) increased by \$0.50 an hour (or such
23 lesser amount as may be necessary to equal the
24 minimum wage under section 6(a)(1) of such
25 Act), beginning 6 months after the date of en-

1 actment of this Act and every 6 months there-
2 after until the minimum wage applicable to
3 American Samoa under this paragraph is equal
4 to the minimum wage set forth in such section.

5 (2) SPECIAL RULE.—Notwithstanding para-
6 graph (1), if an employee is employed in an industry
7 in American Samoa that, on the date of enactment
8 of this Act, is required to pay a minimum wage rate
9 under section 697 of title 29, Code of Federal Regu-
10 lations, that is higher than the minimum wage rate
11 required under paragraph (1)(A), the minimum
12 wage applicable to such employee shall be—

13 (A) the minimum wage rate required for
14 such an industry under such section on the date
15 of enactment of this Act; and

16 (B) increased by \$0.50 an hour (or such
17 lesser amount as may be necessary to equal the
18 minimum wage under section 6(a)(1) of such
19 Act), beginning 6 months after the date of en-
20 actment of this Act and every 6 months there-
21 after until the minimum wage applicable to
22 American Samoa under this subsection is equal
23 to the minimum wage set forth in such section.

CHAPTER 2

1
2 **SEC. 7201. SHORT TITLE; AMENDMENT OF 1986 CODE;**
3 **TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This chapter may be cited as the
5 “Small Business Tax Relief Act of 2007”.

6 (b) **AMENDMENT OF 1986 CODE.**—Except as other-
7 wise expressly provided, whenever in this chapter an
8 amendment or repeal is expressed in terms of an amend-
9 ment to, or repeal of, a section or other provision, the ref-
10 erence shall be considered to be made to a section or other
11 provision of the Internal Revenue Code of 1986.

12 (c) **TABLE OF CONTENTS.**—The table of contents of
13 this chapter is as follows:

- Sec. 7201. Short title; amendment of 1986 Code; table of contents.
- Sec. 7202. Extension and modification of work opportunity tax credit.
- Sec. 7203. Extension and increase of expensing for small business.
- Sec. 7204. Determination of credit for certain taxes paid with respect to employee cash tips.
- Sec. 7205. Waiver of individual and corporate alternative minimum tax limits on work opportunity credit and credit for taxes paid with respect to employee cash tips.
- Sec. 7206. Family business tax simplification.
- Sec. 7207. Denial of lowest capital gains rate for certain dependents.
- Sec. 7208. Suspension of certain penalties and interest.
- Sec. 7209. Time for payment of corporate estimated taxes.

14 **SEC. 7202. EXTENSION AND MODIFICATION OF WORK OP-**
15 **PORTUNITY TAX CREDIT.**

16 (a) **EXTENSION.**—Section 51(c)(4)(B) (relating to
17 termination) is amended by striking “2007” and inserting
18 “2008”.

19 (b) **INCREASE IN MAXIMUM AGE FOR DESIGNATED**
20 **COMMUNITY RESIDENTS.**—

1 (1) IN GENERAL.—Paragraph (5) of section
2 51(d) is amended to read as follows:

3 “(5) DESIGNATED COMMUNITY RESIDENTS.—

4 “(A) IN GENERAL.—The term ‘designated
5 community resident’ means any individual who
6 is certified by the designated local agency—

7 “(i) as having attained age 18 but not
8 age 40 on the hiring date, and

9 “(ii) as having his principal place of
10 abode within an empowerment zone, enter-
11 prise community, or renewal community.

12 “(B) INDIVIDUAL MUST CONTINUE TO RE-
13 SIDE IN ZONE OR COMMUNITY.—In the case of
14 a designated community resident, the term
15 ‘qualified wages’ shall not include wages paid or
16 incurred for services performed while the indi-
17 vidual’s principal place of abode is outside an
18 empowerment zone, enterprise community, or
19 renewal community.”.

20 (2) CONFORMING AMENDMENT.—Subparagraph
21 (D) of section 51(d)(1) is amended to read as fol-
22 lows:

23 “(D) a designated community resident,”.

24 (c) CLARIFICATION OF TREATMENT OF INDIVIDUALS
25 UNDER INDIVIDUAL WORK PLANS.—Subparagraph (B)

1 of section 51(d)(6) (relating to vocational rehabilitation
2 referral) is amended by striking “or” at the end of clause
3 (i), by striking the period at the end of clause (ii) and
4 inserting “, or”, and by adding at the end the following
5 new clause:

6 “(iii) an individual work plan devel-
7 oped and implemented by an employment
8 network pursuant to subsection (g) of sec-
9 tion 1148 of the Social Security Act with
10 respect to which the requirements of such
11 subsection are met.”.

12 (d) TREATMENT OF DISABLED VETERANS UNDER
13 THE WORK OPPORTUNITY TAX CREDIT.—

14 (1) DISABLED VETERANS TREATED AS MEM-
15 BERS OF TARGETED GROUP.—

16 (A) IN GENERAL.—Subparagraph (A) of
17 section 51(d)(3) (relating to qualified veteran)
18 is amended by striking “agency as being a
19 member of a family” and all that follows and
20 inserting “agency as—

21 “(i) being a member of a family re-
22 ceiving assistance under a food stamp pro-
23 gram under the Food Stamp Act of 1977
24 for at least a 3-month period ending dur-

1 ing the 12-month period ending on the hir-
2 ing date, or

3 “(ii) entitled to compensation for a
4 service-connected disability, and—

5 “(I) having a hiring date which is
6 not more than 1 year after having
7 been discharged or released from ac-
8 tive duty in the Armed Forces of the
9 United States, or

10 “(II) having aggregate periods of
11 unemployment during the 1-year pe-
12 riod ending on the hiring date which
13 equal or exceed 6 months.”.

14 (B) DEFINITIONS.—Paragraph (3) of sec-
15 tion 51(d) is amended by adding at the end the
16 following new subparagraph:

17 “(C) OTHER DEFINITIONS.—For purposes
18 of subparagraph (A), the terms ‘compensation’
19 and ‘service-connected’ have the meanings given
20 such terms under section 101 of title 38,
21 United States Code.”.

22 (2) INCREASE IN AMOUNT OF WAGES TAKEN
23 INTO ACCOUNT FOR DISABLED VETERANS.—Para-
24 graph (3) of section 51(b) is amended—

1 (A) by inserting “(\$12,000 per year in the
2 case of any individual who is a qualified veteran
3 by reason of subsection (d)(3)(A)(ii))” before
4 the period at the end, and

5 (B) by striking “ONLY FIRST \$6,000 OF” in
6 the heading and inserting “LIMITATION ON”.

7 (e) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to individuals who begin work for
9 the employer after the date of the enactment of this Act.

10 **SEC. 7203. EXTENSION AND INCREASE OF EXPENSING FOR**
11 **SMALL BUSINESS.**

12 (a) EXTENSION.—Subsections (b)(1), (b)(2), (b)(5),
13 (c)(2), and (d)(1)(A)(ii) of section 179 (relating to election
14 to expense certain depreciable business assets) are each
15 amended by striking “2010” and inserting “2011”.

16 (b) INCREASE IN LIMITATIONS.—Subsection (b) of
17 section 179 is amended—

18 (1) by striking “\$100,000 in the case of taxable
19 years beginning after 2002” in paragraph (1) and
20 inserting “\$125,000 in the case of taxable years be-
21 ginning after 2006”, and

22 (2) by striking “\$400,000 in the case of taxable
23 years beginning after 2002” in paragraph (2) and
24 inserting “\$500,000 in the case of taxable years be-
25 ginning after 2006”.

1 (c) INFLATION ADJUSTMENT.—Subparagraph (A) of
2 section 179(b)(5) is amended—

3 (1) by striking “2003” and inserting “2007”,

4 (2) by striking “\$100,000 and \$400,000” and
5 inserting “\$125,000 and \$500,000”, and

6 (3) by striking “2002” in clause (ii) and insert-
7 ing “2006”.

8 (d) EFFECTIVE DATE.—The amendments made by
9 this section shall apply to taxable years beginning after
10 December 31, 2006.

11 **SEC. 7204. DETERMINATION OF CREDIT FOR CERTAIN**
12 **TAXES PAID WITH RESPECT TO EMPLOYEE**
13 **CASH TIPS.**

14 (a) IN GENERAL.—Subparagraph (B) of section
15 45B(b)(1) is amended by inserting “as in effect on Janu-
16 ary 1, 2007, and” before “determined without regard to”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 this section shall apply to tips received for services per-
19 formed after December 31, 2006.

1 **SEC. 7205. WAIVER OF INDIVIDUAL AND CORPORATE AL-**
2 **TERNATIVE MINIMUM TAX LIMITS ON WORK**
3 **OPPORTUNITY CREDIT AND CREDIT FOR**
4 **TAXES PAID WITH RESPECT TO EMPLOYEE**
5 **CASH TIPS.**

6 (a) ALLOWANCE AGAINST ALTERNATIVE MINIMUM
7 TAX.—Subparagraph (B) of section 38(c)(4) is amended
8 by striking “and” at the end of clause (i), by inserting
9 a comma at the end of clause (ii), and by adding at the
10 end the following new clauses:

11 “(iii) the credit determined under sec-
12 tion 45B, and

13 “(iv) the credit determined under sec-
14 tion 51.”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 this section shall apply to credits determined under sec-
17 tions 45B and 51 of the Internal Revenue Code of 1986
18 in taxable years beginning after December 31, 2006, and
19 to carrybacks of such credits.

20 **SEC. 7206. FAMILY BUSINESS TAX SIMPLIFICATION.**

21 (a) IN GENERAL.—Section 761 (defining terms for
22 purposes of partnerships) is amended by redesignating
23 subsection (f) as subsection (g) and by inserting after sub-
24 section (e) the following new subsection:

25 “(f) QUALIFIED JOINT VENTURE.—

1 “(1) IN GENERAL.—In the case of a qualified
2 joint venture conducted by a husband and wife who
3 file a joint return for the taxable year, for purposes
4 of this title—

5 “(A) such joint venture shall not be treat-
6 ed as a partnership,

7 “(B) all items of income, gain, loss, deduc-
8 tion, and credit shall be divided between the
9 spouses in accordance with their respective in-
10 terests in the venture, and

11 “(C) each spouse shall take into account
12 such spouse’s respective share of such items as
13 if they were attributable to a trade or business
14 conducted by such spouse as a sole proprietor.

15 “(2) QUALIFIED JOINT VENTURE.—For pur-
16 poses of paragraph (1), the term ‘qualified joint ven-
17 ture’ means any joint venture involving the conduct
18 of a trade or business if—

19 “(A) the only members of such joint ven-
20 ture are a husband and wife,

21 “(B) both spouses materially participate
22 (within the meaning of section 469(h) without
23 regard to paragraph (5) thereof) in such trade
24 or business, and

1 “(C) both spouses elect the application of
2 this subsection.”.

3 (b) NET EARNINGS FROM SELF-EMPLOYMENT.—

4 (1) Subsection (a) of section 1402 (defining net
5 earnings from self-employment) is amended by strik-
6 ing “, and” at the end of paragraph (15) and insert-
7 ing a semicolon, by striking the period at the end of
8 paragraph (16) and inserting “; and”, and by insert-
9 ing after paragraph (16) the following new para-
10 graph:

11 “(17) notwithstanding the preceding provisions
12 of this subsection, each spouse’s share of income or
13 loss from a qualified joint venture shall be taken
14 into account as provided in section 761(f) in deter-
15 mining net earnings from self-employment of such
16 spouse.”.

17 (2) Subsection (a) of section 211 of the Social
18 Security Act (defining net earnings from self-em-
19 ployment) is amended by striking “and” at the end
20 of paragraph (14), by striking the period at the end
21 of paragraph (15) and inserting “; and”, and by in-
22 serting after paragraph (15) the following new para-
23 graph:

24 “(16) Notwithstanding the preceding provisions
25 of this subsection, each spouse’s share of income or

1 loss from a qualified joint venture shall be taken
2 into account as provided in section 761(f) of the In-
3 ternal Revenue Code of 1986 in determining net
4 earnings from self-employment of such spouse.”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall apply to taxable years beginning after
7 December 31, 2006.

8 **SEC. 7207. DENIAL OF LOWEST CAPITAL GAINS RATE FOR**
9 **CERTAIN DEPENDENTS.**

10 (a) IN GENERAL.—Subsection (h) of section 1 is
11 amended by adding at the end the following new para-
12 graph:

13 “(12) CERTAIN INDIVIDUALS NOT ELIGIBLE
14 FOR LOWEST RATE.—

15 “(A) IN GENERAL.—In the case of an indi-
16 vidual described in subparagraph (B)—

17 “(i) the amount determined under
18 paragraph (1)(A)(ii)(II) shall not be less
19 than the amount of taxable income which
20 would (without regard to this subsection)
21 be taxed at a rate below 15 percent, and

22 “(ii) the sum of the amounts deter-
23 mined under subparagraphs (B) and (C) of
24 paragraph (1) shall be an amount equal to
25 the rate of tax specified in paragraph

1 (1)(C) multiplied by so much of the ad-
2 justed net capital gain (or, if less, taxable
3 income) as exceeds the excess (if any) of—

4 “(I) the amount of taxable in-
5 come which would (without regard to
6 this subsection) be taxed at a rate
7 below 15 percent, over

8 “(II) the taxable income reduced
9 by the adjusted net capital gain.

10 “(B) INDIVIDUALS TO WHOM PARAGRAPH
11 APPLIES.—

12 “(i) IN GENERAL.—For purposes of
13 this paragraph, an individual is described
14 in this subparagraph if—

15 “(I) such individual meets the
16 age requirements of section 152(e)(3)
17 (determined without regard to sub-
18 paragraph (B) thereof), and

19 “(II) such individual’s earned in-
20 come (as defined in section 911(d)(2))
21 for the taxable year does not exceed
22 one-half of such individual’s support
23 (within the meaning of section 152)
24 for such taxable year.

1 “(ii) SPECIAL RULES FOR JOINT RE-
2 TURNS.—In the case of a joint return—

3 “(I) the taxpayer and the tax-
4 payer’s spouse shall be treated as a
5 single individual for purposes of ap-
6 plying subclause (II) of clause (i), and

7 “(II) the taxpayer shall be treat-
8 ed as an individual described in this
9 subparagraph only if the taxpayer and
10 the taxpayer’s spouse are described in
11 clause (i) (determined after applica-
12 tion of subclause (I)).”.

13 (b) ALTERNATIVE MINIMUM TAX.—Section 55 is
14 amended by adding at the end the following new sub-
15 section:

16 “(f) CERTAIN INDIVIDUALS NOT ELIGIBLE FOR
17 LOWEST RATE.—In the case of an individual described in
18 section 1(h)(12)(B), no amount shall be determined under
19 subsection (b)(3)(B).”.

20 (c) COORDINATION WITH SUNSET OF PROVISIONS OF
21 THE JOBS AND GROWTH TAX RELIEF RECONCILIATION
22 ACT OF 2003.—Subparagraph (A) of section 1(h)(12), as
23 added by this section, is amended by striking “and” at
24 the end of clause (i), by striking the period at the end

1 of clause (ii) and inserting “, and”, and by adding at the
2 end the following new clause:

3 “(iii) no amount of qualified 5-year
4 gain shall be taken into account under sub-
5 paragraph (A) of paragraph (2) (as in ef-
6 fect after the application of section 303 of
7 the Jobs and Growth Tax Relief Reconcili-
8 ation Act of 2003).”.

9 (d) EFFECTIVE DATE.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), the amendments made by this section
12 shall apply to taxable years beginning after Decem-
13 ber 31, 2006.

14 (2) SUNSET OF JGTRRA.—The amendment
15 made by subsection (c) shall apply to taxable years
16 beginning after the date specified in section 303 of
17 the Jobs and Growth Tax Relief Reconciliation Act
18 of 2003.

19 **SEC. 7208. SUSPENSION OF CERTAIN PENALTIES AND IN-**
20 **TEREST.**

21 (a) IN GENERAL.—Paragraphs (1)(A) and (3)(A) of
22 section 6404(g) are each amended by striking “18-month
23 period” and inserting “22-month period”.

24 (b) EFFECTIVE DATE.—The amendments made by
25 this section shall apply to notices provided by the Sec-

1 retary of the Treasury, or his delegate, after the date
2 which is 6 months after the date of the enactment of this
3 Act.

4 **SEC. 7209. TIME FOR PAYMENT OF CORPORATE ESTIMATED**
5 **TAXES.**

6 Subparagraph (B) of section 401(1) of the Tax In-
7 crease Prevention and Reconciliation Act of 2005 is
8 amended by striking “106.25 percent” and inserting
9 “112.75 percent”.

10 This Act may be cited as the “U.S. Troop Readiness,
11 Veterans’ Health, and Iraq Accountability Act, 2007”.

Union Calendar No. 31

110TH CONGRESS
1ST Session

H. R. 1591

[Report No. 110-60]

A BILL

Making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

MARCH 20, 2007

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed