

Calendar No. 503

109TH CONGRESS
2^D SESSION**H.R. 5441****[Report No. 109-273]**

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2006

Received; read twice and referred to the Committee on Appropriations

JUNE 29, 2006

Reported by Mr. GREGG, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

Making appropriations for the Department of Homeland Security 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, for the Depart-~~
6 ~~ment of Homeland Security and for other purposes, name-~~
7 ~~ly:~~

1 TITLE I—DEPARTMENTAL MANAGEMENT AND
2 OPERATIONS

3 OFFICE OF THE SECRETARY AND EXECUTIVE
4 MANAGEMENT

5 For necessary expenses of the Office of the Secretary
6 of Homeland Security, as authorized by section 102 of the
7 Homeland Security Act of 2002 (6 U.S.C. 112), and execu-
8 tive management of the Department of Homeland Secu-
9 rity, as authorized by law, \$95,884,000 (reduced by
10 \$3,000,000) (reduced by \$5,000,000): *Provided*, That not
11 to exceed \$40,000 shall be for official reception and rep-
12 resentation expenses: *Provided further*, That of the funds
13 provided under this heading, \$10,000,000 shall not be
14 available for obligation until the Secretary of Homeland
15 Security submits a comprehensive port, container, and
16 cargo security strategic plan to the Committee on Appro-
17 priations and Committee on Homeland Security of the
18 House of Representatives that requires screening all in-
19 bound cargo, doubles the percentage of inbound cargo cur-
20 rently inspected, sets minimum standards for securing in-
21 bound cargo, and includes the fiscal year 2007 perform-
22 ance requirements for port, container, and cargo security
23 as specified in the report accompanying this Act: *Provided*
24 *further*, That the Secretary is directed to submit the Se-
25 cure Border Initiative multi-year strategic plan to the

1 Committee on Appropriations and the Committee on
2 Homeland Security of the House of Representatives no
3 later than November 1, 2006 that includes: a comprehen-
4 sive mission statement; an identification of long-term
5 goals; an explanation of how long-term goals will be
6 achieved; schedule and resource requirements for goal
7 achievement; an identification of annual performance
8 goals and how they link to long-term goals; an identifica-
9 tion of annual performance measures used to gauge effec-
10 tiveness towards goal achievement by goal; and an identi-
11 fication of major capital assets critical to program success.

12 OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

13 For necessary expenses of the Office of the Under
14 Secretary for Management, as authorized by sections 701
15 through 705 of the Homeland Security Act of 2002 (6
16 U.S.C. 341-345), \$159,489,000 (reduced by
17 \$15,000,000) (reduced by \$50,000,000) (reduced by
18 \$24,000,000): *Provided*, That not to exceed \$3,000 shall
19 be for official reception and representation expenses: *Pro-*
20 *vided further*, That of the total amount provided,
21 \$8,206,000 shall remain available until expended solely for
22 the alteration and improvement of facilities, tenant im-
23 provements, and relocation costs to consolidate Depart-
24 ment headquarters operations.

1 OFFICE OF THE CHIEF FINANCIAL OFFICER

2 For necessary expenses of the Office of the Chief Fi-
3 nancial Officer, as authorized by section 103 of the Home-
4 land Security Act of 2002 (6 U.S.C. 113), \$43,480,000,
5 of which \$18,000,000 is for the eMerge² Program: *Pro-*
6 *vided*, That \$10,000,000 shall be withheld from obligation
7 until the Office of the Chief Financial Officer submits
8 monthly budget execution reports to the Committees on
9 Appropriations of the Senate and the House of Represent-
10 atives as required by section 529 of this Act.

11 OFFICE OF THE CHIEF INFORMATION OFFICER

12 For necessary expenses of the Office of the Chief In-
13 formation Officer, as authorized by section 103 of the
14 Homeland Security Act of 2002 (6 U.S.C. 113), and De-
15 partment-wide technology investments, \$364,765,000; of
16 which \$79,521,000 shall be available for salaries and ex-
17 penses; and of which \$285,244,000 shall be available for
18 development and acquisition of information technology
19 equipment, software, services, and related activities for the
20 Department of Homeland Security, and for the costs of
21 conversion to narrowband communications, including the
22 cost for operation of the land mobile radio legacy systems,
23 to remain available until expended: *Provided*, That none
24 of the funds appropriated shall be used to support or sup-
25 plement the appropriations provided for the United States

1 Visitor and Immigrant Status Indicator Technology
2 project or the Automated Commercial Environment.

3 ANALYSIS AND OPERATIONS

4 For necessary expenses for information analysis and
5 operations coordination activities, as authorized by title II
6 of the Homeland Security Act of 2002 (6 U.S.C. 121 et
7 seq.), \$298,663,000, to remain available until September
8 30, 2008, of which not to exceed \$5,000 shall be for offi-
9 cial reception and representation expenses.

10 OFFICE OF THE FEDERAL COORDINATOR FOR GULF
11 COAST REBUILDING

12 For necessary expenses of the Office of the Federal
13 Coordinator for Gulf Coast Rebuilding, \$3,000,000: *Pro-*
14 *vided,* That \$1,000,000 shall not be available for obliga-
15 tion until the Federal Coordinator submits to the Com-
16 mittee on Appropriations of the House of Representatives
17 a report related to Federal rebuilding efforts.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978 (5 U.S.C. App.), \$96,185,000, of
22 which not to exceed \$100,000 may be used for certain con-
23 fidential operational expenses, including the payment of
24 informants, to be expended at the direction of the Inspee-
25 tor General.

1 TITLE H—SECURITY, ENFORCEMENT, AND
2 INVESTIGATIONS
3 UNITED STATES VISITOR AND IMMIGRANT STATUS
4 INDICATOR TECHNOLOGY

5 For necessary expenses for the development of the
6 United States Visitor and Immigrant Status Indicator
7 Technology project, as authorized by section 110 of the
8 Illegal Immigration Reform and Immigrant Responsibility
9 Act of 1996 (8 U.S.C. 1365a), \$362,494,000, to remain
10 available until expended: *Provided*, That of the total
11 amount made available under this heading, \$312,494,000
12 may not be obligated for the United States Visitor and
13 Immigrant Status Indicator Technology project until the
14 Committees on Appropriations of the Senate and the
15 House of Representatives receive and approve a plan for
16 expenditure prepared by the Secretary of Homeland Secu-
17 rity that—

18 (1) meets the capital planning and investment
19 control review requirements established by the Office
20 of Management and Budget, including Circular A-
21 11, part 7;

22 (2) complies with the Department of Homeland
23 Security information systems enterprise architecture;

1 (3) complies with the acquisition rules, require-
2 ments, guidelines, and systems acquisition manage-
3 ment practices of the Federal Government;

4 (4) includes a certification by the Chief Infor-
5 mation Officer of the Department of Homeland Se-
6 curity that an independent verification and valida-
7 tion agent is currently under contract for the
8 project;

9 (5) is reviewed and approved by the Depart-
10 ment of Homeland Security Investment Review
11 Board, the Secretary of Homeland Security, and the
12 Office of Management and Budget; and

13 (6) is reviewed by the Government Account-
14 ability Office.

15 CUSTOMS AND BORDER PROTECTION

16 SALARIES AND EXPENSES

17 For necessary expenses for enforcement of laws relat-
18 ing to border security, immigration, customs, and agricul-
19 tural inspections and regulatory activities related to plant
20 and animal imports; purchase and lease of up to 4,500
21 (3,500 for replacement only) police-type vehicles; and con-
22 tracting with individuals for personal services abroad;
23 \$5,435,310,000 (reduced by \$2,000,000); of which
24 \$3,026,000 shall be derived from the Harbor Maintenance
25 Trust Fund for administrative expenses related to the col-

1 lection of the Harbor Maintenance Fee pursuant to section
2 9505(e)(3) of the Internal Revenue Code of 1986 (26
3 U.S.C. 9505(e)(3)) and notwithstanding section
4 1511(e)(1) of the Homeland Security Act of 2002 (6
5 U.S.C. 551(e)(1)); of which not to exceed \$45,000 shall
6 be for official reception and representation expenses; of
7 which not less than \$162,976,000 shall be for Air and Ma-
8 rine Operations; of which such sums as become available
9 in the Customs User Fee Account, except sums subject
10 to section 13031(f)(3) of the Consolidated Omnibus Budg-
11 et Reconciliation Act of 1985 (19 U.S.C. 58e(f)(3)), shall
12 be derived from that account; of which not to exceed
13 \$150,000 shall be available for payment for rental space
14 in connection with preclearance operations; and of which
15 not to exceed \$1,000,000 shall be for awards of compensa-
16 tion to informants, to be accounted for solely under the
17 certificate of the Secretary of Homeland Security: *Pro-*
18 *vided,* That for fiscal year 2007, the overtime limitation
19 prescribed in section 5(e)(1) of the Act of February 13,
20 1911 (19 U.S.C. 267(e)(1)) shall be \$35,000; and not-
21 withstanding any other provision of law, none of the funds
22 appropriated by this Act may be available to compensate
23 any employee of the Bureau of Customs and Border Pro-
24 tection for overtime, from whatever source, in an amount
25 that exceeds such limitation, except in individual cases de-

1 terminated by the Secretary of Homeland Security, or the
2 designee of the Secretary, to be necessary for national se-
3 curity purposes, to prevent excessive costs, or in cases of
4 immigration emergencies: *Provided further*, That no funds
5 shall be available for the site acquisition, design, or con-
6 struction of any Border Patrol checkpoint in the Tucson
7 sector: *Provided further*, That the Border Patrol shall relo-
8 cate its checkpoints in the Tucson sector at least once
9 every seven days in a manner designed to prevent persons
10 subject to inspection from predicting the location of any
11 such checkpoint: *Provided further*, That of the total
12 amount made available under this heading, \$115,000,000
13 shall be for the Secure Border Initiative Technology and
14 Tactical Infrastructure (SBI_{net}) program, project, and
15 activity, to remain available until expended, of which
16 \$25,000,000 shall not be available for obligation until the
17 Committees on Appropriations of the Senate and the
18 House of Representatives receive and approve a plan for
19 expenditure prepared by the Secretary of Homeland Secu-
20 rity that—

- 21 (1) defines activities, milestones, and costs for
22 implementing the program;
- 23 (2) demonstrates how activities will further the
24 goals and objectives of the SBI, as defined in the
25 SBI multi-year strategic plan;

1 (3) identifies funding and the organizational
2 staffing (including full-time employee equivalents,
3 contractors, and detailees) requirements by activity;

4 (4) reports on costs incurred, the activities com-
5 pleted, and the progress made by the program;

6 (5) includes a certification by the Chief Pro-
7 curement Officer of the Department of Homeland
8 Security that procedures to prevent conflicts of in-
9 terest between the prime integrator and major sub-
10 contractors are established and that an independent
11 verification and validation agent is currently under
12 contract for the project;

13 (6) is reviewed and approved by the Depart-
14 ment of Homeland Security Investment Review
15 Board, the Secretary of Homeland Security, and the
16 Office of Management and Budget;

17 (7) complies with the capital planning and in-
18 vestment control review requirements established by
19 the Office of Management and Budget, including
20 Circular A-11, part 7;

21 (8) complies with all applicable acquisition
22 rules, requirements, guidelines, and best systems ac-
23 quisition management practices of the Federal Gov-
24 ernment; and

1 (9) is reviewed by the Government Account-
2 ability Office.

3 AUTOMATION MODERNIZATION

4 For expenses for customs and border protection auto-
5 mated systems, \$451,440,000, to remain available until
6 expended, of which not less than ~~\$316,800,000~~ shall be
7 for the development of the Automated Commercial Envi-
8 ronment: *Provided*, That of the total amount made avail-
9 able under this heading, ~~\$216,800,000~~ may not be obli-
10 gated for the Automated Commercial Environment until
11 the Committees on Appropriations of the Senate and the
12 House of Representatives receive and approve a plan for
13 expenditure prepared by the Secretary of Homeland Secu-
14 rity that—

15 (1) meets the capital planning and investment
16 control review requirements established by the Office
17 of Management and Budget, including Circular A-
18 ~~11~~, part 7;

19 (2) complies with the Department of Homeland
20 Security information systems enterprise architecture;

21 (3) complies with the acquisition rules, require-
22 ments, guidelines, and systems acquisition manage-
23 ment practices of the Federal Government;

24 (4) includes a certification by the Chief Infor-
25 mation Officer of the Department of Homeland Se-

1 ecurity that an independent verification and valida-
2 tion agent is currently under contract for the
3 project;

4 (5) is reviewed and approved by the Depart-
5 ment of Homeland Security Investment Review
6 Board, the Secretary of Homeland Security, and the
7 Office of Management and Budget; and

8 (6) is reviewed by the Government Account-
9 ability Office.

10 ~~CBP AIR AND MARINE INTERDICTION, OPERATIONS,~~

11 ~~MAINTENANCE, AND PROCUREMENT~~

12 ~~For necessary expenses for the operations, mainte-~~
13 ~~nance, and procurement of marine vessels, aircraft, un-~~
14 ~~manned aerial vehicles, and other related equipment of the~~
15 ~~air and marine program, including operational training~~
16 ~~and mission-related travel, and rental payments for facili-~~
17 ~~ties occupied by the air or marine interdiction and demand~~
18 ~~reduction programs, the operations of which include the~~
19 ~~following: the interdiction of narcotics and other goods;~~
20 ~~the provision of support to Federal, State, and local agen-~~
21 ~~cies in the enforcement or administration of laws enforced~~
22 ~~by the Department of Homeland Security; and at the dis-~~
23 ~~cretion of the Secretary of Homeland Security, the provi-~~
24 ~~sion of assistance to Federal, State, and local agencies in~~
25 ~~other law enforcement and emergency humanitarian ef-~~

1 forts, ~~\$373,199,000~~, to remain available until expended:
2 *Provided*, That no aircraft or other related equipment,
3 with the exception of aircraft that are one of a kind and
4 have been identified as excess to the Bureau of Customs
5 and Border Protection requirements and aircraft that
6 have been damaged beyond repair, shall be transferred to
7 any other Federal agency, department, or office outside
8 of the Department of Homeland Security during fiscal
9 year 2007 without the prior approval of the Committees
10 on Appropriations of the Senate and the House of Rep-
11 resentatives: *Provided further*, That of the total amount
12 made available under this heading, ~~\$6,800,000~~ shall not
13 be available for obligation until the Committee on Appro-
14 priations, the Committee on Transportation and Infra-
15 structure, and the Committee on Homeland Security of
16 the House of Representatives receive a report on the April
17 25, 2006, unmanned aerial vehicle mishap.

18 **CONSTRUCTION**

19 For necessary expenses to plan, construct, renovate,
20 equip, and maintain buildings and facilities necessary for
21 the administration and enforcement of the laws relating
22 to customs and immigration, ~~\$175,154,000~~, to remain
23 available until expended.

1 IMMIGRATION AND CUSTOMS ENFORCEMENT

2 SALARIES AND EXPENSES

3 For necessary expenses for enforcement of immigra-
4 tion and customs laws; detention and removals; and inves-
5 tigation; and purchase and lease of up to 2,740 (2,000
6 for replacement only) police-type vehicles; \$3,843,257,000
7 (increased by \$5,000,000) (increased by \$2,000,000); of
8 which not to exceed \$7,500,000 shall be available until ex-
9 pended for conducting special operations pursuant to sec-
10 tion 3131 of the Customs Enforcement Act of 1986 (19
11 U.S.C. 2081); of which not to exceed \$15,000 shall be for
12 official reception and representation expenses; of which
13 not to exceed \$1,000,000 shall be for awards of compensa-
14 tion to informants; to be accounted for solely under the
15 certificate of the Secretary of Homeland Security; of which
16 not less than \$102,000 shall be for promotion of public
17 awareness of the child pornography tipline; of which not
18 less than \$203,000 shall be for Project Alert; of which
19 not less than \$5,400,000 may be used to facilitate agree-
20 ments consistent with section 287(g) of the Immigration
21 and Nationality Act (8 U.S.C. 1357(g)); and of which not
22 to exceed \$11,216,000 shall be available to fund or reim-
23 burse other Federal agencies for the costs associated with
24 the care, maintenance, and repatriation of smuggled illegal
25 aliens: *Provided*, That none of the funds made available

1 under this heading shall be available to compensate any
2 employee for overtime in an annual amount in excess of
3 \$35,000, except that the Secretary of Homeland Security,
4 or the designee of the Secretary, may waive that amount
5 as necessary for national security purposes and in cases
6 of immigration emergencies: *Provided further*, That of the
7 total amount provided, \$15,770,000 shall be for activities
8 to enforce laws against forced child labor in fiscal year
9 2007, of which not to exceed \$6,000,000 shall remain
10 available until expended.

11 FEDERAL PROTECTIVE SERVICE

12 The revenues and collections of security fees credited
13 to this account, not to exceed \$516,011,000, shall be avail-
14 able until expended for necessary expenses related to the
15 protection of federally-owned and leased buildings and for
16 the operations of the Federal Protective Service.

17 CONSTRUCTION

18 For necessary expenses to plan, construct, renovate,
19 equip, and maintain buildings and facilities necessary for
20 the administration and enforcement of the laws relating
21 to customs and immigration, \$26,281,000, to remain
22 available until expended.

1 TRANSPORTATION SECURITY ADMINISTRATION

2 AVIATION SECURITY

3 For necessary expenses of the Transportation Security
4 Administration related to providing civil aviation security services pursuant to the Aviation and Transportation
5 Security Act (Public Law 107–71; 115 Stat. 597; 49
6 U.S.C. 40101 note), \$4,704,414,000, to remain available
7 until September 30, 2008, of which not to exceed \$3,000
8 shall be for official reception and representation expenses:
9
10 *Provided*, That of the total amount made available under
11 this heading, not to exceed \$3,740,866,000 shall be for
12 screening operations, of which \$136,000,000 shall be
13 available only for procurement of checked baggage explosive
14 detection systems and \$94,000,000 shall be available
15 only for installation of checked baggage explosive detection
16 systems; and not to exceed \$963,548,000 shall be for aviation
17 security direction and enforcement: *Provided further*,
18 That security service fees authorized under section 44940
19 of title 49, United States Code, shall be credited to this
20 appropriation as offsetting collections and shall be available
21 only for aviation security: *Provided further*, That the
22 sum herein appropriated from the General Fund shall be
23 reduced on a dollar-for-dollar basis as such offsetting collections
24 are received during fiscal year 2007, so as to result
25 in a final fiscal year appropriation from the General

1 Fund estimated at not more than \$2,284,414,000: *Pro-*
2 *vided further*, That any security service fees collected in
3 excess of the amount made available under this heading
4 shall become available during fiscal year 2008: *Provided*
5 *further*, That notwithstanding section 44923 of title 49,
6 United States Code, the share of the cost of the Federal
7 Government for a project under any letter of intent shall
8 be 75 percent for any medium or large hub airport and
9 not more than 90 percent for any other airport, and all
10 funding provided by section 44923(h) of title 49, United
11 States Code, or from appropriations authorized under sec-
12 tion 44923(i)(1) of title 49, United States Code, may be
13 distributed in any manner deemed necessary to ensure
14 aviation security and to fulfill the Government's planned
15 cost share under existing letters of intent: *Provided fur-*
16 *ther*, That no funding may be obligated for air cargo secu-
17 rity, other than that for air cargo inspectors, canines, and
18 screeners, until a detailed air cargo security action plan
19 addressing each of the recommendations contained in the
20 2005 Government Accountability Office Report (GAO-06-
21 76) on domestic air cargo security is provided to the Com-
22 mittee on Appropriations and Committee on Homeland
23 Security of the House of Representatives: *Provided fur-*
24 *ther*, That beginning in fiscal year 2007 and thereafter,
25 reimbursement for security services and related equipment

1 and supplies provided in support of general aviation access
2 to the Ronald Reagan Washington National Airport shall
3 be credited to this appropriation and shall be available
4 until expended solely for those purposes: *Provided further,*
5 That none of the funds in this Act shall be used to recruit
6 or hire personnel into the Transportation Security Admin-
7 istration which would cause the agency to exceed a staff-
8 ing level of 45,000 full-time equivalent screeners.

9 SURFACE TRANSPORTATION SECURITY

10 For necessary expenses of the Transportation Secu-
11 rity Administration related to providing surface transpor-
12 tation security activities, \$37,200,000, to remain available
13 until September 30, 2008.

14 TRANSPORTATION THREAT ASSESSMENT AND
15 CREDENTIALING

16 For necessary expenses for the development and im-
17 plementation of screening programs of the Office of
18 Transportation Threat Assessment and Credentialing,
19 \$74,700,000, to remain available until September 30,
20 2008.

21 TRANSPORTATION SECURITY SUPPORT

22 For necessary expenses of the Transportation Secu-
23 rity Administration related to providing transportation se-
24 curity support and intelligence pursuant to the Aviation
25 and Transportation Security Act (Public Law 107-71;
26 115 Stat. 597; 49 U.S.C. 40101 note), \$523,283,000 (re-

1 duced by \$20,000,000); to remain available until Sep-
2 tember 30, 2008: *Provided*, That of the funds appro-
3 priated under this heading; \$5,000,000 may not be obli-
4 gated until the Secretary of Homeland Security submits
5 to the Committees on Appropriations of the Senate and
6 the House of Representatives a detailed expenditure plan
7 for explosive detection systems refurbishment, procure-
8 ment, and installations on an airport-by-airport basis for
9 fiscal year 2007: *Provided further*, That this plan shall be
10 submitted no later than 60 days from the date of enact-
11 ment of this Act.

12 FEDERAL AIR MARSHALS

13 For necessary expenses of the Federal Air Marshals,
14 \$699,294,000.

15 UNITED STATES COAST GUARD

16 OPERATING EXPENSES

17 For necessary expenses for the operation and mainte-
18 nance of the United States Coast Guard not otherwise
19 provided for; purchase or lease of not to exceed 25 pas-
20 senger motor vehicles, which shall be for replacement only;
21 payments pursuant to section 156 of Public Law 97-377
22 (42 U.S.C. 402 note); and recreation and welfare;
23 \$5,481,643,000, of which \$340,000,000 shall be for de-
24 fense-related activities; of which \$24,255,000 shall be de-
25 rived from the Oil Spill Liability Trust Fund to carry out

1 the purposes of section 1012(a)(5) of the Oil Pollution Act
 2 of 1990 (~~33 U.S.C. 2712(a)(5)~~); and of which not to ex-
 3 ceed ~~\$3,000~~ shall be for official reception and representa-
 4 tion expenses: *Provided*, That none of the funds made
 5 available by this or any other Act shall be available for
 6 administrative expenses in connection with shipping com-
 7 missioners in the United States: *Provided further*, That
 8 none of the funds made available by this Act shall be for
 9 expenses incurred for yacht documentation under section
 10 12109 of title 46, United States Code, except to the extent
 11 fees are collected from yacht owners and credited to this
 12 appropriation.

13 ENVIRONMENTAL COMPLIANCE AND RESTORATION

14 For necessary expenses to carry out the environ-
 15 mental compliance and restoration functions of the United
 16 States Coast Guard under chapter 19 of title 14, United
 17 States Code, \$11,880,000, to remain available until ex-
 18 pended.

19 RESERVE TRAINING

20 For necessary expenses of the Coast Guard Reserve,
 21 as authorized by law; operations and maintenance of the
 22 reserve program; personnel and training costs; and equip-
 23 ment and services; \$122,348,000.

24 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

25 For necessary expenses of acquisition, construction,
 26 renovation, and improvement of aids to navigation, shore

1 facilities, vessels, and aircraft, including equipment related
2 thereto; and maintenance, rehabilitation, lease and oper-
3 ation of facilities and equipment, as authorized by law;
4 \$1,139,663,000, of which \$19,800,000 shall be derived
5 from the Oil Spill Liability Trust Fund to carry out the
6 purposes of section 1012(a)(5) of the Oil Pollution Act
7 of 1990 (~~33~~ U.S.C. 2712(a)(5)); of which \$24,750,000
8 shall be available until September 30, 2011, to acquire,
9 repair, renovate, or improve vessels, small boats, and re-
10 lated equipment; of which \$15,000,000 shall be available
11 until September 30, 2011, to increase aviation capability;
12 of which \$101,823,000 shall be available until September
13 30, 2009, for other equipment; of which \$24,450,000 shall
14 be available until September 30, 2009, for shore facilities
15 and aids to navigation facilities; of which \$81,000,000
16 shall be available for personnel compensation and benefits
17 and related costs; and of which \$892,640,000 shall be
18 available until September 30, 2011, for the Integrated
19 Deepwater Systems program: *Provided*, That the Com-
20 mandant of the Coast Guard is authorized to dispose of
21 surplus real property, by sale or lease, and the proceeds
22 shall be credited to this appropriation as offsetting collec-
23 tions and shall be available until September 30, 2009: *Pro-*
24 *vided further*, That the Secretary of Homeland Security
25 shall submit to the Committees on Appropriations of the

1 Senate and the House of Representatives, in conjunction
2 with the President's fiscal year 2008 budget, a review of
3 the Revised Deepwater Implementation Plan that identi-
4 fies any changes to the plan for the fiscal year; an annual
5 performance comparison of Deepwater assets to pre-Deep-
6 water legacy assets; a status report of legacy assets; a de-
7 scription of the competitive process conducted in all con-
8 tracts and subcontracts exceeding \$5,000,000 within the
9 Deepwater program; and the earned value management
10 system gold card data for each Deepwater asset: *Provided*
11 *further*, That the Secretary shall submit to the Committees
12 on Appropriations of the Senate and the House of Rep-
13 resentatives a comprehensive review of the Revised Deep-
14 water Implementation Plan every five years, beginning in
15 fiscal year 2011, that includes a complete projection of
16 the acquisition costs and schedule for the duration of the
17 plan through fiscal year 2027: *Provided further*, That the
18 Secretary shall annually submit to the Committees on Ap-
19 propriations of the Senate and the House of Representa-
20 tives, at the time that the President's budget is submitted
21 under section 1105(a) of title 31, United States Code, a
22 future-years capital investment plan for the Coast Guard
23 that identifies for each capital budget line item—
24 (1) the proposed appropriation included in that
25 budget;

1 (2) the total estimated cost of completion;

2 (3) projected funding levels for each fiscal year
3 for the next five fiscal years or until project comple-
4 tion, whichever is earlier;

5 (4) an estimated completion date at the pro-
6 jected funding levels; and

7 (5) changes, if any, in the total estimated cost
8 of completion or estimated completion date from
9 previous future-years capital investment plans sub-
10 mitted to the Committees on Appropriations of the
11 Senate and the House of Representatives;

12 *Provided further*, That the Secretary shall ensure that
13 amounts specified in the future-years capital investment
14 plan are consistent to the maximum extent practicable
15 with proposed appropriations necessary to support the
16 programs, projects, and activities of the Coast Guard in
17 the President's budget as submitted under section 1105(a)
18 of title 31, United States Code, for that fiscal year: *Pro-*
19 *vided further*, That any inconsistencies between the capital
20 investment plan and proposed appropriations shall be
21 identified and justified: *Provided further*, That no funding
22 may be obligated for the Rescue 21 vessel subsystem until
23 a vessel solution has been provided to the Committee on
24 Appropriations of the House of Representatives.

ALTERATION OF BRIDGES

1
2 For necessary expenses for alteration or removal of
3 obstructive bridges, as authorized by section 6 of the Truman-Hobbs Act (33 U.S.C. 516), \$17,000,000, to remain
4 available until expended.
5

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

6
7 For necessary expenses for applied scientific re-
8 search, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and
9 equipment; as authorized by law; \$13,860,000, to remain
10 available until expended, of which \$495,000 shall be derived from the Oil Spill Liability Trust Fund to carry out
11 the purposes of section 1012(a)(5) of the Oil Pollution Act
12 of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may
13 be credited to and used for the purposes of this appropriation funds received from State and local governments,
14 other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.
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19

RETIRED PAY

20
21 For retired pay, including the payment of obligations
22 otherwise chargeable to lapsed appropriations for this purpose; payments under the Retired Serviceman's Family
23 Protection and Survivor Benefits Plans; payment for career status bonuses; concurrent receipts and combat-related special compensation under the National Defense
24
25
26

1 Authorization Act, and payments for medical care of re-
2 tired personnel and their dependents under chapter 55 of
3 title 10, United States Code, \$1,063,323,000.

4 UNITED STATES SECRET SERVICE

5 PROTECTION, ADMINISTRATION, AND TRAINING

6 For necessary expenses of the United States Secret
7 Service, including purchase of not to exceed 755 vehicles
8 for police-type use, of which 624 shall be for replacement
9 only, and hire of passenger motor vehicles; purchase of
10 American-made motorcycles; hire of aircraft; services of
11 expert witnesses at such rates as may be determined by
12 the Director of the Secret Service; rental of buildings in
13 the District of Columbia; and fencing, lighting, guard
14 booths, and other facilities on private or other property
15 not in Government ownership or control, as may be nec-
16 essary to perform protective functions; payment of per
17 diem or subsistence allowances to employees where a pro-
18 tective assignment during the actual day or days of the
19 visit of a protectee requires an employee to work 16 hours
20 per day or to remain overnight at a post of duty; conduct
21 of and participation in firearms matches; presentation of
22 awards; travel of United States Secret Service employees
23 on protective missions without regard to the limitations
24 on such expenditures in this or any other Act if approval
25 is obtained in advance from the Committees on Appropria-

1 tions of the Senate and the House of Representatives; re-
2 search and development; grants to conduct behavioral re-
3 search in support of protective research and operations;
4 and payment in advance for commercial accommodations
5 as may be necessary to perform protective functions;
6 ~~\$954,399,000~~, of which not to exceed \$25,000 shall be for
7 official reception and representation expenses: *Provided*;
8 That up to \$18,000,000 provided for protective travel
9 shall remain available until September 30, 2008: *Provided*
10 *further*, That of the total amount provided under this
11 heading, \$2,000,000 shall not be available for obligation
12 until the Director of the Secret Service submits a com-
13 prehensive workload re-balancing report to the Commit-
14 tees on Appropriations of the Senate and the House of
15 Representatives that includes funding and position re-
16 quirements for current investigative and protective oper-
17 ations: *Provided further*, That the United States Secret
18 Service is authorized to obligate funds in anticipation of
19 reimbursements from Executive agencies and entities, as
20 defined in section 105 of title 5, United States Code, re-
21 ceiving training sponsored by the James J. Rowley Train-
22 ing Center, except that total obligations at the end of the
23 fiscal year shall not exceed total budgetary resources avail-
24 able under this heading at the end of the fiscal year.

1 INVESTIGATIONS AND FIELD OPERATIONS

2 For necessary expenses for investigations and field
3 operations of the United States Secret Service, not other-
4 wise provided for, including costs related to office space
5 and services of expert witnesses at such rates as may be
6 determined by the Director of the Secret Service,
7 ~~\$312,499,000~~, of which not to exceed \$100,000 shall be
8 to provide technical assistance and equipment to foreign
9 law enforcement organizations in counterfeit investiga-
10 tions; of which \$2,366,000 shall be for forensic and related
11 support of investigations of missing and exploited children;
12 and of which \$5,445,000 shall be a grant for activities
13 related to the investigations of missing and exploited chil-
14 dren and shall remain available until expended.

15 SPECIAL EVENT FUND

16 For necessary expenses of the United States Secret
17 Service to perform protective functions related to special
18 events, ~~\$20,900,000~~, to remain available until expended,
19 of which ~~\$18,400,000~~ shall be for protection activities re-
20 lated to presidential campaigns in the United States, and
21 of which ~~\$2,500,000~~ shall be for extraordinary costs of
22 National Special Security Events.

23 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND

24 RELATED EXPENSES

25 For necessary expenses for acquisition, construction,
26 repair, alteration, and improvement of facilities,

1 \$3,725,000, to remain available until expended: *Provided*
2 *further*, That of the total amount provided under this
3 heading, \$1,000,000 shall not be available for obligation
4 until the Director of the Secret Service submits a revised
5 master plan to the Committees on Appropriations of the
6 Senate and the House of Representatives for the James
7 J. Rowley Training Center.

8 TITLE III—PREPAREDNESS AND RECOVERY

9 PREPAREDNESS

10 UNDER SECRETARY FOR PREPAREDNESS

11 For salaries and expenses of the Office of the Under
12 Secretary for Preparedness, the Office of the Chief Med-
13 ical Officer, and the Office of National Capital Region Co-
14 ordination, \$39,468,000 (increased by \$9,000,000) (re-
15 duced by \$9,000,000), of which \$15,000,000 shall be for
16 the National Preparedness Integration Program: *Pro-*
17 *vided*, That not to exceed \$7,000 shall be for official recep-
18 tion and representation expenses: *Provided further*, That
19 of the amounts appropriated under this heading,
20 \$4,400,000 shall not be available for obligation until the
21 Secretary of Homeland Security submits to the Commit-
22 tees on Appropriations of the Senate and the House of
23 Representatives the final National Preparedness Goal.

1 OFFICE OF GRANTS AND TRAINING

2 STATE AND LOCAL PROGRAMS

3 For grants, contracts, cooperative agreements, and
4 other activities, including grants to State and local govern-
5 ments for terrorism prevention activities, notwithstanding
6 any other provision of law, \$2,524,000,000 (increased by
7 \$50,000,000) (increased by \$20,000,000), which shall be
8 allocated as follows:

9 (1) \$545,000,000 for formula-based grants and
10 \$400,000,000 for law enforcement terrorism preven-
11 tion grants pursuant to section 1014 of the USA
12 PATRIOT ACT (42 U.S.C. 3714): *Provided*, That
13 the application for grants shall be made available to
14 States within 45 days from the date of enactment of
15 this Act; States shall submit applications within 90
16 days after the grant announcement; and the Office
17 of Grants and Training shall act within 90 days
18 after receipt of an application: *Provided further*,
19 That no less than 80 percent of any grant under
20 this paragraph to a State shall be made available by
21 the State to local governments within 60 days after
22 the receipt of the funds.

23 (2) \$1,165,000,000 (increased by \$50,000,000)
24 (increased by \$20,000,000) for discretionary grants;

1 as determined by the Secretary of Homeland Security,
2 of which—

3 (A) \$750,000,000 (increased by
4 \$20,000,000) shall be for use in high-threat,
5 high-density urban areas;

6 (B) \$200,000,000 shall be for port security
7 grants pursuant to the purposes of section
8 70107(a) through (h) of title 46, United States
9 Code, which shall be awarded based on risk and
10 threat notwithstanding subsection (a), for eligi-
11 ble costs as described in subsections (b)(2)
12 through (4);

13 (C) \$5,000,000 shall be for trucking indus-
14 try security grants;

15 (D) \$10,000,000 shall be for intercity bus
16 security grants;

17 (E) \$150,000,000 (increased by
18 \$50,000,000) shall be for intercity rail pas-
19 senger transportation (as defined in section
20 24102 of title 49, United States Code), freight
21 rail, and transit security grants; and

22 (F) \$50,000,000 shall be for buffer zone
23 protection grants:

24 *Provided*, That for grants under subparagraph (A),
25 the application for grants shall be made available to

1 States within 45 days after the date of enactment of
2 this Act; States shall submit applications within 90
3 days after the grant announcement; and the Office
4 of Grants and Training shall act within 90 days
5 after receipt of an application: *Provided further,*
6 That no less than 80 percent of any grant under
7 this paragraph to a State shall be made available by
8 the State to local governments within 60 days after
9 the receipt of the funds.

10 ~~(3) \$75,000,000 shall be available for the Com-~~
11 ~~mercial Equipment Direct Assistance Program.~~

12 ~~(4) \$339,000,000 for training, exercises, tech-~~
13 ~~nical assistance, and other programs:~~

14 *Provided,* That none of the grants provided under this
15 heading shall be used for the construction or renovation
16 of facilities, except for a minor perimeter security project,
17 not to exceed \$1,000,000, as determined necessary by the
18 Secretary of Homeland Security: *Provided further,* That
19 the preceding proviso shall not apply to grants under sub-
20 paragraphs (B), (E), and (F) of paragraph (2) of this
21 heading: *Provided further,* That grantees shall provide ad-
22 ditional reports on their use of funds, as determined nec-
23 essary by the Secretary of Homeland Security: *Provided*
24 *further,* That funds appropriated for law enforcement ter-
25 rorism prevention grants under paragraph (1) of this

1 heading and discretionary grants under paragraph (2)(A)
2 of this heading shall be available for operational costs, to
3 include personnel overtime and overtime associated with
4 the Office of Grants and Training certified training, as
5 needed.

6 FIREFIGHTER ASSISTANCE GRANTS

7 For necessary expenses for programs authorized by
8 the Federal Fire Prevention and Control Act of 1974 (15
9 U.S.C. 2201 et seq.), \$540,000,000 (increased by
10 \$111,000,000), of which \$500,000,000 (increased by
11 \$41,000,000) shall be available to carry out section 32 of
12 such Act (15 U.S.C. 2229) and \$40,000,000 (increased
13 by \$70,000,000) shall be available to carry out section 34
14 of such Act (15 U.S.C. 2229a), to remain available until
15 September 30, 2008: *Provided*, That not to exceed 5 per-
16 cent of this amount shall be available for program admin-
17 istration.

18 EMERGENCY MANAGEMENT PERFORMANCE GRANTS

19 For necessary expenses for emergency management
20 performance grants, as authorized by the National Flood
21 Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Rob-
22 ert T. Stafford Disaster Relief and Emergency Assistance
23 Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards
24 Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Re-
25 organization Plan No. 3 of 1978 (5 U.S.C. App.),

1 ~~\$186,000,000~~: *Provided*, That total administrative costs
2 shall not exceed ~~3~~ percent of the total appropriation.

3 ~~RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM~~

4 The aggregate charges assessed during fiscal year
5 2007, as authorized in title III of the Departments of Vet-
6 erans Affairs and Housing and Urban Development, and
7 Independent Agencies Appropriations Act, 1999 (42
8 U.S.C. 5196e), shall not be less than 100 percent of the
9 amounts anticipated by the Department of Homeland Se-
10 curity to be necessary for its radiological emergency pre-
11 paredness program for such fiscal year: *Provided*, That the
12 methodology for assessment and collection of fees shall be
13 fair and equitable and shall reflect costs of providing such
14 services, including administrative costs of collecting such
15 fees: *Provided further*, That fees received under this head-
16 ing shall be deposited in this account as offsetting collec-
17 tions and will become available for authorized purposes on
18 October 1, 2007, and remain available until expended.

19 ~~UNITED STATES FIRE ADMINISTRATION AND TRAINING~~

20 For necessary expenses of the United States Fire Ad-
21 ministration and for other purposes, as authorized by the
22 Federal Fire Prevention and Control Act of 1974 (15
23 U.S.C. 2201 et seq.) and the Homeland security Act of
24 2002 (6 U.S.C. 101 et seq.), ~~\$46,849,000~~.

1 INFRASTRUCTURE PROTECTION AND INFORMATION

2 SECURITY

3 For necessary expenses for infrastructure protection
4 and information security programs and activities, as au-
5 thorized by title II of the Homeland Security Act of 2002
6 (42 U.S.C. 121 et seq.), \$549,140,000, of which
7 \$464,490,000 shall remain available until September 30,
8 2008: *Provided*, That of the amount made available under
9 this heading, \$10,000,000 shall not be available for obliga-
10 tion for management and administration until the Depart-
11 ment of Homeland Security has released the National In-
12 frastructure Protection Plan: *Provided further*, That of the
13 amount made available under this heading, \$10,000,000
14 shall not be available for obligation for management and
15 administration until the Department has submitted its na-
16 tional security strategy for the chemical sector report.

17 FEDERAL EMERGENCY MANAGEMENT AGENCY

18 ADMINISTRATIVE AND REGIONAL OPERATIONS

19 For necessary expenses for administrative and re-
20 gional operations, \$254,499,000, including activities au-
21 thorized by the National Flood Insurance Act of 1968 (42
22 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Re-
23 lief and Emergency Assistance Act (42 U.S.C. 5121 et
24 seq.), the Earthquake Hazards Reduction Act of 1977 (42
25 U.S.C. 7701 et seq.), the Defense Production Act of 1950

1 (~~50 U.S.C. App. 2061 et seq.~~), sections ~~107 and 303~~ of
2 the National Security Act of 1947 (~~50 U.S.C. 404, 405~~),
3 ~~Reorganization Plan No. 3 of 1978 (5 U.S.C. App.)~~, and
4 the Homeland Security Act of 2002 (~~6 U.S.C. 101 et~~
5 ~~seq.~~): *Provided*, That not to exceed \$3,000 shall be for
6 official reception and representation expenses.

7 ~~READINESS, MITIGATION, RESPONSE, AND RECOVERY~~

8 For necessary expenses for readiness, mitigation, re-
9 sponse, and recovery activities, ~~\$238,199,000~~ (increased
10 by ~~\$1,000,000~~) (~~reduced by \$1,000,000~~), including activi-
11 ties authorized by the National Flood Insurance Act of
12 1968 (~~42 U.S.C. 4001 et seq.~~), the Robert T. Stafford
13 Disaster Relief and Emergency Assistance Act (~~42 U.S.C.~~
14 ~~5121 et seq.~~), the Earthquake Hazards Reduction Act of
15 1977 (~~42 U.S.C. 7701 et seq.~~), the Defense Production
16 Act of 1950 (~~50 U.S.C. App. 2061 et seq.~~), sections ~~107~~
17 ~~and 303~~ of the National Security Act of 1947 (~~50 U.S.C.~~
18 ~~404, 405~~), ~~Reorganization Plan No. 3 of 1978 (5 U.S.C.~~
19 ~~App.)~~, and the Homeland Security Act of 2002 (~~6 U.S.C.~~
20 ~~101 et seq.~~): *Provided*, That of the total amount made
21 available under this heading, \$20,000,000 shall be for
22 Urban Search and Rescue Teams, of which not to exceed
23 \$1,600,000 may be made available for administrative
24 costs: *Provided further*, That of the amounts appropriated
25 under this heading, \$20,000,000 shall not be available for
26 obligation until the Secretary of Homeland Security sub-

1 mits to the Committees on Appropriations of the Senate
 2 and the House of Representatives a catastrophic planning
 3 expenditure plan.

4 PUBLIC HEALTH PROGRAMS

5 For necessary expenses for countering potential bio-
 6 logical, disease, and chemical threats to civilian popu-
 7 lations, ~~\$33,885,000~~.

8 DISASTER RELIEF

9 For necessary expenses in carrying out the Robert
 10 T. Stafford Disaster Relief and Emergency Assistance Act
 11 (~~42 U.S.C. 5121 et seq.~~), \$1,662,891,000 (increased by
 12 \$14,000,000), to remain available until expended.

13 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

14 For administrative expenses to carry out the direct
 15 loan program, as authorized by section 319 of the Robert
 16 T. Stafford Disaster Relief and Emergency Assistance Act
 17 (~~42 U.S.C. 5162~~), \$569,000: *Provided*, That gross obliga-
 18 tions for the principal amount of direct loans shall not
 19 exceed \$25,000,000: *Provided further*, That the cost of
 20 modifying such loans shall be as defined in section 502
 21 of the Congressional Budget Act of 1974 (~~2 U.S.C. 661a~~).

22 FLOOD MAP MODERNIZATION FUND

23 For necessary expenses pursuant to section 1360 of
 24 the National Flood Insurance Act of 1968 (~~42 U.S.C.~~
 25 ~~4101~~), \$198,980,000, and such additional sums as may
 26 be provided by State and local governments or other polit-

1 ical subdivisions for cost-shared mapping activities under
2 section ~~1360(f)(2)~~ of such Act, to remain available until
3 expended: *Provided*, That total administrative costs shall
4 not exceed ~~3~~ percent of the total appropriation.

5 NATIONAL FLOOD INSURANCE FUND

6 (INCLUDING TRANSFER OF FUNDS)

7 For activities under the National Flood Insurance
8 Act of 1968 (42 U.S.C. 4001 et seq.) and the Flood Dis-
9 aster Protection Act of 1973 (42 U.S.C. 4001 et seq.),
10 \$128,588,000, which shall be available as follows: (1) not
11 to exceed \$38,230,000 for salaries and expenses associ-
12 ated with flood mitigation and flood insurance operations;
13 and (2) not to exceed \$90,358,000 for flood hazard miti-
14 gation, which shall be derived from offsetting collections
15 assessed and collected pursuant to section 1307 of the Na-
16 tional Flood Insurance Act of 1968 (42 U.S.C. 4014), to
17 remain available until September 30, 2008, including up
18 to \$31,000,000 for flood mitigation expenses under section
19 1366 of such Act (42 U.S.C. 4104c), which amount shall
20 be available for transfer to the National Flood Mitigation
21 Fund until September 30, 2008: *Provided*, That in fiscal
22 year 2007, no funds shall be available from the National
23 Flood Insurance Fund in excess of: (1) \$70,000,000 for
24 operating expenses; (2) \$692,999,000 for commissions
25 and taxes of agents; (3) such sums as are necessary for

1 interest on Treasury borrowings; and (4) \$50,000,000 for
2 flood mitigation actions with respect to severe repetitive
3 loss properties under section 1361A of such Act (42
4 U.S.C. 4102a) and repetitive insurance claims properties
5 under section 1323 of such Act (42 U.S.C. 4030), which
6 shall remain available until expended: *Provided further*,
7 That total administrative costs shall not exceed 3 percent
8 of the total appropriation.

9 NATIONAL FLOOD MITIGATION FUND

10 (INCLUDING TRANSFER OF FUNDS)

11 Notwithstanding subparagraphs (B) and (C) of sub-
12 section (b)(3), and subsection (f), of section 1366 of the
13 National Flood Insurance Act of 1968 (42 U.S.C. 4104e),
14 \$31,000,000, to remain available until September 30,
15 2008, for activities designed to reduce the risk of flood
16 damage to structures pursuant to such Act, of which
17 \$31,000,000 shall be derived from the National Flood In-
18 surance Fund.

19 NATIONAL PRE-DISASTER MITIGATION FUND

20 For a predisaster mitigation grant program under
21 title II of the Robert T. Stafford Disaster Relief and
22 Emergency Assistance Act (42 U.S.C. 5131 et seq.),
23 \$100,000,000, to remain available until expended: *Pro-*
24 *vided*, That grants made for predisaster mitigation shall
25 be awarded on a competitive basis subject to the criteria

1 in section 203(g) of such Act (42 U.S.C. 5133(g)): *Pro-*
 2 *vided further,* That total administrative costs shall not ex-
 3 ceed 3 percent of the total appropriation.

4 EMERGENCY FOOD AND SHELTER

5 To carry out an emergency food and shelter program
 6 pursuant to title III of the McKinney-Vento Homeless As-
 7 sistance Act (42 U.S.C. 11331 et seq.), \$151,470,000, to
 8 remain available until expended: *Provided,* That total ad-
 9 ministrative costs shall not exceed 3.5 percent of the total
 10 appropriation.

11 TITLE IV—RESEARCH AND DEVELOPMENT,
 12 TRAINING, AND SERVICES

13 UNITED STATES CITIZENSHIP AND IMMIGRATION
 14 SERVICES

15 For necessary expenses for citizenship and immigra-
 16 tion services, \$161,990,000 (increased by \$20,000,000):
 17 *Provided,* That \$47,000,000 may not be obligated until
 18 the Committees on Appropriations of the Senate and the
 19 House of Representatives receive and approve a strategic
 20 transformation plan for United States Citizenship and Im-
 21 migration Services that has been reviewed and approved
 22 by the Secretary of Homeland Security and reviewed by
 23 the Government Accountability Office.

1 cies receiving training sponsored by the Center, except
2 that total obligations at the end of the fiscal year shall
3 not exceed total budgetary resources available at the end
4 of the fiscal year: *Provided further*, That section 1202(a)
5 of Public Law 107–206 (42 U.S.C. 3771 note) is amended
6 by striking “5 years after the date of the enactment of
7 this Act” and inserting “December 31, 2009”, and by
8 striking “250” and inserting “350”.

9 ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND
10 RELATED EXPENSES

11 For acquisition of necessary additional real property
12 and facilities, construction, and ongoing maintenance, fa-
13 cility improvements, and related expenses of the Federal
14 Law Enforcement Training Center, \$42,246,000, to re-
15 main available until expended: *Provided*, That the Center
16 is authorized to accept reimbursement to this appropria-
17 tion from government agencies requesting the construction
18 of special use facilities.

19 SCIENCE AND TECHNOLOGY

20 MANAGEMENT AND ADMINISTRATION

21 For salaries and expenses of the Office of the Under
22 Secretary for Science and Technology and for manage-
23 ment and administration of programs and activities, as
24 authorized by title III of the Homeland Security Act of
25 2002 (6 U.S.C. 181 et seq.), \$180,901,000: *Provided*,

1 That not to exceed \$3,000 shall be for official reception
2 and representation expenses: *Provided further*, That of the
3 amounts made available under this heading, \$98,000,000
4 may not be obligated until the Under Secretary submits
5 a detailed expenditure plan for fiscal year 2007 programs
6 and operations to the Committees on Appropriations of
7 the Senate and the House of Representatives.

8 RESEARCH, DEVELOPMENT, ACQUISITION, AND
9 OPERATIONS

10 For necessary expenses for science and technology re-
11 search, including advanced research projects; development;
12 test and evaluation; acquisition; and operations; as author-
13 ized by title III of the Homeland Security Act of 2002
14 (6 U.S.C. 181 et seq.); and the purchase or lease of not
15 to exceed 5 vehicles, \$775,370,000 (reduced by
16 \$107,000,000), to remain available until expended: *Pro-*
17 *vided*, That of the amounts made available under this
18 heading, \$400,000,000 may not be obligated until the
19 Committees on Appropriations of the Senate and the
20 House of Representatives receive and approve a report
21 prepared by the Under Secretary that describes Science
22 and Technology's progress to address financial manage-
23 ment deficiencies; improve its management controls; and
24 implement performance measures and evaluations.

1 DOMESTIC NUCLEAR DETECTION OFFICE

2 For necessary expenses of the Domestic Nuclear De-
3 tection Office, including nuclear detection research, devel-
4 opment, testing and evaluation, acquisition, operations,
5 management and administration, \$500,000,000, to remain
6 available until expended, of which not to exceed
7 \$178,000,000 shall be for the purchase and deployment
8 of radiation detection equipment in accordance with the
9 global nuclear detection architecture; and of which not to
10 exceed \$85,200,000 shall be for radiological and nuclear
11 transformational research and development; and of which
12 not to exceed \$30,468,000 shall be for the management
13 and administration of these programs and activities: *Pro-*
14 *vided,* That no funds provided in this Act shall be used
15 to create a Sodium-Iodide Manufacturing Program until
16 the Office demonstrates that Advanced Spectroscopic Por-
17 tal monitors will significantly speed commerce, reduce the
18 costs of secondary inspection, or significantly increase sen-
19 sitivity over current generation Radiation Portal Monitors.

20 TITLE V—GENERAL PROVISIONS

21 SEC. 501. No part of any appropriation contained in
22 this Act shall remain available for obligation beyond the
23 current fiscal year unless expressly so provided herein.

24 SEC. 502. Subject to the requirements of section 503
25 of this Act, the unexpended balances of prior appropria-

1 tions provided for activities in this Act may be transferred
2 to appropriation accounts for such activities established
3 pursuant to this Act. *Provided,* That balances so trans-
4 ferred may be merged with funds in the applicable estab-
5 lished accounts and thereafter may be accounted for as
6 one fund for the same time period as originally enacted.

7 SEC. 503. (a) None of the funds provided by this Act,
8 provided by previous appropriations Acts to the agencies
9 in or transferred to the Department of Homeland Security
10 that remain available for obligation or expenditure in fiscal
11 year 2007, or provided from any accounts in the Treasury
12 of the United States derived by the collection of fees avail-
13 able to the agencies funded by this Act, shall be available
14 for obligation or expenditure through a reprogramming of
15 funds that: (1) creates a new program; (2) eliminates a
16 program, project, or activity; (3) increases funds for any
17 program, project, or activity for which funds have been
18 denied or restricted by the Congress; (4) proposes to use
19 funds directed for a specific activity by either of the Com-
20 mittees on Appropriations of the Senate or House of Rep-
21 resentatives for a different purpose; or (5) contracts out
22 any functions or activities for which funds have been ap-
23 propriated for Federal full-time equivalent positions; un-
24 less the Committees on Appropriations of the Senate and

1 the House of Representatives are notified 15 days in ad-
2 vance of such reprogramming of funds.

3 (b) None of the funds provided by this Act, provided
4 by previous appropriations Acts to the agencies in or
5 transferred to the Department of Homeland Security that
6 remain available for obligation or expenditure in fiscal
7 year 2007, or provided from any accounts in the Treasury
8 of the United States derived by the collection of fees avail-
9 able to the agencies funded by this Act, shall be available
10 for obligation or expenditure for programs, projects, or ac-
11 tivities through a reprogramming of funds in excess of
12 \$5,000,000 or 10 percent, whichever is less, that: (1) aug-
13 ments existing programs, projects, or activities; (2) re-
14 duces by 10 percent funding for any existing program,
15 project, or activity, or numbers of personnel by 10 percent
16 as approved by the Congress; or (3) results from any gen-
17 eral savings from a reduction in personnel that would re-
18 sult in a change in existing programs, projects, or activi-
19 ties as approved by the Congress; unless the Committees
20 on Appropriations of the Senate and the House of Rep-
21 resentatives are notified 15 days in advance of such re-
22 programming of funds.

23 (c) Not to exceed 5 percent of any appropriation
24 made available for the current fiscal year for the Depart-
25 ment of Homeland Security by this Act or provided by

1 previous appropriations Acts may be transferred between
2 such appropriations, but no such appropriations, except
3 as otherwise specifically provided, shall be increased by
4 more than 10 percent by such transfers: *Provided*, That
5 any transfer under this section shall be treated as a re-
6 programming of funds under subsection (b) of this section
7 and shall not be available for obligation unless the Com-
8 mittees on Appropriations of the Senate and the House
9 of Representatives are notified 15 days in advance of such
10 transfer.

11 (d) Notwithstanding subsections (a), (b), and (c) of
12 this section, no funds shall be reprogrammed within or
13 transferred between appropriations after June 30, except
14 in extraordinary circumstances which imminently threaten
15 the safety of human life or the protection of property.

16 SEC. 504. Except as otherwise specifically provided
17 by law, not to exceed 50 percent of unobligated balances
18 remaining available at the end of fiscal year 2007 from
19 appropriations for salaries and expenses for fiscal year
20 2007 in this Act shall remain available through September
21 30, 2008, in the account and for the purposes for which
22 the appropriations were provided: *Provided*, That prior to
23 the obligation of such funds, a request shall be submitted
24 to the Committees on Appropriations of the Senate and

1 the House of Representatives for approval in accordance
2 with section 503 of this Act.

3 SEC. 505. Funds made available by this Act for intel-
4 ligence activities are deemed to be specifically authorized
5 by the Congress for purposes of section 504 of the Na-
6 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
7 year 2007 until the enactment of an Act authorizing intel-
8 ligence activities for fiscal year 2007.

9 SEC. 506. The Federal Law Enforcement Training
10 Center shall lead the Federal law enforcement training ac-
11 creditation process, including representatives from the
12 Federal law enforcement community and non-Federal ac-
13 creditation experts involved in law enforcement training,
14 to continue the implementation of measuring and assess-
15 ing the quality and effectiveness of Federal law enforce-
16 ment training programs, facilities, and instructors.

17 SEC. 507. None of the funds in this Act may be used
18 to make a grant allocation, discretionary grant award, dis-
19 cretionary contract award, or to issue a letter of intent
20 totaling in excess of \$1,000,000, or to announce publicly
21 the intention to make such an award, unless the Secretary
22 of Homeland Security notifies the Committees on Appro-
23 priations of the Senate and the House of Representatives
24 at least 3 full business days in advance: *Provided*, That

1 no notification shall involve funds that are not available
2 for obligation.

3 SEC. 508. Notwithstanding any other provision of
4 law, no agency shall purchase, construct, or lease any ad-
5 ditional facilities, except within or contiguous to existing
6 locations, to be used for the purpose of conducting Federal
7 law enforcement training without the advance approval of
8 the Committees on Appropriations of the Senate and the
9 House of Representatives, except that the Federal Law
10 Enforcement Training Center is authorized to obtain the
11 temporary use of additional facilities by lease, contract,
12 or other agreement for training which cannot be accommo-
13 dated in existing Center facilities.

14 SEC. 509. The Director of the Federal Law Enforce-
15 ment Training Center shall schedule basic and/or ad-
16 vanced law enforcement training at all four training facili-
17 ties under the control of the Federal Law Enforcement
18 Training Center to ensure that these training centers are
19 operated at the highest capacity throughout the fiscal
20 year.

21 SEC. 510. None of the funds appropriated or other-
22 wise made available by this Act may be used for expenses
23 of any construction, repair, alteration, or acquisition
24 project for which a prospectus, if required by chapter 33
25 of title 40, United States Code, has not been approved,

1 except that necessary funds may be expended for each
2 project for required expenses for the development of a pro-
3 posed prospectus.

4 ~~SEC. 511.~~ None of the funds in this Act may be used
5 in contravention of the applicable provisions of the Buy
6 American Act (41 U.S.C. 10a et seq.).

7 ~~SEC. 512.~~ Notwithstanding any other provision of
8 law, the authority of the Office of Personnel Management
9 to conduct personnel security and suitability background
10 investigations, update investigations, and periodic reinves-
11 tigation of applicants for, or appointees in, positions in
12 the Office of the Secretary and Executive Management,
13 the Office of the Under Secretary for Management, Anal-
14 ysis and Operations, Immigration and Customs Enforce-
15 ment, the Directorate for Preparedness, and the Direc-
16 torate of Science and Technology of the Department of
17 Homeland Security is transferred to the Department of
18 Homeland Security: *Provided*, That on request of the De-
19 partment of Homeland Security, the Office of Personnel
20 Management shall cooperate with and assist the Depart-
21 ment in any investigation or reinvestigation under this sec-
22 tion: *Provided further*, That this section shall cease to be
23 effective at such time as the President has selected a sin-
24 gle agency to conduct security clearance investigations
25 pursuant to section 3001(c) of the Intelligence Reform

1 and Terrorism Prevention Act of 2004 (Public Law 108-
2 458; 50 U.S.C. 435b(e)) and the entity selected under sec-
3 tion 3001(b) of such Act has reported to the Congress that
4 the agency selected pursuant to such section 3001(e) is
5 capable of conducting all necessary investigations in a
6 timely manner or has authorized the entities within the
7 Department of Homeland Security covered by this section
8 to conduct their own investigations pursuant to section
9 3001 of such Act.

10 ~~SEC. 513.~~ (a) None of the funds provided by this or
11 previous appropriations Acts may be obligated for deploy-
12 ment or implementation, on other than a test basis, of the
13 Secure Flight program or any other follow on or successor
14 passenger prescreening program, until the Secretary of
15 Homeland Security certifies, and the Government Ac-
16 countability Office reports, to the Committees on Appro-
17 priations of the Senate and the House of Representatives,
18 that all ten of the elements contained in paragraphs (1)
19 through (10) of section 522(a) of Public Law 108-334
20 (118 Stat. 1319) have been successfully met.

21 (b) The report required by subsection (a) shall be
22 submitted within 90 days after the Secretary provides the
23 requisite certification, and periodically thereafter, if nec-
24 essary, until the Government Accountability Office con-
25 firms that all ten elements have been successfully met.

1 (e) Within 90 days of enactment of this Act, the Sec-
2 retary shall submit to the Committees on Appropriations
3 of the Senate and House of Representatives a detailed
4 plan that describes (1) the dates for achieving key mile-
5 stones, including the date or timeframes that the Sec-
6 retary will certify the program under subsection (a); and
7 (2) the methodology to be followed to support the Sec-
8 retary's certification, as required under subsection (a).

9 (d) During the testing phase permitted by subsection
10 (a), no information gathered from passengers, foreign or
11 domestic air carriers, or reservation systems may be used
12 to screen aviation passengers, or delay or deny boarding
13 to such passengers, except in instances where passenger
14 names are matched to a Government watch list.

15 (e) None of the funds provided in this or previous
16 appropriations Acts may be utilized to develop or test algo-
17 rithms assigning risk to passengers whose names are not
18 on Government watch lists.

19 (f) None of the funds provided in this or previous
20 appropriations Acts may be utilized for data or a database
21 that is obtained from or remains under the control of a
22 non-Federal entity. *Provided*, That this restriction shall
23 not apply to Passenger Name Record data obtained from
24 air carriers.

1 SEC. 514. None of the funds made available in this
2 Act may be used to amend the oath of allegiance required
3 by section 337 of the Immigration and Nationality Act
4 (8 U.S.C. 1448).

5 SEC. 515. None of the funds appropriated by this Act
6 may be used to process or approve a competition under
7 Office of Management and Budget Circular A-76 for serv-
8 ices provided as of June 1, 2004, by employees (including
9 employees serving on a temporary or term basis) of United
10 States Citizenship and Immigration Services of the De-
11 partment of Homeland Security who are known as of that
12 date as Immigration Information Officers, Contact Rep-
13 resentatives, or Investigative Assistants.

14 SEC. 516. None of the funds appropriated by this Act
15 shall be available to maintain the United States Secret
16 Service as anything but a distinct entity within the De-
17 partment of Homeland Security and shall not be used to
18 merge the United States Secret Service with any other de-
19 partment function; cause any personnel and operational
20 elements of the United States Secret Service to report to
21 an individual other than the Director of the United States
22 Secret Service; or cause the Director to report directly to
23 any individual other than the Secretary of Homeland Se-
24 curity.

1 SEC. 517. None of the funds appropriated to the
2 United States Secret Service by this Act or by previous
3 appropriations Acts may be made available for the protec-
4 tion of the head of a Federal agency other than the Sec-
5 retary of Homeland Security: *Provided*, That the Director
6 of the United States Secret Service may enter into an
7 agreement to perform such service on a fully reimbursable
8 basis.

9 SEC. 518. The Secretary of Homeland Security, in
10 consultation with industry stakeholders, shall develop
11 standards and protocols for increasing the use of explosive
12 detection equipment to screen air cargo when appropriate.

13 SEC. 519. The Transportation Security Administra-
14 tion (TSA) shall utilize existing checked baggage explosive
15 detection equipment and screeners to screen cargo carried
16 on passenger aircraft to the greatest extent practicable at
17 each airport: *Provided*, That TSA shall report air cargo
18 inspection statistics quarterly to the Committee on Appro-
19 priations of the House of Representatives, by airport and
20 air carrier, within 45 days after the end of the quarter:
21 *Provided further*, That the appropriation for “Aviation Se-
22 curity” in this Act is reduced by \$100,000 for each day
23 beyond such deadline that such quarterly report is not pro-
24 vided.

1 SEC. 520. None of the funds available for obligation
2 for the transportation worker identification credential pro-
3 gram shall be used to develop a personalization system
4 that is decentralized or a card production capability that
5 does not utilize an existing government card production
6 facility.

7 SEC. 521. (a) RESCISSION.—From the unexpended
8 balances of the United States Coast Guard “Acquisition,
9 Construction, and Improvements” account specifically
10 identified in the Joint Explanatory Statement (House Re-
11 port 109–241) accompanying Public Law 109–90 for the
12 Fast Response Cutter, the service life extension program
13 of the current 110-foot Island Class patrol boat fleet, and
14 accelerated design and production of the Fast Response
15 Cutter, \$79,347,002 are rescinded.

16 (b) ADDITIONAL APPROPRIATION.—For necessary
17 expenses of the United States Coast Guard for “Acquisi-
18 tion, Construction, and Improvements”, there is appro-
19 priated an additional \$79,347,002, to remain available
20 until September 30, 2009, for the service life extension
21 program of the current 110-foot Island Class patrol boat
22 fleet and the acquisition of traditional patrol boats (“par-
23 ent craft”).

24 SEC. 522. None of the funds made available in this
25 Act may be used by any person other than the privacy

1 officer appointed pursuant to section 222 of the Homeland
2 Security Act of 2002 (6 U.S.C. 142) to alter, direct that
3 changes be made to, delay, or prohibit the transmission
4 to the Congress of any report prepared pursuant to para-
5 graph (6) of such section.

6 SEC. 523. No funding provided by this or previous
7 appropriation Acts shall be available to pay the salary of
8 any employee serving as a contracting officer's technical
9 representative (COTR), or anyone acting in a similar or
10 like capacity, who has not received COTR training.

11 SEC. 524. Except as provided in section 44945 of title
12 49, United States Code, funds appropriated or transferred
13 to Transportation Security Administration "Aviation Se-
14 curity" and "Administration" for fiscal years 2004, 2005,
15 and 2006 that are recovered or deobligated shall be avail-
16 able only for procurement and installation of explosive de-
17 tection systems for air cargo, baggage, and checkpoint
18 screening systems: *Provided*, That these funds shall be
19 subject to section 503 of this Act.

20 SEC. 525. Using funds made available in this Act,
21 and within 60 days of enactment of this Act, the Secretary
22 of the Department of Homeland Security shall revise DHS
23 MD 11056 to include the following: (1) that information
24 that is three years old and not incorporated in a current,
25 active transportation security directive or security plan

1 shall be determined automatically to be releaseable unless,
2 for each specific document, the Secretary makes a written
3 determination that identifies a compelling reason why the
4 information must remain SSI; (2) incorporation of com-
5 mon and extensive examples of the individual categories
6 of SSI information cited under 49 CFR 1520(b)(1)
7 through (16) in order to minimize and standardize judg-
8 ment by covered persons in the application of SSI mark-
9 ing; and (3) that in all judicial proceedings where the
10 judge overseeing the proceeding has adjudicated that a
11 party needs to have access to SSI information, the party
12 shall be deemed a DHS Covered Person for purposes of
13 access to the SSI information at issue in the case unless
14 TSA or DHS demonstrates a compelling reason why the
15 specific individual presents a risk of harm to the nation.

16 SEC. 526. The Department of Homeland Security
17 Working Capital Fund, established, pursuant to section
18 403 of Public Law 103-356 (31 U.S.C. 501 note), shall
19 continue operations during fiscal year 2007.

20 SEC. 527. RESCISSION.—Of the unobligated balances
21 from prior year appropriations made available for the
22 “Counterterrorism Fund”, \$16,000,000 are rescinded.

23 SEC. 528. The weekly report required by Public Law
24 109-62 detailing the allocation and obligation of funds for
25 “Disaster Relief” shall include: (1) detailed information

1 on each allocation, obligation, or expenditure that totals
2 more than \$50,000,000, categorized by increments of not
3 larger than \$50,000,000; (2) the amount of credit card
4 purchases by agency and mission assignment; (3) obliga-
5 tions, allocations, and expenditures, categorized by agency,
6 by State, for New Orleans, and by purpose and mission
7 assignment; (4) status of the Disaster Relief Fund; and
8 (5) specific reasons for all waivers granted and a descrip-
9 tion of each waiver: *Provided*, That the detailed informa-
10 tion required by paragraph (1) shall include the purpose
11 of each allocation, obligation, or expenditure; whether the
12 work will be performed by a governmental agency or a con-
13 tractor; and, if the work is to be performed by a con-
14 tractor, the name of the contractor, the type of contract,
15 and whether the contract is sole-source, full and open com-
16 petition, or limited competition.

17 SEC. 529. Within 45 days after the close of each
18 month, the Chief Financial Officer of the Department of
19 Homeland Security shall submit to the Committees on Ap-
20 propriations of the Senate and the House of Representa-
21 tives a monthly budget execution report that sets forth
22 the total obligational authority appropriated (new budget
23 authority plus unobligated carryover), undistributed
24 obligational authority, amount allotted, current year obli-
25 gations, unobligated authority (the difference between

1 total obligational authority and current year obligations);
2 beginning unexpended obligations, year-to-date costs, and
3 year end unexpended obligations, of the Department of
4 Homeland Security: *Provided*, That such information shall
5 be provided for each Departmental component and the
6 Working Capital Fund at the level of detail shown in the
7 table of detailed funding recommendations displayed at
8 the end of the report accompanying this Act.

9 SEC. 530. (a) UNITED STATES SECRET SERVICE USE
10 OF PROCEEDS DERIVED FROM CRIMINAL INVESTIGA-
11 TIONS.—During fiscal years 2007 through 2009, with re-
12 spect to any undercover investigative operation of the
13 United States Secret Service (hereafter referred to in this
14 section as the “Secret Service”) that is necessary for the
15 detection and prosecution of crimes against the United
16 States—

17 (1) sums appropriated for the Secret Service,
18 including unobligated balances available from prior
19 fiscal years, may be used for purchasing property,
20 buildings, and other facilities, and for leasing space,
21 within the United States, the District of Columbia,
22 and the territories and possessions of the United
23 States, without regard to sections 1341 and 3324 of
24 title 31, United States Code, section 8141 of title
25 40, United States Code, sections 3732(a) and 3741

1 of the Revised Statutes of the United States (41
2 U.S.C. 11(a) and 22), and sections 304(a) and 305
3 of the Federal Property and Administrative Services
4 Act of 1949 (41 U.S.C 254(a) and 255);

5 (2) sums appropriated for the Secret Service,
6 including unobligated balances available from prior
7 fiscal years, may be used to establish or to acquire
8 proprietary corporations or business entities as part
9 of such undercover operation, and to operate such
10 corporations or business entities on a commercial
11 basis, without regard to sections 9102 and 9103 of
12 title 31, United States Code;

13 (3) sums appropriated for the Secret Service,
14 including unobligated balances available from prior
15 fiscal years and the proceeds from such undercover
16 operation, may be deposited in banks or other finan-
17 cial institutions, without regard to section 648 of
18 title 18, and section 3302 of title 31, United States
19 Code; and

20 (4) proceeds from such undercover operation
21 may be used to offset necessary and reasonable ex-
22 penses incurred in such operation, without regard to
23 section 3302 of title 31, United States Code.

24 (b) WRITTEN CERTIFICATION.—The authority set
25 forth in subsection (a) may be exercised only upon the

1 written certification of the Director of the Secret Service
2 or designee that any action authorized by any paragraph
3 of such subsection is necessary for the conduct of an un-
4 derecover investigative operation. Such certification shall
5 continue in effect for the duration of such operation, with-
6 out regard to fiscal years.

7 (c) DEPOSIT OF PROCEEDS IN TREASURY.—As soon
8 as practicable after the proceeds from an undercover in-
9 vestigative operation with respect to which an action is
10 authorized and carried out under paragraphs (3) and (4)
11 of subsection (a) are no longer necessary for the conduct
12 of such operation, such proceeds or the balance of such
13 proceeds remaining at the time shall be deposited in the
14 Treasury of the United States as miscellaneous receipts.

15 (d) REPORTING AND DEPOSIT OF PROCEEDS UPON
16 DISPOSITION OF CERTAIN BUSINESS ENTITIES.—If a cor-
17 poration or business entity established or acquired as part
18 of an undercover investigative operation under paragraph
19 (2) of subsection (a) with a net value of over \$50,000 is
20 to be liquidated, sold, or otherwise disposed of, the Secret
21 Service, as much in advance as the Director or designee
22 determines is practicable, shall report the circumstance to
23 the Secretary of Homeland Security. The proceeds of the
24 liquidation, sale, or other disposition, after obligations are

1 met, shall be deposited in the Treasury of the United
2 States as miscellaneous receipts.

3 (c) FINANCIAL AUDITS AND REPORTS.—

4 (1) The Secret Service shall conduct detailed fi-
5 nancial audits of closed undercover investigative op-
6 erations for which a written certification was made
7 pursuant to subsection (b) on a quarterly basis and
8 shall report the results of the audits in writing to
9 the Secretary of Homeland Security.

10 (2) The Secretary of Homeland Security shall
11 annually submit to the Committees on Appropria-
12 tions of the Senate and House of Representatives, at
13 the time that the President's budget is submitted
14 under section 1105(a) of title 31, a summary of
15 such audits.

16 SEC. 531. The Director of the Domestic Nuclear De-
17 tection Office shall operate extramural and intramural re-
18 search, development, demonstrations, testing and evalua-
19 tion programs so as to distribute funding through grants,
20 cooperative agreements, other transactions and contracts.

21 SEC. 532. None of the funds made available in this
22 Act for United States Customs and Border Protection
23 may be used to prevent an individual not in the business
24 of importing a prescription drug (within the meaning of
25 section 801(g) of the Federal Food, Drug, and Cosmetic

1 Act) from importing a prescription drug that complies
2 with sections 501, 502, and 505 of such Act.

3 SEC. 533. From the unobligated balances of Trans-
4 portation Security Administration “Aviation Security”
5 and “Headquarters Administration”, \$4,776,000 are re-
6 scinded.

7 SEC. 534. Notwithstanding the requirements of sec-
8 tion 404(b)(2)(B) of the Robert T. Stafford Disaster Re-
9 lief and Emergency Assistance Act, the Army Corps of
10 Engineers may use Lot 19, Block 1 of the Meadowview
11 Acres Addition and Lot 8, Block 5 of the Meadowview
12 Acres Addition in Augusta, Kansas, for building portions
13 of the flood-control levee.

14 SEC. 535. Notwithstanding any time limitation estab-
15 lished for a grant awarded under title I, chapter 6, Public
16 Law 106-31, in the item relating to Federal Emergency
17 Management Agency—Disaster Assistance for Unmet
18 Needs, the City of Cuero, Texas, may use funds received
19 under such grant program until June 30, 2007.

20 SEC. 536. None of the funds in this Act shall be used
21 to recruit, hire, or employ nonscreener personnel into the
22 Transportation Security Administration’s Federal Secu-
23 rity Director office at each airport participating in the se-
24 curity partnership program under section 44920 of title
25 49, United States Code, whose job title and job description

1 would duplicate those of nonscreener personnel employed
2 by the screening company that is under contract with the
3 Transportation Security Administration to provide secu-
4 rity screening services at the airport.

5 SEC. 537. None of the funds made available by this
6 Act shall be used in contravention of the Federal buildings
7 performance and reporting requirements of Executive
8 Order No. 13123, part 3 of title V of the National Energy
9 Conservation Policy Act (42 U.S.C. 8251 et seq.), or sub-
10 title A of title I of the Energy Policy Act of 2005 (includ-
11 ing the amendments made thereby).

12 SEC. 538. None of the funds made available in this
13 Act may be used in contravention of section 303 of the
14 Energy Policy Act of 1992 (42 U.S.C. 13212).

15 SEC. 539. None of the funds made available in this
16 Act may be used to award any contract for major disaster
17 or emergency assistance activities under the Robert T.
18 Stafford Disaster Relief and Emergency Assistance Act
19 except in accordance with section 307 of such Act (42
20 U.S.C. 5150).

21 SEC. 540. None of the funds made available in the
22 Act may be used to reimburse L.B.& B. Associates, Inc.
23 or Olgoonik Logistics, LLC (or both) for attorneys fees
24 related to pending litigation against Local 30 of the Inter-
25 national Union of Operating Engineers.

1 SEC. 541. The amounts otherwise provided by this
2 Act are revised by reducing the amount made available
3 for “~~DEPARTMENTAL MANAGEMENT AND OPER-~~
4 ~~ATIONS—OFFICE OF THE SECRETARY AND EXECUTIVE~~
5 ~~MANAGEMENT~~”, and increasing the amount made avail-
6 able for “~~OFFICE OF GRANTS AND TRAINING—FIRE-~~
7 ~~FIGHTER ASSISTANCE GRANTS~~” (for increasing the
8 amount under such heading to carry out section 33 of the
9 Federal Fire Prevention Control Act of 1974 by
10 \$2,100,000, and increasing the amount under such head-
11 ing to carry out section 34 of such Act by \$2,100,000),
12 by \$4,200,000.

13 SEC. 542. The amounts otherwise provided by this
14 Act are revised by increasing the amount made available
15 for “~~United States Secret Service—Protection, Adminis-~~
16 ~~tration, and Training~~” and the amount made available for
17 “~~Federal Emergency Management Agency—Readiness,~~
18 ~~Mitigation, Response, and Recovery~~” by \$2,000,000 re-
19 spectively.

20 SEC. 543. None of the the funds appropriated or oth-
21 erwise made available in this Act may be used in con-
22 travention of section 642(a) of the Illegal Immigration Re-
23 form and Immigrant Responsibility Act of 1996 (8 U.S.C.
24 1373(a)).

1 SEC. 544. None of the funds made available by this
 2 Act may be used to provide a foreign government informa-
 3 tion relating to the activities of an organized volunteer ci-
 4 vilian action group, as defined by DHS OIG-06-4, oper-
 5 ating in the State of California, Texas, New Mexico, or
 6 Arizona, unless required by international treaty.

7 This Act may be cited as the “Department of Home-
 8 land Security Appropriations Act, 2007”.

9 *That the following sums are appropriated, out of any*
 10 *money in the Treasury not otherwise appropriated, for the*
 11 *Department of Homeland Security for the fiscal year end-*
 12 *ing September 30, 2007, and for other purposes, namely:*

13 *TITLE I*

14 *DEPARTMENTAL MANAGEMENT AND*

15 *OPERATIONS*

16 *OFFICE OF THE SECRETARY AND EXECUTIVE*

17 *MANAGEMENT*

18 *For necessary expenses of the Office of the Secretary*
 19 *of Homeland Security, as authorized by section 102 of the*
 20 *Homeland Security Act of 2002 (6 U.S.C. 112), and execu-*
 21 *tive management of the Department of Homeland Security,*
 22 *as authorized by law, \$90,122,000: Provided, That not to*
 23 *exceed \$40,000 shall be for official reception and representa-*
 24 *tion expenses.*

1 *OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT*

2 *For necessary expenses of the Office of the Under Sec-*
3 *retary for Management, as authorized by sections 701*
4 *through 705 of the Homeland Security Act of 2002 (6*
5 *U.S.C. 341 through 345), \$166,456,000: Provided, That not*
6 *to exceed \$3,000 shall be for official reception and represen-*
7 *tation expenses: Provided further, That of the total amount*
8 *provided, \$8,206,000 shall remain available until expended*
9 *solely for the alteration and improvement of facilities, ten-*
10 *ant improvements, and relocation costs to consolidate De-*
11 *partment headquarters operations.*

12 *OFFICE OF THE CHIEF FINANCIAL OFFICER*

13 *For necessary expenses of the Office of the Chief Finan-*
14 *cial Officer, as authorized by section 103 of the Homeland*
15 *Security Act of 2002 (6 U.S.C. 113), \$26,018,000.*

16 *OFFICE OF THE CHIEF INFORMATION OFFICER*

17 *For necessary expenses of the Office of the Chief Infor-*
18 *mation Officer, as authorized by section 103 of the Home-*
19 *land Security Act of 2002 (6 U.S.C. 113), and Department-*
20 *wide technology investments, \$306,765,000; of which*
21 *\$79,521,000 shall be available for salaries and expenses;*
22 *and of which \$227,244,000 shall be available for develop-*
23 *ment and acquisition of information technology equipment,*
24 *software, services, and related activities for the Department*
25 *of Homeland Security, and for the costs of conversion to*

1 narrowband communications, including the cost for oper-
2 ation of the land mobile radio legacy systems, to remain
3 available until expended: Provided, That none of the funds
4 appropriated shall be used to support or supplement the
5 appropriations provided for the United States Visitor and
6 Immigrant Status Indicator Technology project or the
7 Automated Commercial Environment: Provided further,
8 That the Chief Information Officer shall submit to the Com-
9 mittees on Appropriations of the Senate and the House of
10 Representatives, not more than 60 days after the date of
11 enactment of this Act, an expenditure plan for all informa-
12 tion technology projects that: (1) are funded under this
13 heading; or (2) are funded by multiple components of the
14 Department of Homeland Security through reimbursable
15 agreements: Provided further, That such expenditure plan
16 shall include each specific project funded, key milestones,
17 all funding sources for each project, details of annual and
18 lifecycle costs, and projected cost savings or cost avoidance
19 to be achieved by the project.

20 *ANALYSIS AND OPERATIONS*

21 *For necessary expenses for information analysis and*
22 *operations coordination activities, as authorized by title II*
23 *of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.),*
24 *\$298,663,000, to remain available until September 30,*

1 2008, of which not to exceed \$5,000 shall be for official re-
2 ception and representation expenses.

3 *OFFICE OF INSPECTOR GENERAL*

4 *For necessary expenses of the Office of Inspector Gen-
5 eral in carrying out the provisions of the Inspector General
6 Act of 1978 (5 U.S.C. App.), \$87,185,000, of which not to
7 exceed \$100,000 may be used for certain confidential oper-
8 ational expenses, including the payment of informants, to
9 be expended at the direction of the Inspector General.*

10 *TITLE II*

11 *SECURITY, ENFORCEMENT, AND INVESTIGATIONS*

12 *UNITED STATES VISITOR AND IMMIGRANT STATUS*

13 *INDICATOR TECHNOLOGY*

14 *For necessary expenses for the development of the
15 United States Visitor and Immigrant Status Indicator
16 Technology project, as authorized by section 110 of the Ille-
17 gal Immigration Reform and Immigration Responsibility
18 Act of 1996 (8 U.S.C. 1221 note), \$399,494,000, to remain
19 available until expended: Provided, That of the total
20 amount made available under this heading, \$200,000,000
21 may not be obligated for the United States Visitor and Im-
22 migrant Status Indicator Technology project until the Com-
23 mittees on Appropriations of the Senate and the House of
24 Representatives receive and approve a plan for expenditure
25 prepared by the Secretary of Homeland Security that—*

1 (1) meets the capital planning and investment
2 control review requirements established by the Office
3 of Management and Budget, including Circular A–11,
4 part 7;

5 (2) complies with the Department of Homeland
6 Security information systems enterprise architecture;

7 (3) complies with the acquisition rules, require-
8 ments, guidelines, and systems acquisition manage-
9 ment practices of the Federal Government;

10 (4) includes a certification by the Chief Informa-
11 tion Officer of the Department of Homeland Security
12 that an independent verification and validation agent
13 is currently under contract for the project;

14 (5) is reviewed and approved by the Department
15 of Homeland Security Investment Review Board, the
16 Secretary of Homeland Security, and the Office of
17 Management and Budget; and

18 (6) is reviewed by the Government Account-
19 ability Office.

20 *CUSTOMS AND BORDER PROTECTION*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses for enforcement of laws relating*
23 *to border security, immigration, customs, and agricultural*
24 *inspections and regulatory activities related to plant and*
25 *animal imports; purchase and lease of up to 4,500 (3,500*

1 *for replacement only) police-type vehicles; and contracting*
2 *with individuals for personal services abroad;*
3 *\$5,285,874,000; of which \$3,026,000 shall be derived from*
4 *the Harbor Maintenance Trust Fund for administrative ex-*
5 *penses related to the collection of the Harbor Maintenance*
6 *Fee under section 9505(c)(3) of the Internal Revenue Code*
7 *of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section*
8 *1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C.*
9 *551(e)(1)); of which not to exceed \$45,000 shall be for offi-*
10 *cial reception and representation expenses; of which not less*
11 *than \$172,676,000 shall be for Air and Marine Operations;*
12 *of which such sums as become available in the Customs User*
13 *Fee Account, except sums subject to section 13031(f)(3) of*
14 *the Consolidated Omnibus Budget Reconciliation Act of*
15 *1985 (19 U.S.C. 58c(f)(3)), shall be derived from that ac-*
16 *count; of which not to exceed \$150,000 shall be available*
17 *for payment for rental space in connection with*
18 *preclearance operations; of which not to exceed \$1,000,000*
19 *shall be for awards of compensation to informants, to be*
20 *accounted for solely under the certificate of the Secretary*
21 *of Homeland Security: Provided, That for fiscal year 2007,*
22 *the overtime limitation prescribed in section 5(c)(1) of the*
23 *Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be*
24 *\$35,000; and notwithstanding any other provision of law,*
25 *none of the funds appropriated by this Act may be available*

1 *to compensate any employee of United States Customs and*
2 *Border Protection for overtime, from whatever source, in*
3 *an amount that exceeds such limitation, except in indi-*
4 *vidual cases determined by the Secretary of Homeland Se-*
5 *curity, or the designee of the Secretary, to be necessary for*
6 *national security purposes, to prevent excessive costs, or in*
7 *cases of immigration emergencies.*

8 *AUTOMATION MODERNIZATION*

9 *For expenses for customs and border protection auto-*
10 *mated systems, \$461,207,000, to remain available until ex-*
11 *pended, of which not less than \$318,490,000 shall be for*
12 *the development of the Automated Commercial Environ-*
13 *ment: Provided, That none of the funds made available*
14 *under this heading may be obligated for the Automated*
15 *Commercial Environment until the Committees on Appro-*
16 *priations of the Senate and the House of Representatives*
17 *receive and approve a plan for expenditure prepared by the*
18 *Secretary of Homeland Security that—*

19 *(1) meets the capital planning and investment*
20 *control review requirements established by the Office*
21 *of Management and Budget, including Circular A–11,*
22 *part 7;*

23 *(2) complies with the Department of Homeland*
24 *Security information systems enterprise architecture;*

1 (3) complies with the acquisition rules, require-
 2 ments, guidelines, and systems acquisition manage-
 3 ment practices of the Federal Government;

4 (4) includes a certification by the Chief Informa-
 5 tion Officer of the Department of Homeland Security
 6 that an independent verification and validation agent
 7 is currently under contract for the project;

8 (5) is reviewed and approved by the Department
 9 of Homeland Security Investment Review Board, the
 10 Secretary of Homeland Security, and the Office of
 11 Management and Budget; and

12 (6) is reviewed by the Government Account-
 13 ability Office.

14 TECHNOLOGY MODERNIZATION

15 For expenses for customs and border protection tech-
 16 nology systems, \$131,559,000, to remain available until ex-
 17 pended: Provided, That of the funds made available under
 18 this heading, \$100,000,000 may not be obligated until the
 19 Committees on Appropriations of the Senate and the House
 20 of Representatives receive and approve a plan for expendi-
 21 ture prepared by the Secretary of Homeland Security
 22 that—

23 (1) meets the capital planning and investment
 24 control review requirements established by the Office
 25 of Management and Budget, including Circular A–11,
 26 part 7;

1 (2) *complies with the Department of Homeland*
2 *Security information systems enterprise architecture;*

3 (3) *complies with the acquisition rules, require-*
4 *ments, guidelines, and systems acquisition manage-*
5 *ment practices of the Federal Government;*

6 (4) *includes a certification by the Chief Informa-*
7 *tion Officer of the Department of Homeland Security*
8 *that an independent verification and validation agent*
9 *is currently under contract for the project;*

10 (5) *is reviewed and approved by the Department*
11 *of Homeland Security Investment Review Board, the*
12 *Secretary of Homeland Security, and the Office of*
13 *Management and Budget; and*

14 (6) *is reviewed by the Government Account-*
15 *ability Office.*

16 AIR AND MARINE INTERDICTION, OPERATIONS,

17 MAINTENANCE, AND PROCUREMENT

18 (INCLUDING RESCISSION OF FUNDS)

19 *For necessary expenses for the operations, mainte-*
20 *nance, and procurement of marine vessels, aircraft, un-*
21 *manned aerial vehicles, and other related equipment of the*
22 *air and marine program, including operational training*
23 *and mission-related travel, and rental payments for facili-*
24 *ties occupied by the air or marine interdiction and demand*
25 *reduction programs, the operations of which include the fol-*
26 *lowing: the interdiction of narcotics and other goods; the*

1 *provision of support to Federal, State, and local agencies*
2 *in the enforcement or administration of laws enforced by*
3 *the Department of Homeland Security; and at the discre-*
4 *tion of the Secretary of Homeland Security, the provision*
5 *of assistance to Federal, State, and local agencies in other*
6 *law enforcement and emergency humanitarian efforts,*
7 *\$472,499,000, to remain available until expended: Pro-*
8 *vided, That no aircraft or other related equipment, with*
9 *the exception of aircraft that are one of a kind and have*
10 *been identified as excess to United States Customs and Bor-*
11 *der Protection requirements and aircraft that have been*
12 *damaged beyond repair, shall be transferred to any other*
13 *Federal agency, department, or office outside of the Depart-*
14 *ment of Homeland Security during fiscal year 2007 without*
15 *the prior approval of the Committees on Appropriations of*
16 *the Senate and the House of Representatives.*

17 *In addition, of the funds appropriated under this*
18 *heading in title II of the Department of Homeland Security*
19 *Appropriations Act, 2006 (Public Law 109–90; 119 Stat.*
20 *2068) for a covert manned surveillance aircraft,*
21 *\$14,000,000 are rescinded.*

22 **CONSTRUCTION**

23 *For necessary expenses to plan, construct, renovate,*
24 *equip, and maintain buildings and facilities necessary for*
25 *the administration and enforcement of the laws relating to*

1 *customs and immigration, \$288,084,000, to remain avail-*
2 *able until expended.*

3 *IMMIGRATION AND CUSTOMS ENFORCEMENT*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses for enforcement of immigration*
6 *and customs laws, detention and removals, and investiga-*
7 *tions; and purchase and lease of up to 2,740 (2,000 for re-*
8 *placement only) police-type vehicles; \$3,740,357,000, of*
9 *which not to exceed \$7,500,000 shall be available until ex-*
10 *pended for conducting special operations under section 3131*
11 *of the Customs Enforcement Act of 1986 (19 U.S.C. 2081);*
12 *of which not to exceed \$15,000 shall be for official reception*
13 *and representation expenses; of which not to exceed*
14 *\$1,000,000 shall be for awards of compensation to inform-*
15 *ants, to be accounted for solely under the certificate of the*
16 *Secretary of Homeland Security; of which not less than*
17 *\$102,000 shall be for promotion of public awareness of the*
18 *child pornography tipline; of which not less than \$203,000*
19 *shall be for Project Alert; of which not less than \$5,400,000*
20 *may be used to facilitate agreements consistent with section*
21 *287(g) of the Immigration and Nationality Act (8 U.S.C.*
22 *1357(g)); and of which not to exceed \$11,216,000 shall be*
23 *available to fund or reimburse other Federal agencies for*
24 *the costs associated with the care, maintenance, and repa-*
25 *triation of smuggled illegal aliens: Provided, That none of*

1 *the funds made available under this heading shall be avail-*
2 *able to compensate any employee for overtime in an annual*
3 *amount in excess of \$35,000, except that the Secretary of*
4 *Homeland Security, or the designee of the Secretary, may*
5 *waive that amount as necessary for national security pur-*
6 *poses and in cases of immigration emergencies: Provided*
7 *further, That none of the funds in this Act or any other*
8 *appropriations Act may be used to fund any activity other*
9 *than those activities funded in fiscal year 2005 to facilitate*
10 *agreements consistent with section 287(g) of the Immigra-*
11 *tion and Nationality Act (8 U.S.C. 1357(g)): Provided fur-*
12 *ther, That of the total amount provided, \$15,770,000 shall*
13 *be for activities to enforce laws against forced child labor*
14 *in fiscal year 2007, of which not to exceed \$6,000,000 shall*
15 *remain available until expended.*

16 *FEDERAL PROTECTIVE SERVICE*

17 *The revenues and collections of security fees credited*
18 *to this account, not to exceed \$516,011,000, shall be avail-*
19 *able until expended for necessary expenses related to the*
20 *protection of federally-owned and leased buildings and for*
21 *the operations of the Federal Protective Service.*

22 *AUTOMATION MODERNIZATION*

23 *For expenses of immigration and customs enforcement*
24 *automated systems, \$20,000,000, to remain available until*
25 *expended: Provided, That of the funds made available under*
26 *this heading, \$16,000,000 may not be obligated until the*

1 *Committees on Appropriations of the Senate and the House*
2 *of Representatives receive and approve a plan for expendi-*
3 *ture prepared by the Secretary of Homeland Security*
4 *that—*

5 *(1) meets the capital planning and investment*
6 *control review requirements established by the Office*
7 *of Management and Budget, including Circular A–11,*
8 *part 7;*

9 *(2) complies with the Department of Homeland*
10 *Security information systems enterprise architecture;*

11 *(3) complies with the acquisition rules, require-*
12 *ments, guidelines, and systems acquisition manage-*
13 *ment practices of the Federal Government;*

14 *(4) includes a certification by the Chief Informa-*
15 *tion Officer of the Department of Homeland Security*
16 *that an independent verification and validation agent*
17 *is currently under contract for the project;*

18 *(5) is reviewed and approved by the Department*
19 *of Homeland Security Investment Review Board, the*
20 *Secretary of Homeland Security, and the Office of*
21 *Management and Budget; and*

22 *(6) is reviewed by the Government Account-*
23 *ability Office.*

24 *CONSTRUCTION*

25 *For necessary expenses to plan, construct, renovate,*
26 *equip, and maintain buildings and facilities necessary for*

1 *the administration and enforcement of the laws relating to*
2 *customs and immigration, \$101,281,000, to remain avail-*
3 *able until expended.*

4 *TRANSPORTATION SECURITY ADMINISTRATION*

5 *AVIATION SECURITY*

6 *For necessary expenses of the Transportation Security*
7 *Administration related to providing civil aviation security*
8 *services under the Aviation and Transportation Security*
9 *Act (49 U.S.C. 40101 note; Public Law 107-71; 115 Stat.*
10 *597), \$4,751,580,000, to remain available until September*
11 *30, 2008, of which not to exceed \$10,000 shall be for official*
12 *reception and representation expenses: Provided, That of the*
13 *total amount made available under this heading, not to ex-*
14 *ceed \$3,790,132,000 shall be for screening operations, of*
15 *which \$141,400,000 shall be available only for procurement*
16 *of checked baggage explosive detection systems and*
17 *\$171,500,000 shall be available only for installation of*
18 *checked baggage explosive detection systems; and not to ex-*
19 *ceed \$961,448,000 shall be for aviation security direction*
20 *and enforcement presence: Provided further, That of the*
21 *funds appropriated under this heading, \$25,000,000 shall*
22 *not be obligated until after the Secretary of Homeland Secu-*
23 *rity submits to the Committees on Appropriations of the*
24 *Senate and the House of Representatives a detailed report*
25 *in response to findings in the Department of Homeland Se-*

1 *curity Office of Inspector General report (OIG-04-44) con-*
2 *cerning contractor fees: Provided further, That security*
3 *service fees authorized under section 44940 of title 49,*
4 *United States Code, shall be credited to this appropriation*
5 *as offsetting collections and shall be available only for avia-*
6 *tion security: Provided further, That the sum herein appro-*
7 *priated from the General Fund shall be reduced on a dollar-*
8 *for-dollar basis as such offsetting collections are received*
9 *during fiscal year 2007, so as to result in a final fiscal*
10 *year appropriation from the General Fund estimated at not*
11 *more than \$2,331,580,000 Provided further, That any secu-*
12 *rity service fees collected in excess of the amount made*
13 *available under this heading shall become available during*
14 *fiscal year 2008: Provided further, That notwithstanding*
15 *section 44923 of title 49, United States Code, the share of*
16 *the cost of the Federal Government for a project under any*
17 *letter of intent shall be 75 percent for any medium or large*
18 *hub airport and not more than 90 percent for any other*
19 *airport, and all funding provided by section 44923(h) of*
20 *title 49 United States Code, or from appropriations author-*
21 *ized under section 44923(i)(1) of title 49, United States*
22 *Code, may be distributed in any manner determined nec-*
23 *essary to ensure aviation security and to fulfill the Govern-*
24 *ment's planned cost share under existing letters of intent:*
25 *Provided further, That Members of the United States House*

1 *of Representatives and United States Senate, including the*
2 *leadership; and the heads of Federal agencies and commis-*
3 *sions, including the Secretary, Under Secretaries, and As-*
4 *sistant Secretaries of the Department of Homeland Secu-*
5 *rity; the United States Attorney General and Assistant At-*
6 *torneys General and the United States attorneys; and senior*
7 *members of the Executive Office of the President, including*
8 *the Director of the Office of Management and Budget; shall*
9 *not be exempt from Federal passenger and baggage screen-*
10 *ing: Provided further, That beginning in fiscal year 2007*
11 *and thereafter, reimbursement for security services and re-*
12 *lated equipment and supplies provided in support of gen-*
13 *eral aviation access to the Ronald Reagan Washington Na-*
14 *tional Airport shall be credited to this appropriation and*
15 *shall be available until expended solely for these purposes.*

16 *SURFACE TRANSPORTATION SECURITY*

17 *For necessary expenses of the Transportation Security*
18 *Administration related to providing surface transportation*
19 *security activities, \$37,200,000, to remain available until*
20 *September 30, 2008.*

21 *TRANSPORTATION THREAT ASSESSMENT AND*

22 *CREDENTIALING*

23 *For necessary expenses for the development and imple-*
24 *mentation of screening programs of the Office of Transpor-*
25 *tation Threat Assessment and Credentialing, \$29,700,000,*
26 *to remain available until September 30, 2008.*

1 *TRANSPORTATION SECURITY SUPPORT*

2 *For necessary expenses of the Transportation Security*
3 *Administration related to providing transportation secu-*
4 *rity support and intelligence under the Aviation and*
5 *Transportation Security Act (Public Law 107-71; 115*
6 *Stat. 597; 49 U.S.C. 40101 note), \$618,865,000, to remain*
7 *available until September 30, 2008.*

8 *FEDERAL AIR MARSHALS*

9 *For necessary expenses of the Federal Air Marshals,*
10 *\$699,294,000.*

11 *UNITED STATES COAST GUARD*12 *OPERATING EXPENSES*

13 *For necessary expenses for the operation and mainte-*
14 *nance of the United States Coast Guard not otherwise pro-*
15 *vided for; purchase or lease of not to exceed 25 passenger*
16 *motor vehicles, which shall be for replacement only; pay-*
17 *ments under section 156 of Public Law 97-377 (42 U.S.C.*
18 *402 note; 96 Stat. 1920); and recreation and welfare;*
19 *\$5,534,349,000, of which \$340,000,000 shall be for defense-*
20 *related activities; of which \$24,255,000 shall be derived*
21 *from the Oil Spill Liability Trust Fund to carry out the*
22 *purposes of section 1012(a)(5) of the Oil Pollution Act of*
23 *1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed*
24 *\$10,000 shall be for official reception and representation*
25 *expenses: Provided, That none of the funds made available*
26 *by this or any other Act shall be available for administra-*

1 *tive expenses in connection with shipping commissioners in*
2 *the United States: Provided further, That none of the funds*
3 *made available by this Act shall be for expenses incurred*
4 *for yacht documentation under section 12109 of title 46,*
5 *United States Code, except to the extent fees are collected*
6 *from yacht owners and credited to this appropriation.*

7 *ENVIRONMENTAL COMPLIANCE AND RESTORATION*

8 *For necessary expenses to carry out the environmental*
9 *compliance and restoration functions of the United States*
10 *Coast Guard under chapter 19 of title 14, United States*
11 *Code, \$10,880,000, to remain available until expended.*

12 *RESERVE TRAINING*

13 *For necessary expenses of the Coast Guard Reserve, as*
14 *authorized by law; operations and maintenance of the re-*
15 *serve program; personnel and training costs; and equipment*
16 *and services; \$123,948,000.*

17 *ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS*

18 *(INCLUDING RESCISSIONS OF FUNDS)*

19 *For necessary expenses of acquisition, construction,*
20 *renovation, and improvement of aids to navigation, shore*
21 *facilities, vessels, and aircraft, including equipment related*
22 *thereto; and maintenance, rehabilitation, lease and oper-*
23 *ation of facilities and equipment, as authorized by law;*
24 *\$1,145,329,000, of which \$19,800,000 shall be derived from*
25 *the Oil Spill Liability Trust Fund to carry out the purposes*
26 *of section 1012(a)(5) of the Oil Pollution Act of 1990 (33*

1 *U.S.C. 2712(a)(5)); of which \$24,750,000 shall be available*
2 *until September 30, 2011, to acquire, repair, renovate, or*
3 *improve vessels, small boats, and related equipment; of*
4 *which \$14,000,000 shall be available until September 30,*
5 *2011, to increase aviation capability; of which \$92,268,000*
6 *shall be available until September 30, 2009, for other equip-*
7 *ment; of which \$20,680,000 shall be available until Sep-*
8 *tember 30, 2009, for shore facilities and aids to navigation*
9 *facilities; and of which \$993,631,000 shall be available until*
10 *September 30, 2011, for the Integrated Deepwater Systems*
11 *program: Provided, That the Commandant of the Coast*
12 *Guard is authorized to dispose of surplus real property, by*
13 *sale or lease, and the proceeds shall be credited to this ap-*
14 *propriation as offsetting collections and shall be available*
15 *until September 30, 2009: Provided further, That the Sec-*
16 *retary of Homeland Security shall submit to the Commit-*
17 *tees on Appropriations of the Senate and the House of Rep-*
18 *resentatives, in conjunction with the President's fiscal year*
19 *2008 budget, a review of the Revised Deepwater Implemen-*
20 *tation Plan that identifies any changes to the plan for the*
21 *fiscal year; an annual performance comparison of Deep-*
22 *water assets to pre-Deepwater legacy assets; a status report*
23 *of legacy assets; a detailed explanation of how the costs of*
24 *legacy assets are being accounted for within the Deepwater*
25 *program; an explanation of why many assets that are ele-*

1 *ments of the Integrated Deepwater System are not ac-*
2 *counted for within the Deepwater appropriation under this*
3 *heading; a description of the competitive process conducted*
4 *in all contracts and subcontracts exceeding \$5,000,000*
5 *within the Deepwater program; a description of how the*
6 *Coast Guard is planning for the human resource needs of*
7 *Deepwater assets; and the earned value management system*
8 *gold card data for each Deepwater asset: Provided further,*
9 *That the Secretary shall submit to the Committees on Ap-*
10 *propriations of the Senate and the House of Representatives*
11 *a comprehensive review of the Revised Deepwater Imple-*
12 *mentation Plan every 5 years, beginning in fiscal year*
13 *2011, that includes a complete projection of the acquisition*
14 *costs and schedule for the duration of the plan through fiscal*
15 *year 2027: Provided further, That the Secretary shall annu-*
16 *ally submit to the Committees on Appropriations of the*
17 *Senate and the House of Representatives, at the time that*
18 *the President's budget is submitted under section 1105(a)*
19 *of title 31, United States Code, a future-years capital in-*
20 *vestment plan for the Coast Guard that identifies for each*
21 *capital budget line item—*

22 (1) *the proposed appropriation included in that*
23 *budget;*

24 (2) *the total estimated cost of completion;*

1 (3) *projected funding levels for each fiscal year*
2 *for the next five fiscal years or until project comple-*
3 *tion, whichever is earlier;*

4 (4) *an estimated completion date at the projected*
5 *funding levels; and*

6 (5) *changes, if any, in the total estimated cost of*
7 *completion or estimated completion date from pre-*
8 *vious future-years capital investment plans submitted*
9 *to the Committees on Appropriations of the Senate*
10 *and the House of Representatives:*

11 *Provided further, That the Secretary shall ensure that*
12 *amounts specified in the future-years capital investment*
13 *plan are consistent to the maximum extent practicable with*
14 *proposed appropriations necessary to support the programs,*
15 *projects, and activities of the Coast Guard in the President's*
16 *budget as submitted under section 1105(a) of title 31,*
17 *United States Code, for that fiscal year: Provided further,*
18 *That any inconsistencies between the capital investment*
19 *plan and proposed appropriations shall be identified and*
20 *justified.*

21 *In addition, of the funds appropriated under this*
22 *heading in title II of the Department of Homeland Security*
23 *Appropriations Act, 2006 (Public Law 109–90; 119 Stat.*
24 *2087), \$79,200,000 are rescinded from the unexpended bal-*
25 *ances specifically identified in the Joint Explanatory*

1 *Statement (House Report 109–241) accompanying that Act*
2 *for the Fast Response Cutter, the service life extension pro-*
3 *gram of the current 110-foot Island Class patrol boat fleet,*
4 *and accelerated design and production of the Fast Response*
5 *Cutter.*

6 *In addition, of the funds appropriated under this*
7 *heading in title II of the Department of Homeland Security*
8 *Appropriations Act, 2006 (Public Law 109–90; 119 Stat.*
9 *2087), \$1,933,000 are rescinded from the unexpended bal-*
10 *ances specifically identified in the Joint Explanatory*
11 *Statement (House Report 109–241) accompanying that Act*
12 *for the covert surveillance aircraft.*

13 *In addition, of the funds appropriated under this*
14 *heading in title II of the Department of Homeland Security*
15 *Appropriations Act, 2006 (Public Law 109–90; 119 Stat.*
16 *2087), \$1,835,000 are rescinded from the unexpended bal-*
17 *ances specifically identified in the Joint Explanatory*
18 *Statement (House Report 109–241) accompanying that Act*
19 *for the automatic identification system.*

20 *ALTERATION OF BRIDGES*

21 *For necessary expenses for alteration or removal of ob-*
22 *structive bridges, as authorized by section 6 of the Truman-*
23 *Hobbs Act (33 U.S.C. 516), \$15,000,000, to remain avail-*
24 *able until expended.*

1 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION*

2 *For necessary expenses for applied scientific research,*
3 *development, test, and evaluation; and for maintenance, re-*
4 *habilitation, lease, and operation of facilities and equip-*
5 *ment; as authorized by law; \$17,573,000, to remain avail-*
6 *able until expended, of which \$495,000 shall be derived from*
7 *the Oil Spill Liability Trust Fund to carry out the purposes*
8 *of section 1012(a)(5) of the Oil Pollution Act of 1990 (33*
9 *U.S.C. 2712(a)(5)): Provided, That there may be credited*
10 *to and used for the purposes of this appropriation funds*
11 *received from State and local governments, other public au-*
12 *thorities, private sources, and foreign countries for expenses*
13 *incurred for research, development, testing, and evaluation.*

14 *RETIRED PAY*

15 *For retired pay, including the payment of obligations*
16 *otherwise chargeable to lapsed appropriations for this pur-*
17 *pose, payments under the Retired Serviceman's Family*
18 *Protection and Survivor Benefits Plans, payment for career*
19 *status bonuses, concurrent receipts and combat-related spe-*
20 *cial compensation under the National Defense Authoriza-*
21 *tion Act, and payments for medical care of retired per-*
22 *sonnel and their dependents under chapter 55 of title 10,*
23 *United States Code, \$1,063,323,000.*

1 *UNITED STATES SECRET SERVICE*
2 *PROTECTION, ADMINISTRATION, AND TRAINING*
3 *For necessary expenses of the United States Secret*
4 *Service, including purchase of not to exceed 755 vehicles*
5 *for police-type use, of which 624 shall be for replacement*
6 *only, and hire of passenger motor vehicles; purchase of mo-*
7 *torcycles made in the United States; hire of aircraft; serv-*
8 *ices of expert witnesses at such rates as may be determined*
9 *by the Director of the Secret Service; rental of buildings*
10 *in the District of Columbia, and fencing, lighting, guard*
11 *booths, and other facilities on private or other property not*
12 *in Government ownership or control, as may be necessary*
13 *to perform protective functions; payment of per diem or*
14 *subsistence allowances to employees where a protective as-*
15 *signment during the actual day or days of the visit of a*
16 *protectee requires an employee to work 16 hours per day*
17 *or to remain overnight at a post of duty; conduct of and*
18 *participation in firearms matches; presentation of awards;*
19 *travel of Secret Service employees on protective missions*
20 *without regard to the limitations on such expenditures in*
21 *this or any other Act if approval is obtained in advance*
22 *from the Committees on Appropriations of the Senate and*
23 *the House of Representatives; research and development;*
24 *grants to conduct behavioral research in support of protec-*
25 *tive research and operations; and payment in advance for*

1 *commercial accommodations as may be necessary to per-*
2 *form protective functions; \$918,028,000, of which not to ex-*
3 *ceed \$25,000 shall be for official reception and representa-*
4 *tion expenses: Provided, That up to \$18,000,000 provided*
5 *for protective travel shall remain available until September*
6 *30, 2008: Provided further, That the United States Secret*
7 *Service is authorized to obligate funds in anticipation of*
8 *reimbursements from Federal agencies and entities, as de-*
9 *finied in section 105 of title 5, United States Code, receiving*
10 *training sponsored by the James J. Rowley Training Cen-*
11 *ter, except that total obligations at the end of the fiscal year*
12 *shall not exceed total budgetary resources available under*
13 *this heading at the end of the fiscal year.*

14 *INVESTIGATIONS AND FIELD OPERATIONS*

15 *For necessary expenses for investigations and field op-*
16 *erations of the United States Secret Service, not otherwise*
17 *provided for, including costs related to office space and serv-*
18 *ices of expert witnesses at such rate as may be determined*
19 *by the Director of the Secret Service, \$304,205,000; of which*
20 *not to exceed \$100,000 shall be to provide technical assist-*
21 *ance and equipment to foreign law enforcement organiza-*
22 *tions in counterfeit investigations; of which \$2,366,000 shall*
23 *be for forensic and related support of investigations of miss-*
24 *ing and exploited children; and of which \$6,000,000 shall*
25 *be a grant for activities related to the investigations of miss-*

1 *ing and exploited children and shall remain available until*
2 *expended.*

3 *ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND*
4 *RELATED EXPENSES*

5 *For necessary expenses for acquisition, construction,*
6 *repair, alteration, and improvement of facilities,*
7 *\$3,725,000, to remain available until expended.*

8 *TITLE III*
9 *PREPAREDNESS AND RECOVERY*

10 *PREPAREDNESS*

11 *MANAGEMENT AND ADMINISTRATION*

12 *For salaries and expenses of the Office of the Under*
13 *Secretary for Preparedness, the Office of the Chief Medical*
14 *Officer, and the Office of National Capital Region Coordi-*
15 *nation, \$30,572,000, of which \$8,000,000 shall be for the*
16 *National Preparedness Integration Program: Provided,*
17 *That none of the funds made available under this heading*
18 *may be obligated for the National Preparedness Integration*
19 *Program until the Committees on Appropriations of the*
20 *Senate and the House of Representatives receive and ap-*
21 *prove a plan for expenditure prepared by the Secretary of*
22 *Homeland Security: Provided further, That not to exceed*
23 *\$7,000 shall be for official reception and representation ex-*
24 *penses.*

1 *OFFICE FOR DOMESTIC PREPAREDNESS*

2 *STATE AND LOCAL PROGRAMS*

3 *For grants, contracts, cooperative agreements, and*
4 *other activities, including grants to State and local govern-*
5 *ments for terrorism prevention activities, notwithstanding*
6 *any other provision of law, \$2,393,500,000, which shall be*
7 *allocated as follows:*

8 (1) *\$500,000,000 for formula-based grants and*
9 *\$350,000,000 for law enforcement terrorism preven-*
10 *tion grants under section 1014 of the USA PATRIOT*
11 *ACT (42 U.S.C. 3714): Provided, That the applica-*
12 *tion for grants shall be made available to States with-*
13 *in 45 days after the date of enactment of this Act;*
14 *that States shall submit applications within 90 days*
15 *after the grant announcement; and that the Office for*
16 *Domestic Preparedness shall act within 90 days after*
17 *the grant announcement: Provided further, That not*
18 *less than 80 percent of any grant under this para-*
19 *graph to a State (other than Puerto Rico) shall be*
20 *made available by the State to local governments*
21 *within 60 days after the receipt of the funds.*

22 (2) *\$1,172,000,000 for discretionary grants, as*
23 *determined by the Secretary of Homeland Security, of*
24 *which—*

1 (A) \$745,000,000 shall be for use in high-
2 threat, high-density urban areas;

3 (B) \$210,000,000 shall be for port security
4 grants for the purposes of section 70107(a)
5 through (h) of title 46, United States Code,
6 which shall be awarded based on risk notwith-
7 standing subsection (a), for eligible costs as de-
8 fined in subsections (b)(2), (3), and (4);

9 (C) \$5,000,000 shall be for trucking indus-
10 try security grants;

11 (D) \$12,000,000 shall be for intercity bus
12 security grants;

13 (E) \$150,000,000 shall be for intercity pas-
14 senger rail transportation (as defined in section
15 24102 of title 49, United States Code), freight
16 rail, and transit security grants; and

17 (F) \$50,000,000 shall be for buffer zone pro-
18 tection grants:

19 *Provided, That for grants under subparagraph (A),*
20 *the application for grants shall be made available to*
21 *States within 45 days after the date of enactment of*
22 *this Act; that States shall submit applications within*
23 *90 days after the grant announcement; and that the*
24 *Office for Domestic Preparedness shall act within 90*
25 *days after receipt of an application: Provided further,*

1 *That not less than 80 percent of any grant under this*
2 *paragraph to a State shall be made available by the*
3 *State to local governments within 60 days after the*
4 *receipt of the funds.*

5 *(3) \$40,000,000 shall be available for the Com-*
6 *mmercial Equipment Direct Assistance Program.*

7 *(4) \$331,500,000 for training, exercises, technical*
8 *assistance, and other programs:*

9 *Provided, That none of the grants provided under this head-*
10 *ing shall be used for the construction or renovation of facili-*
11 *ties, except for a minor perimeter security project, not to*
12 *exceed \$1,000,000, as determined necessary by the Secretary*
13 *of Homeland Security: Provided further, That the pro-*
14 *ceeding proviso shall not apply to grants under subpara-*
15 *graphs (B), (E), and (F) of paragraph (2) of this heading:*
16 *Provided further, That grantees shall provide additional re-*
17 *ports on their use of funds, as determined necessary by the*
18 *Secretary of Homeland Security: Provided further, That*
19 *funds appropriated for law enforcement terrorism preven-*
20 *tion grants under paragraph (1) and discretionary grants*
21 *under paragraph (2)(A) of this heading shall be available*
22 *for operational costs, to include personnel overtime and*
23 *overtime associated with Office for Domestic Preparedness*
24 *certified training, as needed: Provided further, That the*
25 *Government Accountability Office shall report on the valid-*

1 *ity, relevance, reliability, timeliness, and availability of the*
2 *risk factors (including threat, vulnerability, and con-*
3 *sequence) used by the Secretary for the purpose of allocating*
4 *discretionary grants funded under this heading, and the ap-*
5 *plication of those factors in the allocation of funds to the*
6 *Committees on Appropriations of the Senate and the House*
7 *of Representatives on its findings not later than 45 days*
8 *after the date of enactment of this Act: Provided further,*
9 *That within 7 days after the date of enactment of this Act,*
10 *the Secretary shall provide the Government Accountability*
11 *Office with the threat and risk methodology and factors that*
12 *will be used to allocate discretionary grants funded under*
13 *this heading.*

14 *FIREFIGHTER ASSISTANCE GRANTS*

15 *For necessary expenses for programs authorized by the*
16 *Federal Fire Prevention and Control Act of 1974 (15 U.S.C.*
17 *2201 et seq.), \$655,000,000, of which \$540,000,000 shall be*
18 *available to carry out section 33 of that Act (15 U.S.C.*
19 *2229) and \$115,000,000 shall be available to carry out sec-*
20 *tion 34 (15 U.S.C. 2229a) of that Act, to remain available*
21 *until September 30, 2008: Provided, That not to exceed 5*
22 *percent of this amount shall be available for program ad-*
23 *ministration.*

24 *EMERGENCY MANAGEMENT PERFORMANCE GRANTS*

25 *For necessary expenses for emergency management*
26 *performance grants, as authorized by the National Flood*

1 *Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert*
2 *T. Stafford Disaster Relief and Emergency Assistance Act*
3 *(42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduc-*
4 *tion Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganiza-*
5 *tion Plan No. 3 of 1978 (5 U.S.C. App.), \$205,000,000: Pro-*
6 *vided, That total administrative costs shall not exceed 3*
7 *percent of the total appropriation.*

8 *RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM*

9 *The aggregate charges assessed during fiscal year 2007,*
10 *as authorized in title III of the Departments of Veterans*
11 *Affairs and Housing and Urban Development, and Inde-*
12 *pendent Agencies Appropriations Act, 1999 (42 U.S.C.*
13 *5196e), shall not be less than 100 percent of the amounts*
14 *anticipated by the Department of Homeland Security nec-*
15 *essary for its radiological emergency preparedness program*
16 *for the next fiscal year: Provided, That the methodology for*
17 *assessment and collection of fees shall be fair and equitable*
18 *and shall reflect costs of providing such services, including*
19 *administrative costs of collecting such fees: Provided fur-*
20 *ther, That fees received under this heading shall be deposited*
21 *in this account as offsetting collections and will become*
22 *available for authorized purposes on October 1, 2007, and*
23 *remain available until expended.*

1 *UNITED STATES FIRE ADMINISTRATION AND TRAINING*

2 *For necessary expenses of the United States Fire Ad-*
3 *ministration and for other purposes, as authorized by the*
4 *Federal Fire Prevention and Control Act of 1974 (15 U.S.C.*
5 *2201 et seq.) and the Homeland Security Act of 2002 (6*
6 *U.S.C. 101 et seq.), \$45,887,000.*

7 *INFRASTRUCTURE PROTECTION AND INFORMATION*8 *SECURITY*

9 *For necessary expenses for infrastructure protection*
10 *and information security programs and activities, as au-*
11 *thorized by title II of the Homeland Security Act of 2002*
12 *(6 U.S.C. 121 et seq.), \$525,056,000, of which \$442,547,000*
13 *shall remain available until September 30, 2008: Provided,*
14 *That of the amount made available under this heading,*
15 *\$20,000,000 may not be obligated until the Secretary sub-*
16 *mits to the Committees on Appropriations of the Senate and*
17 *House of Representatives the report required in House Re-*
18 *port 109–241 accompanying the Department of Homeland*
19 *Security Appropriations Act, 2006 (Public Law 109–90)*
20 *on resources necessary to implement mandatory security re-*
21 *quirements for the Nation’s chemical sector and to create*
22 *a system for auditing and ensuring compliance with the*
23 *security standards.*

1 *FEDERAL EMERGENCY MANAGEMENT AGENCY*2 *ADMINISTRATIVE AND REGIONAL OPERATIONS*

3 *For necessary expenses for administrative and regional*
4 *operations, \$249,499,000, including activities authorized by*
5 *the National Flood Insurance Act of 1968 (42 U.S.C. 4001*
6 *et seq.), the Robert T. Stafford Disaster Relief and Emer-*
7 *gency Assistance Act (42 U.S.C. 5121 et seq.), the Earth-*
8 *quake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et*
9 *seq.), the Defense Production Act of 1950 (50 U.S.C. App.*
10 *2061 et seq.), sections 107 and 303 of the National Security*
11 *Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No.*
12 *3 of 1978 (5 U.S.C. App.), and the Homeland Security Act*
13 *of 2002 (6 U.S.C. 101 et seq.): Provided, That not to exceed*
14 *\$3,000 shall be for official reception and representation ex-*
15 *penses.*

16 *READINESS, MITIGATION, RESPONSE, AND RECOVERY*

17 *For necessary expenses for readiness, mitigation, re-*
18 *sponse, and recovery activities, \$240,000,000, including ac-*
19 *tivities authorized by the National Flood Insurance Act of*
20 *1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Dis-*
21 *aster Relief and Emergency Assistance Act (42 U.S.C. 5121*
22 *et seq.), the Earthquake Hazards Reduction Act of 1977 (42*
23 *U.S.C. 7701 et seq.), the Defense Production Act of 1950*
24 *(50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the*
25 *National Security Act of 1947 (50 U.S.C. 404, 405), Reor-*

1 *ganization Plan No. 3 of 1978 (5 U.S.C. App.), and the*
2 *Homeland Security Act of 2002 (6 U.S.C. 101 et seq.): Pro-*
3 *vided, That of the total amount made available under this*
4 *heading, \$30,000,000 shall be for Urban Search and Rescue*
5 *Teams, of which not to exceed \$1,600,000 may be made*
6 *available for administrative costs.*

7 *PUBLIC HEALTH PROGRAMS*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For necessary expenses for countering potential bio-*
10 *logical, disease, and chemical threats to civilian popu-*
11 *lations, \$33,885,000: Provided, That the total amount ap-*
12 *propriated and, notwithstanding any other provision of*
13 *law, the functions, personnel, assets, and liabilities of the*
14 *National Disaster Medical System established under section*
15 *2811(b) of the Public Health Service Act (42 U.S.C. 300hh-*
16 *11(b)), including any functions of the Secretary of Home-*
17 *land Security relating to such System, shall be permanently*
18 *transferred to the Secretary of the Department of Health*
19 *and Human Services effective January 1, 2007.*

20 *DISASTER RELIEF*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For necessary expenses in carrying out the Robert T.*
23 *Stafford Disaster Relief and Emergency Assistance Act (42*
24 *U.S.C. 5121 et seq.), \$1,640,000,000, to remain available*
25 *until expended: Provided, That of the total amount pro-*

1 *vided, not to exceed \$15,000,000 shall be transferred to the*
2 *Department of Homeland Security Office of Inspector Gen-*
3 *eral for audits and investigations related to natural disas-*
4 *ters subject to section 503 of this Act.*

5 *DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT*

6 *For administrative expenses to carry out the direct*
7 *loan program, as authorized by section 319 of the Robert*
8 *T. Stafford Disaster Relief and Emergency Assistance Act*
9 *(42 U.S.C. 5162), \$569,000: Provided, That gross obliga-*
10 *tions for the principal amount of direct loans shall not ex-*
11 *ceed \$25,000,000: Provided further, That the cost of modi-*
12 *fying such loans shall be as defined in section 502 of the*
13 *Congressional Budget Act of 1974 (2 U.S.C. 661a).*

14 *FLOOD MAP MODERNIZATION FUND*

15 *For necessary expenses under section 1360 of the Na-*
16 *tional Flood Insurance Act of 1968 (42 U.S.C. 4101),*
17 *\$198,980,000, and such additional sums as may be pro-*
18 *vided by State and local governments or other political sub-*
19 *divisions for cost-shared mapping activities under section*
20 *1360(f)(2) of such Act, to remain available until expended:*
21 *Provided, That total administrative costs shall not exceed*
22 *3 percent of the total appropriation.*

1 *NATIONAL FLOOD INSURANCE FUND*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For activities under the National Flood Insurance Act*
4 *of 1968 (42 U.S.C. 4001 et seq.), and the Flood Disaster*
5 *Protection Act of 1973 (42 U.S.C. 4001 et seq.),*
6 *\$128,588,000, which is available as follows: (1) not to ex-*
7 *ceed \$38,230,000 for salaries and expenses associated with*
8 *flood mitigation and flood insurance operations; and (2)*
9 *not to exceed \$90,358,000 for flood hazard mitigation which*
10 *shall be derived from offsetting collections assessed and col-*
11 *lected under section 1307 of the National Flood Insurance*
12 *Act of 1968 (42 U.S.C. 4001 et seq.), to remain available*
13 *until September 30, 2008, including up to \$31,000,000 for*
14 *flood mitigation expenses under section 1366 of that Act,*
15 *which amount shall be available for transfer to the National*
16 *Flood Mitigation Fund until September 30, 2008: Provided,*
17 *That in fiscal year 2007, no funds in excess of: (1)*
18 *\$70,000,000 for operating expenses; (2) \$692,999,000 for*
19 *commissions and taxes of agents; (3) such sums as necessary*
20 *for interest on Treasury borrowings shall be available from*
21 *the National Flood Insurance Fund; and (4) not to exceed*
22 *\$50,000,000 for flood mitigation actions with respect to se-*
23 *vere repetitive loss properties under section 1361A of that*
24 *Act and repetitive insurance claims properties under sec-*
25 *tion 1323 of that Act, which shall remain available until*

1 *expended: Provided further, That total administrative costs*
2 *shall not exceed 3 percent of the total appropriation.*

3 *NATIONAL FLOOD MITIGATION FUND*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *Notwithstanding subparagraphs (B) and (C) of sub-*
6 *section (b)(3), and subsection (f), of section 1366 of the Na-*
7 *tional Flood Insurance Act of 1968 (42 U.S.C. 4104c),*
8 *\$31,000,000, to remain available until September 30, 2008,*
9 *for activities designed to reduce the risk of flood damage*
10 *to structures pursuant to such Act, of which \$31,000,000*
11 *shall be derived from the National Flood Insurance Fund.*

12 *NATIONAL PRE-DISASTER MITIGATION FUND*

13 *For a pre-disaster mitigation grant program under*
14 *title II of the Robert T. Stafford Disaster Relief and Emer-*
15 *gency Assistance Act (42 U.S.C. 5131 et seq.), \$149,978,000,*
16 *to remain available until expended: Provided, That grants*
17 *made for pre-disaster mitigation shall be awarded on a*
18 *competitive basis subject to the criteria in section 203(g)*
19 *of such Act (42 U.S.C. 5133(g)), and notwithstanding sec-*
20 *tion 203(f) of such Act, shall be made without reference to*
21 *State allocations, quotas, or other formula-based allocation*
22 *of funds: Provided further, That total administrative costs*
23 *shall not exceed 3 percent of the total appropriation.*

1 *EMERGENCY FOOD AND SHELTER*

2 *To carry out an emergency food and shelter program*
3 *under title III of the Stewart B. McKinney Homeless Assist-*
4 *ance Act (42 U.S.C. 11331 et seq.), \$151,470,000, to remain*
5 *available until expended: Provided, That total administra-*
6 *tive costs shall not exceed 3.5 percent of the total appropri-*
7 *ation.*

8 *TITLE IV*9 *RESEARCH AND DEVELOPMENT, TRAINING, AND*
10 *SERVICES*11 *UNITED STATES CITIZENSHIP AND IMMIGRATION*12 *SERVICES*

13 *For necessary expenses for citizenship and immigra-*
14 *tion services, \$134,990,000.*

15 *FEDERAL LAW ENFORCEMENT TRAINING CENTER*16 *SALARIES AND EXPENSES*

17 *For necessary expenses of the Federal Law Enforce-*
18 *ment Training Center, including materials and support*
19 *costs of Federal law enforcement basic training; purchase*
20 *of not to exceed 117 vehicles for police-type use and hire*
21 *of passenger motor vehicles; expenses for student athletic*
22 *and related activities; the conduct of and participation in*
23 *firearms matches and presentation of awards; public aware-*
24 *ness and enhancement of community support of law enforce-*
25 *ment training; room and board for student interns; a flat*

1 *monthly reimbursement to employees authorized to use per-*
2 *sonal mobile phones for official duties; and services as au-*
3 *thorized by section 3109 of title 5, United States Code;*
4 *\$207,634,000, of which up to \$43,910,000 for materials and*
5 *support costs of Federal law enforcement basic training*
6 *shall remain available until September 30, 2008; of which*
7 *\$300,000 shall remain available until expended for Federal*
8 *law enforcement agencies participating in training accredi-*
9 *tation, to be distributed as determined by the Federal Law*
10 *Enforcement Training Center for the needs of participating*
11 *agencies; and of which not to exceed \$12,000 shall be for*
12 *official reception and representation expenses: Provided,*
13 *That the Center is authorized to obligate funds in anticipa-*
14 *tion of reimbursements from agencies receiving training*
15 *sponsored by the Center, except that total obligations at the*
16 *end of the fiscal year shall not exceed total budgetary re-*
17 *sources available at the end of the fiscal year.*

18 *ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND*
19 *RELATED EXPENSES*

20 *For acquisition of necessary additional real property*
21 *and facilities, construction, and ongoing maintenance, fa-*
22 *cility improvements, and related expenses of the Federal*
23 *Law Enforcement Training Center, \$63,246,000, to remain*
24 *available until expended: Provided, That the Center is au-*
25 *thorized to accept reimbursement to this appropriation*

1 *from government agencies requesting the construction of*
2 *special use facilities.*

3 *SCIENCE AND TECHNOLOGY*

4 *MANAGEMENT AND ADMINISTRATION*

5 *For salaries and expenses of the Office of the Under*
6 *Secretary for Science and Technology and for management*
7 *and administration of programs and activities, as author-*
8 *ized by title III of the Homeland Security Act of 2002 (6*
9 *U.S.C. 181 et seq.), \$106,414,000: Provided, That of the*
10 *amount provided under this heading, \$60,000,000 shall not*
11 *be obligated until the Committees on Appropriations of the*
12 *Senate and the House of Representatives receive and ap-*
13 *prove an expenditure plan by program, project, and activ-*
14 *ity; with a detailed breakdown and justification of the man-*
15 *agement and administrative costs for each; prepared by the*
16 *Secretary of Homeland Security that has been reviewed by*
17 *the Government Accountability Office: Provided further,*
18 *That the expenditure plan shall include the method utilized*
19 *to derive administration costs in fiscal year 2006 and fiscal*
20 *year 2007: Provided further, That not to exceed \$3,000 shall*
21 *be for official reception and representation expenses.*

22 *RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS*

23 *For necessary expenses for science and technology re-*
24 *search, including advanced research projects; development;*
25 *test and evaluation; acquisition; and operations; as author-*
26 *ized by title III of the Homeland Security Act of 2002 (6*

1 *U.S.C. 181 et seq.); \$712,041,000, to remain available until*
2 *expended: Provided, That no university participating in the*
3 *University-based Centers of Excellence Program shall re-*
4 *ceive a grant for a period in excess of 3 years: Provided*
5 *further, That none of the funds provided under this heading*
6 *shall be made available for management and administrative*
7 *costs.*

8 *DOMESTIC NUCLEAR DETECTION OFFICE*

9 *MANAGEMENT AND ADMINISTRATION*

10 *For salaries and expenses of the Domestic Nuclear De-*
11 *tection Office and for management and administration of*
12 *programs and activities, \$30,468,000: Provided, That no*
13 *funds will be made available for the reimbursement of indi-*
14 *viduals from other Federal agencies or organizations in fis-*
15 *cal year 2008: Provided further, That not to exceed \$3,000*
16 *shall be for official reception and representation expenses.*

17 *RESEARCH, DEVELOPMENT, AND OPERATIONS*

18 *For necessary expenses for radiological and nuclear re-*
19 *search, development, testing, evaluation and operations,*
20 *\$234,024,000, to remain available until expended; and of*
21 *which not to exceed \$65,000,000 shall be made available for*
22 *transformation research and development; and of which no*
23 *less than \$40,000,000 shall be made available for radiation*
24 *portal monitor research and development: Provided, That*
25 *of the amount provided, \$80,000,000 shall not be obligated*
26 *until the Secretary of Homeland Security provides notifica-*

1 *tion to the Committees on Appropriations of the Senate and*
2 *the House of Representatives that the Domestic Nuclear De-*
3 *tection Office has entered into a Memorandum of Under-*
4 *standing with each Federal entity and organization: Pro-*
5 *vided further, That each Memorandum of Understanding*
6 *shall include a description of the role, responsibilities, and*
7 *resource commitment of each Federal entity or organization*
8 *for the domestic nuclear global architecture.*

9 *SYSTEMS ACQUISITION*

10 *For expenses for the Domestic Nuclear Detection Office*
11 *acquisition and deployment of radiological detection sys-*
12 *tems in accordance with the global nuclear detection archi-*
13 *ture, \$178,000,000, to remain available until September*
14 *30, 2009; and of which no less than \$143,000,000 shall be*
15 *for radiation portal monitors; and of which not to exceed*
16 *\$5,000,000 shall be for the Surge program: Provided, That*
17 *none of the funds provided for the Sodium Iodine Manufac-*
18 *turing program shall be made available until a cost-benefit*
19 *analysis on the Advance Spectroscopic Portal monitors is*
20 *submitted to the Committees on Appropriations of the Sen-*
21 *ate and the House of Representatives by the Secretary of*
22 *Homeland Security and reviewed by the Government Ac-*
23 *countability Office.*

TITLE V

GENERAL PROVISIONS

1
2
3 *SEC. 501. No part of any appropriation contained in*
4 *this Act shall remain available for obligation beyond the*
5 *current fiscal year unless expressly so provided herein.*

6 *SEC. 502. Subject to the requirements of section 503*
7 *of this Act, the unexpended balances of prior appropriations*
8 *provided for activities in this Act may be transferred to*
9 *appropriation accounts for such activities established under*
10 *this Act: Provided, That balances so transferred may be*
11 *merged with funds in the applicable established accounts*
12 *and thereafter may be accounted for as one fund for the*
13 *same time period as originally enacted.*

14 *SEC. 503. (a) None of the funds provided by this Act,*
15 *provided by previous appropriations Acts to the agencies*
16 *in or transferred to the Department of Homeland Security*
17 *that remain available for obligation or expenditure in fiscal*
18 *year 2007, or provided from any accounts in the Treasury*
19 *of the United States derived by the collection of fees avail-*
20 *able to the agencies funded by this Act, shall be available*
21 *for obligation or expenditure through a reprogramming of*
22 *funds that: (1) creates a new program; (2) eliminates a pro-*
23 *gram, project, or activity; (3) increases funds for any pro-*
24 *gram, project, or activity for which funds have been denied*
25 *or restricted by the Congress; (4) proposes to use funds di-*

1 *rected for a specific activity by either of the Committees*
2 *on Appropriations of the Senate or House of Representa-*
3 *tives for a different purpose; or (5) contracts out any func-*
4 *tion or activity for which funds have been appropriated for*
5 *Federal full-time equivalent positions; unless the Commit-*
6 *tees on Appropriations of the Senate and the House of Rep-*
7 *resentatives are notified 15 days in advance of such re-*
8 *programming of funds.*

9 *(b) None of the funds provided by this Act, provided*
10 *by previous appropriations Acts to the agencies in or trans-*
11 *ferred to the Department of Homeland Security that remain*
12 *available for obligation or expenditure in fiscal year 2007,*
13 *or provided from any accounts in the Treasury of the*
14 *United States derived by the collection of fees available to*
15 *the agencies funded by this Act, shall be available for obliga-*
16 *tion or expenditure for programs, projects, or activities*
17 *through a reprogramming of funds in excess of \$5,000,000*
18 *or 10 percent, whichever is less, that: (1) augments existing*
19 *programs, projects, or activities; (2) reduces by 10 percent*
20 *funding for any existing program, project, or activity, or*
21 *numbers of personnel by 10 percent as approved by the Con-*
22 *gress; or (3) results from any general savings from a reduc-*
23 *tion in personnel that would result in a change in existing*
24 *programs, projects, or activities as approved by the Con-*
25 *gress; unless the Committees on Appropriations of the Sen-*

1 ate and the House of Representatives are notified 15 days
2 in advance of such reprogramming of funds.

3 (c) Not to exceed 5 percent of any appropriation made
4 available for the current fiscal year for the Department of
5 Homeland Security by this Act or provided by previous ap-
6 propriations Acts may be transferred between such appro-
7 priations, but no such appropriations, except as otherwise
8 specifically provided, shall be increased by more than 10
9 percent by such transfers: Provided, That any transfer
10 under this section shall be treated as a reprogramming of
11 funds under subsection (b) of this section and shall not be
12 available for obligation unless the Committees on Appro-
13 priations of the Senate and the House of Representatives
14 are notified 15 days in advance of such transfer.

15 (d) Notwithstanding subsections (a), (b), and (c) of
16 this section, no funds shall be reprogrammed within or
17 transferred between appropriations after June 30, except in
18 extraordinary circumstances which imminently threaten
19 the safety of human life or the protection of property.

20 SEC. 504. None of the funds appropriated or otherwise
21 made available to the Department of Homeland Security
22 may be used to make payments to the "Department of
23 Homeland Security Working Capital Fund", except for the
24 activities and amounts allowed in the President's fiscal
25 year 2007 budget, excluding sedan service, shuttle service,

1 *transit subsidy, mail operations, parking, and competitive*
2 *sourcing: Provided, That any additional activities and*
3 *amounts shall be approved by the Committees on Appro-*
4 *priations of the Senate and the House of Representatives*
5 *30 days in advance of obligation.*

6 *SEC. 505. Except as otherwise specifically provided by*
7 *law, not to exceed 50 percent of unobligated balances re-*
8 *maining available at the end of fiscal year 2007 from ap-*
9 *propriations for salaries and expenses for fiscal year 2007*
10 *in this Act shall remain available through September 30,*
11 *2008, in the account and for the purposes for which the*
12 *appropriations were provided: Provided, That prior to the*
13 *obligation of such funds, a request shall be submitted to the*
14 *Committees on Appropriations of the Senate and the House*
15 *of Representatives for approval in accordance with section*
16 *503 of this Act.*

17 *SEC. 506. Funds made available by this Act for intel-*
18 *ligence activities are deemed to be specifically authorized*
19 *by the Congress for purposes of section 504 of the National*
20 *Security Act of 1947 (50 U.S.C. 414) during fiscal year*
21 *2007 until the enactment of an Act authorizing intelligence*
22 *activities for fiscal year 2007.*

23 *SEC. 507. The Federal Law Enforcement Training*
24 *Center shall lead the Federal law enforcement training ac-*
25 *creditation process, to include representatives from the Fed-*

1 *eral law enforcement community and non-Federal accredi-*
2 *tation experts involved in law enforcement training, to con-*
3 *tinue the implementation of measuring and assessing the*
4 *quality and effectiveness of Federal law enforcement train-*
5 *ing programs, facilities, and instructors.*

6 *SEC. 508. None of the funds in this Act may be used*
7 *to make a grant allocation, discretionary grant award, dis-*
8 *cretionary contract award, or to issue a letter of intent to-*
9 *taling in excess of \$1,000,000, or to announce publicly the*
10 *intention to make such an award, unless the Secretary of*
11 *Homeland Security notifies the Committees on Appropria-*
12 *tions of the Senate and the House of Representatives at least*
13 *3 full business days in advance: Provided, That no notifica-*
14 *tion shall involve funds that are not available for obliga-*
15 *tion.*

16 *SEC. 509. Notwithstanding any other provision of law,*
17 *no agency shall purchase, construct, or lease any additional*
18 *facilities, except within or contiguous to existing locations,*
19 *to be used for the purpose of conducting Federal law enforce-*
20 *ment training without the advance approval of the Commit-*
21 *tees on Appropriations of the Senate and the House of Rep-*
22 *resentatives, except that the Federal Law Enforcement*
23 *Training Center is authorized to obtain the temporary use*
24 *of additional facilities by lease, contract, or other agreement*

1 *for training which cannot be accommodated in existing*
2 *Center facilities.*

3 *SEC. 510. The Director of the Federal Law Enforce-*
4 *ment Training Center shall schedule basic or advanced law*
5 *enforcement training (including both types of training) at*
6 *all four training facilities under the control of the Federal*
7 *Law Enforcement Training Center to ensure that these*
8 *training centers are operated at the highest capacity*
9 *throughout the fiscal year.*

10 *SEC. 511. None of the funds appropriated or otherwise*
11 *made available by this Act may be used for expenses of any*
12 *construction, repair, alteration, or acquisition project for*
13 *which a prospectus, if required by the Public Buildings Act*
14 *of 1959 (40 U.S.C. 3301), has not been approved, except*
15 *that necessary funds may be expended for each project for*
16 *required expenses for the development of a proposed pro-*
17 *spectus.*

18 *SEC. 512. None of the funds in this Act may be used*
19 *in contravention of the applicable provisions of the Buy*
20 *American Act (41 U.S.C. 10a et seq.).*

21 *SEC. 513. Notwithstanding any other provision of law,*
22 *the authority of the Office of Personnel Management to con-*
23 *duct personnel security and suitability background inves-*
24 *tigations, update investigations, and periodic reinvestiga-*
25 *tions of applicants for, or appointees in, positions in the*

1 *Office of the Secretary and Executive Management, the Of-*
2 *fice of the Under Secretary for Management, Analysis and*
3 *Operations, Immigration and Customs Enforcement, Direc-*
4 *torate for Preparedness, and the Directorate of Science and*
5 *Technology of the Department of Homeland Security is*
6 *transferred to the Department of Homeland Security: Pro-*
7 *vided, That on request of the Department of Homeland Se-*
8 *curity, the Office of Personnel Management shall cooperate*
9 *with and assist the Department in any investigation or re-*
10 *investigation under this section: Provided further, That this*
11 *section shall cease to be effective at such time as the Presi-*
12 *dent has selected a single agency to conduct security clear-*
13 *ance investigations under section 3001(c) of the Intelligence*
14 *Reform and Terrorism Prevention Act of 2004 (Public Law*
15 *108–458; 50 U.S.C. 435b) and the entity selected under sec-*
16 *tion 3001(b) of such Act has reported to Congress that the*
17 *agency selected under such section 3001(c) is capable of con-*
18 *ducting all necessary investigations in a timely manner or*
19 *has authorized the entities within the Department of Home-*
20 *land Security covered by this section to conduct their own*
21 *investigations under section 3001 of such Act.*

22 *SEC. 514. (a) None of the funds provided by this or*
23 *previous appropriations Acts may be obligated for deploy-*
24 *ment or implementation, on other than a test basis, of the*
25 *Secure Flight program or any other follow on or successor*

1 *passenger prescreening programs, until the Secretary of*
2 *Homeland Security certifies, and the Government Account-*
3 *ability Office reports, to the Committees on Appropriations*
4 *of the Senate and the House of Representatives, that all 10*
5 *of the conditions contained in paragraphs (1) through (10)*
6 *of section 522(a) of the Department of Homeland Security*
7 *Appropriations Act, 2005 (Public Law 108–334; 118 Stat.*
8 *1319) have been successfully met.*

9 *(b) The report required by subsection (a) shall be sub-*
10 *mitted within 90 days after the certification required by*
11 *such subsection is provided, and periodically thereafter, if*
12 *necessary, until the Government Accountability Office con-*
13 *firms that all 10 conditions have been successfully met.*

14 *(c) During the testing phase permitted by subsection*
15 *(a), no information gathered from passengers, foreign or do-*
16 *mestic air carriers, or reservation systems may be used to*
17 *screen aviation passengers, or delay or deny boarding to*
18 *such passengers, except in instances where passenger names*
19 *are matched to a Government watch list.*

20 *(d) None of the funds provided in this or previous ap-*
21 *propriations Acts may be utilized to develop or test algo-*
22 *rithms assigning risk to passengers whose names are not*
23 *on Government watch lists.*

24 *(e) None of the funds provided in this or previous ap-*
25 *propriations Acts may be utilized for data or a database*

1 *that is obtained from or remains under the control of a non-*
2 *Federal entity: Provided, That this restriction shall not*
3 *apply to Passenger Name Record data obtained from air*
4 *carriers.*

5 *SEC. 515. None of the funds made available in this*
6 *Act may be used to amend the oath of allegiance required*
7 *by section 337 of the Immigration and Nationality Act (8*
8 *U.S.C. 1448).*

9 *SEC. 516. None of the funds appropriated by this Act*
10 *may be used to process or approve a competition under Of-*
11 *fice of Management and Budget Circular A-76 for services*
12 *provided as of June 1, 2004, by employees (including em-*
13 *ployees serving on a temporary or term basis) of United*
14 *States Citizenship and Immigration Services of the Depart-*
15 *ment of Homeland Security who are known as of that date*
16 *as Immigration Information Officers, Contact Representa-*
17 *tives, or Investigative Assistants.*

18 *SEC. 517. (a) None of the funds appropriated to the*
19 *United States Secret Service by this Act or by previous ap-*
20 *propriations Acts may be made available for the protection*
21 *of a person, other than persons granted protection under*
22 *3056(a) of title 18, United States Code, and the Secretary*
23 *of the Department of Homeland Security.*

24 *(b) Notwithstanding (a) of this section, the Director*
25 *of the United States Secret Service may enter into a fully*

1 *reimbursable agreement to perform such service for*
2 *protectees not designated under 3056(a) of title 18, United*
3 *States Code.*

4 *SEC. 518. The Secretary of Homeland Security, in*
5 *consultation with industry stakeholders, shall develop*
6 *standards and protocols for increasing the use of explosive*
7 *detection equipment to screen air cargo when appropriate.*

8 *SEC. 519. (a) The Secretary of Homeland Security is*
9 *directed to research, develop, and procure new technologies*
10 *to inspect and screen air cargo carried on passenger air-*
11 *craft at the earliest date possible.*

12 *(b) Existing checked baggage explosive detection equip-*
13 *ment and screeners shall be utilized to screen air cargo car-*
14 *ried on passenger aircraft to the greatest extent practicable*
15 *at each airport until technologies developed under sub-*
16 *section (a) are available.*

17 *(c) The Transportation Security Administration shall*
18 *report air cargo inspection statistics within 15 days of the*
19 *close of each quarter of the fiscal year to the Committees*
20 *on Appropriations of the Senate and the House of Rep-*
21 *resentatives, by airport and air carrier, including any rea-*
22 *sons for non-compliance with the second proviso of section*
23 *513 of the Department of Homeland Security Appropria-*
24 *tions Act, 2005 (Public Law 108–334; 118 Stat. 1317),*
25 *within 45 days after the end of the quarter.*

1 *SEC. 520. (a) None of the funds available for obligation*
2 *for the transportation worker identification credential pro-*
3 *gram shall be used to develop a personalization system that*
4 *is executed without fair and open competition for both the*
5 *implementation and production of the program and identi-*
6 *fication cards.*

7 *(b) The Transportation Security Administration shall*
8 *certify to the Committees on Appropriations of the Senate*
9 *and the House of Representatives not later than December*
10 *1, 2006, that the competition required under subsection (a)*
11 *has been achieved.*

12 *SEC. 521. None of the funds made available in this*
13 *Act may be used by any person other than the privacy offi-*
14 *cer appointed under section 222 of the Homeland Security*
15 *Act of 2002 (6 U.S.C. 142) to alter, direct that changes be*
16 *made to, delay, or prohibit the transmission to Congress*
17 *of any report prepared under paragraph (5) of such section.*

18 *SEC. 522. No funding provided by this or previous ap-*
19 *propriation Acts shall be available to pay the salary of any*
20 *employee serving as a contracting officer's technical rep-*
21 *resentative (COTR) or anyone acting in a similar or like*
22 *capacity who has not received COTR training.*

23 *SEC. 523. Except as provided in section 44945 of title*
24 *49, United States Code, funds appropriated or transferred*
25 *to Transportation Security Administration "Aviation Se-*

1 *curity*”, “*Administration*” and “*Transportation Security*
2 *Support*” in fiscal years 2004, 2005, and 2006 that are re-
3 covered or deobligated shall be available only for procure-
4 ment and installation of explosive detection systems for air
5 cargo, baggage, and checkpoint screening systems, subject
6 to section 503 of this Act.

7 *SEC. 524. Not later than 120 days after the date of*
8 *enactment of this Act, the Secretary of Homeland Security*
9 *shall report to the Committees on Appropriations of the*
10 *Senate and the House of Representatives on the progress*
11 *that the Department has made in implementing the require-*
12 *ments of section 537 of the Department of Homeland Secu-*
13 *rity Appropriations Act, 2006 (Public Law 109–90; 119*
14 *Stat. 2088), including information on the current proce-*
15 *dures regarding access to sensitive security information*
16 *(SSI) by civil litigants and the security risks and benefits*
17 *of any proposed changes to these procedures: Provided, That*
18 *the Secretary shall revise DHS MD 11056 to provide that*
19 *when a lawful request is made to publicly release a docu-*
20 *ment containing information designated as SSI, the docu-*
21 *ment shall be reviewed in a timely manner to determine*
22 *whether any information contained in the document meets*
23 *the criteria for continued SSI protection under applicable*
24 *law and regulation and shall further provide that all por-*
25 *tions that no longer require SSI designation be released,*

1 *subject to applicable law, including sections 552 and 552a*
2 *of title 5, United States Code.*

3 *SEC. 525. RESCISSION. From the unobligated balances*
4 *from prior year appropriations made available for Trans-*
5 *portation Security Administration “Aviation Security”*
6 *and “Headquarters Administration”, \$4,776,000 are re-*
7 *scinded.*

8 *SEC. 526. The Department of Homeland Security*
9 *Working Capital Fund, established under section 403 of the*
10 *Government Management Reform Act of 1994 (31 U.S.C.*
11 *501 note; Public Law 103–356), shall continue operations*
12 *during fiscal year 2007.*

13 *SEC. 527. RESCISSION. Of the unobligated balances*
14 *from prior year appropriations made available for the*
15 *“Counterterrorism Fund”, \$16,000,000 are rescinded.*

16 *SEC. 528. RESCISSION. From the unobligated balances*
17 *from prior year appropriations made available for Trans-*
18 *portation Security Administration “Aviation Security”,*
19 *\$61,936,000 are rescinded.*

20 *SEC. 529. None of the funds made available in this*
21 *Act may be used to enforce section 4025(1) of Public Law*
22 *108–458 if the Assistant Secretary (Transportation Secu-*
23 *rity Administration) determines that butane lighters are*
24 *not a significant threat to civil aviation security: Provided,*
25 *That the Assistant Secretary (Transportation Security Ad-*

1 *ministration) shall notify the Committees on Appropria-*
2 *tions of the Senate and the House of Representatives 15*
3 *days in advance of such determination including a report*
4 *on whether the effectiveness of screening operations is en-*
5 *hanced by suspending enforcement of the prohibition.*

6 *SEC. 530. RESCISSIONS. Of the unobligated balances*
7 *from prior year appropriations made available for Science*
8 *and Technology, \$55,000,000 for “Management and Admin-*
9 *istration” and \$145,000,000 from “Research, Development,*
10 *Acquisition, and Operations” are rescinded: Provided, That*
11 *of the total amount rescinded from “Management and Ad-*
12 *ministration”, \$30,000,000 shall be from the contingency*
13 *fund and \$25,000,000 shall be from the Homeland Security*
14 *Institute.*

15 *SEC. 531. Notwithstanding any other provision of law,*
16 *the Secretary of Homeland Security shall consider the Han-*
17 *cock County Port and Harbor Commission in Mississippi*
18 *eligible under the Federal Emergency Management Agency*
19 *Public Assistance Program for all costs incurred for dredg-*
20 *ing from navigation channel in Little Lake, Louisiana,*
21 *sediment deposited as a result of Hurricane George in 1998:*
22 *Provided, That the appropriate Federal share shall apply*
23 *to approval of this project.*

24 *SEC. 532. The Department of Homeland Security*
25 *shall, in approving standards for State and local emergency*

1 preparedness operational plans under section 613(b)(3) of
2 the Robert T. Stafford Disaster and Emergency Assistance
3 Act (42 U.S.C. 5196b(b)(3)), account for the needs of indi-
4 viduals with household pets and service animals before, dur-
5 ing, and following a major disaster or emergency: Provided,
6 That Federal agencies may provide assistance as described
7 in section 403(a) of the Robert T. Stafford Disaster and
8 Emergency Assistance Act (42 U.S.C. 5170b(a)) to carry
9 out the plans described in the previous proviso.

10 *SEC. 533. RESCISSION.* From the unexpended balances
11 of the United States Coast Guard “Acquisition, Construc-
12 tion, and Improvements” account specifically identified in
13 the Joint Explanatory Statement (House Report 109–241)
14 accompanying the Department of Homeland Security Act,
15 2006 (Public Law 109–90) for the development of the Off-
16 shore Patrol Cutter, \$20,000,000 are rescinded.

17 *SEC. 534. TRANSFER.* All obligated and unobligated
18 balances of funds, totaling not less than \$98,552,000, for
19 the Transportation Security Laboratory shall be transferred
20 from the Science and Technology “Research, Development,
21 Acquisition, and Operations” account to the Transpor-
22 tation Security Administration “Transportation Security
23 Support” account effective October 1, 2006.

24 *SEC. 535. (a)(1)* Within 45 days after the close of each
25 month, the Chief Financial Officer of the Department of

1 *Homeland Security shall submit to the Committees on Ap-*
2 *propriations of the Senate and the House of Representatives*
3 *a monthly budget execution report that sets forth the total*
4 *obligational authority appropriated (new budget authority*
5 *plus unobligated carryover), undistributed obligational au-*
6 *thority, amount allotted, current year obligations, unobli-*
7 *gated authority (the difference between total obligational*
8 *authority and current year obligations), beginning unex-*
9 *pendent obligations, year-to-date costs, and year-end unex-*
10 *pendent obligations, of the Department of Homeland Secu-*
11 *riety.*

12 (2) *The information required under paragraph (1)*
13 *shall be provided for each Departmental component and the*
14 *Working Capital Fund at the level of detail shown in the*
15 *table of detailed funding recommendations displayed at the*
16 *end of the Statement of Managers accompanying the con-*
17 *ference report on this Act.*

18 (3) *Each report submitted under paragraph (1) shall*
19 *include for each Department of Homeland Security compo-*
20 *nent the total full-time equivalent for the prior fiscal year,*
21 *the on-board total full-time equivalent on September 30 of*
22 *the prior fiscal year, the estimated total full-time equivalent*
23 *for the current fiscal year, and the on-board total full-time*
24 *equivalent on the last day of the month for the applicable*
25 *report.*

1 (b) *Obligation authority and transfer authority pro-*
2 *vided under section 503 and 504 of this Act shall not be*
3 *available unless on the date of a notification under section*
4 *503 and 504, the Committees on Appropriations of the Sen-*
5 *ate and House of Representatives have received the most re-*
6 *cent report required by subsection (a) of this section.*

7 *SEC. 536. None of the funds provided by this or pre-*
8 *vious appropriations Acts or transferred to the Department*
9 *of Homeland Security that remain available for obligation*
10 *or expenditure in fiscal year 2007, or provided from any*
11 *accounts in the Treasury of the United States derived by*
12 *the collection of fees available to the agencies funded by this*
13 *Act, shall be available for obligation or expenditure for the*
14 *Office of the Federal Coordinator for Gulf Coast Rebuilding*
15 *effective October 1, 2006, unless the Committees on Appro-*
16 *priations of the Senate and the House of Representatives*
17 *receive a reprogramming notification for fiscal year 2006*
18 *pursuant to section 503 of Public Law 109–90 and a budget*
19 *request and expenditure plan for fiscal year 2007 for this*
20 *office.*

21 *SEC. 537. The Federal Law Enforcement Training*
22 *Center instructor staff shall be classified as inherently gov-*
23 *ernmental for the purpose of the Federal Activities Inven-*
24 *tory Reform Act of 1998 (31 U.S.C. 501 note).*

1 *SEC. 538. Section 7209(b)(1) of the Intelligence Reform*
2 *and Terrorism Prevention Act of 2004 (Public Law 108–*
3 *458; 8 U.S.C. 1185 note) is amended by striking from “(1)*
4 *DEVELOPMENT OF PLAN.—The Secretary” through*
5 *“7208(k).” and inserting the following:*

6 *“(1) DEVELOPMENT OF PLAN AND IMPLEMENTA-*
7 *TION.—*

8 *“(A) The Secretary of Homeland Security,*
9 *in consultation with the Secretary of State, shall*
10 *develop and implement a plan as expeditiously*
11 *as possible to require a passport or other docu-*
12 *ment, or combination of documents, deemed by*
13 *the Secretary of Homeland Security to be suffi-*
14 *cient to denote identity and citizenship, for all*
15 *travel into the United States by United States*
16 *citizens and by categories of individuals for*
17 *whom documentation requirements have pre-*
18 *viously been waived under section 212(d)(4)(B)*
19 *of the Immigration and Nationality Act (8*
20 *U.S.C. 1182(d)(4)(B)). This plan shall be imple-*
21 *mented not later than 3 months after the Sec-*
22 *retary of State and the Secretary of Homeland*
23 *Security make the certifications required in sub-*
24 *section (B), or June 1, 2009, whichever is ear-*
25 *lier. The plan shall seek to expedite the travel of*

1 frequent travelers, including those who reside in
2 border communities, and in doing so, shall make
3 readily available a registered traveler program
4 (as described in section 7208(k)).

5 “(B) The Secretary of Homeland Security
6 and the Secretary of State shall jointly certify to
7 the Committees on Appropriations of the Senate
8 and the House of Representatives that the fol-
9 lowing criteria have been met prior to implemen-
10 tation of Section 7209(b)(1)(A)—

11 “(i) the National Institutes of Stand-
12 ards and Technology has certified that the
13 card architecture meets the International
14 Organization for Standardization ISO
15 14443 security standards, or justifies a de-
16 viation from such standard;

17 “(ii) the technology to be used by the
18 United States for the passport card, and
19 any subsequent change to that technology,
20 has been shared with the governments of
21 Canada and Mexico;

22 “(iii) an agreement has been reached
23 with the United States Postal Service on the
24 fee to be charged individuals for the pass-
25 port card, and a detailed justification has

1 *been submitted to the Committees on Appro-*
2 *priations of the Senate and the House of*
3 *Representatives;*

4 “(iv) *an alternative procedure has been*
5 *developed for groups of children traveling*
6 *across an international border under adult*
7 *supervision with parental consent;*

8 “(v) *the necessary technological infra-*
9 *structure to process the passport cards has*
10 *been installed, and all employees at ports of*
11 *entry have been properly trained in the use*
12 *of the new technology;*

13 “(vi) *the passport card has been made*
14 *available for the purpose of international*
15 *travel by United States citizens through*
16 *land and sea ports of entry between the*
17 *United States and Canada, Mexico, the*
18 *Caribbean and Bermuda; and*

19 “(vii) *a single implementation date for*
20 *sea and land borders has been established.”.*

21 *SEC. 539. Notwithstanding any time limitation estab-*
22 *lished for a grant awarded under title I, chapter 6, Public*
23 *Law 106–31, in the item relating to Federal Emergency*
24 *Management Agency—Disaster Assistance for Unmet*

1 *Needs, the City of Cuero, Texas, may use funds received*
2 *under such grant program until September 30, 2007.*

3 *This Act may be cited as the “Department of Home-*
4 *land Security Appropriations Act, 2007”.*

Calendar No. 503

109TH CONGRESS
2^D SESSION

H.R. 5441

[Report No. 109-273]

AN ACT

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes.

JUNE 7, 2006

Received; read twice and referred to the Committee on Appropriations

JUNE 29, 2006

Reported with an amendment