109TH CONGRESS, 1st Session } HOUSE OF REPRESENTATIVES { REPORT 109–79

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS BILL, 2006

MAY 13, 2005.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. ROGERS of Kentucky, from the Committee on Appropriations, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 2360]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006.

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The accompanying bill contains recommendations for new budget (obligational) authority for fiscal year 2006 for the Department of Homeland Security. The following table summarizes these recommendations and reflects comparisons with the budget, as amended, and with amounts appropriated to date for fiscal year 2005:

[In thousands of dollars]

Title	New budget (obligation) authority fiscal year 2005 enacted to date	Budget estimates of (obligational) authority, fiscal year 2006	Recommended in the bill	Bill compared with . . .	
				New budget authority fiscal year 2005	Budget estimate, fiscal year 2006
Departmental Management and Operations	606,774	747,689	684,545	+77,771	−63,144
Security, Enforcement, and Investigations	20,629,096	20,565,937	22,013,963	+1,384,867	+1,448,026
Preparedness and Recovery	15,971,218	6,709,433	6,588,393	<9,382,825	−121,040
Research and Development, Training, Assessments, and Services	2,391,515	2,545,689	2,580,179	+188,664	+34,490
Grand Total	39,598,603	30,568,748	31,867,080	−7,731,523	+1,298,332

SUMMARY OF MAJOR RECOMMENDATIONS IN THE BILL

The Committee recommends $30,846,000,000 in discretionary resources for the Department of Homeland Security, $1,291,332,000 above the amount proposed by the President and $1,133,776,000 below fiscal year 2005 enacted levels, after scorekeeping adjustments.

TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

Appropriation, fiscal year 2005	$ 85,034,000
Budget request, fiscal year 2006	195,848,000
Recommended in the bill	133,239,000
Bill compared with:	
Appropriation, fiscal year 2005	+48,205,000
Budget request, fiscal year 2006	−62,609,000

MISSION

The mission of management and operations is to provide efficient services to the Department for Homeland Security (DHS) and to support the Department in its achievement of its strategic goals: preventing terrorist attacks within the United States; reducing America's vulnerabilities to terrorism; and minimizing the damage and recovery from attacks that may occur.

RECOMMENDATION

The Committee recommends $133,239,000 for the Office of the Secretary and Executive Management, $62,609,000 below the President's request and $48,205,000 above the amounts provided in fiscal year 2005. To adequately oversee expenditures and personnel changes within each office of the Office of the Secretary and Executive Management, the Committee has provided separate funding recommendations on an office-by-office basis as follows:

	Budget estimate	Recommended
Immediate Office of the Secretary	$2,393,000	$2,393,000
Immediate Office of the Deputy Secretary	1,132,000	1,132,000
Office of Security	61,278,000	51,278,000
Chief of Staff	4,103,000	4,103,000
Executive Secretary	5,491,000	5,400,000
Office of Policy, Planning and International Affairs	8,770,000	8,770,000
Special Assistant to the Secretary-Private Sector	4,181,000	4,181,000
Office of National Capital Region Coordination	1,072,000	982,000
Public Affairs	9,312,000	9,172,000
Legislative Affairs	6,182,000	5,500,000
General Counsel	11,947,000	11,800,000
Civil Rights and Civil Liberties	13,000,000	13,000,000
Citizenship and Immigration Ombudsman	3,652,000	3,652,000
Privacy Officer	3,981,000	4,381,000
Regions	49,895,000	0
Operation Integration Staff	9,459,000	7,495,000
Total	$195,848,000	$133,239,000

STAFFING ADJUSTMENTS

The President requested 100 new full-time equivalents (FTEs) under the Office of the Secretary and Executive Management, including 60 FTEs for the Office of Security, 24 FTEs for the oper-

ation integration staff, two FTEs for the Executive Secretary, four FTEs for the Office of Policy, Planning and International Affairs, two FTE for the Office of National Capital Region Coordination, five FTEs for Public Affairs, two FTEs for General Counsel and one FTE for the Privacy Officer. Funding for all new FTEs was requested for the full fiscal year. While the Department has been reducing the number of vacancies it has within the Office of the Secretary and Executive Management, it is unrealistic to believe that these new staff will be on board the first day of the fiscal year. As a result, the Committee denies full year funding for any new FTEs except for the Privacy Officer. Instead, the Committee has assumed in its recommendations that these new staff will be on board beginning in the second quarter of fiscal year 2006, with the exception of the Office of Security and the operation integration staff, which are addressed separately.

OFFICE OF SECURITY

The Committee recommends $51,278,000 for the Office of Security, $10,000,000 below the President's request and $18,854,000 above the amounts provided in fiscal year 2005, including the recently approved reprogramming. The Committee has only provided half year funding for the 60 new staff requested. Further reductions were made due to insufficient justification.

The Committee is concerned that the Department's classified and security sensitive documents also contain information that is unclassified. Unfortunately, the unclassified information is not clearly marked on the documents. Therefore, as is done in other agencies, the Committee directs DHS to ensure that its classified and security sensitive documents contain classifications by paragraph and clearly mark which paragraphs are unclassified.

BACKGROUND INVESTIGATIONS

The Committee remains concerned by apparent delays in personal security and suitability background investigations, update investigations, and periodic reinvestigations for Departmental employees. The Committee continues a provision (Section 516) to expand authority to conduct background investigations during fiscal year 2006 and modifies the provision to include Immigration and Customs Enforcement, which currently has over 500 pending investigations. The Committee directs that this authority be used to expeditiously process background investigations, including updates and reinvestigations, as necessary. The Committee directs the Secretary to submit a report by January 16, 2006, on the use of this authority and the status of any backlog in background investigations by component agency.

SENSITIVE SECURITY INFORMATION DESIGNATION

The General Accountability Office (GAO) recently completed a review of the Transportation Security Administration's (TSA) Sensitive Security Information designation process. GAO found that TSA has no clear SSI designation policies and procedures, that TSA has no monitoring controls on SSI designations, and that TSA has insufficient training for employees on SSI designation. In addition, TSA has not officially limited the number of TSA staff who

can designate SSI documents, so in essence all TSA employees currently may designate a document as SSI.

The Committee finds this situation completely unacceptable. The Committee expects the Department to try to release as much, not as little, information to the public as possible. The current situation at TSA provides for a large amount of information to be prevented from public disclosure with no oversight of the designation to be prevented from public disclosure with no oversight of the designation process.

Therefore, the Committee expects the headquarters Office of Security to develop SSI policies and procedures Department-wide. The Committee withholds $10,000,000 from the Office of Security until a report is provided to the Committee on the number of documents designated as SSI today, Department-wide SSI designation policies and procedures, and the total number of staff able to designate SSI within the Department. The ensure consistency, the Committee expects the Department and TSA to limit the number of employees able to designate information as SSI. The Committee has included a cop of sixty on the number of people within TSA able to designate SSI information.

OPERATION INTEGRATION STAFF

The Committee recommends $7,495,000 for the operation integration staff, a decrease of $1,964,000 below the President's request. To date, this office has been staffed with detailees provided from agencies within DHS. The budget proposed hiring 24 full-time staff for this office and ceasing its dependence on detailees. The Committee has approved the hiring of 12 new full-time staff, instead of the 24 requested. The Committee strongly encourages the Department to continue to rely on detailees to augment the staff, and suggests that DHS consider using these detailees for a two-year period, instead of for shorter time frames.

OFFICE OF LEGISLATIVE AFFAIRS

The Committee recommends $5,500,000 for the Office of Legislative Affairs, $682,000 below the budget request and an increase of $100,000 above the amounts provided in fiscal year 2005. The Committee has reduced funding for this office because of the slowness in hiring and believes that vacancies will exist at the beginning of fiscal year 2006.

REGIONAL STRUCTURE

The Committee has denied the $49,895,000 requested by the President to develop a new regional structure. The regional structure concept is currently under review by the Secretary. It is unclear at this time what, if any, regional structure will be proposed. Until a decision has been made, Congress has been briefed, and any outstanding concerns have been adequately addressed, it is premature to provide funding for this new structure.

Once the Department has announced its new regional structure, the Committee directs the Government Accountability Office (GAO) to review the costs and benefits of the proposed structure. DHS may not enact such a new structure until GAO issues a report to the House Committee on Appropriations on its findings and the

Committee has had time to adequately analyze the Department's regional proposal and GAO's results.

PRIVACY OFFICER

The Committee recommends $4,381,000 for the Privacy Officer, $400,000 above the budget request and an increase of $607,000 above amounts provided in fiscal year 2005. Funding has been provided for four new FTEs, including the one requested in the budget.

The Committee has included a new general provision (Section 528) to ensure that the Privacy Officer has the independence necessary to report privacy abuses directly to Congress and has all documents and information necessary to carry out statutory responsibilities. The Privacy Officer, while an officer within the Department of Homeland Security, is a position that requires separateness from the leadership of the Department, in order to turn a critical eye upon Departmental activities and programs, with a focus on protecting individual privacy. The Privacy Officer should provide Congress, and thus the public, an unfettered view into the operations of the Department and its impact on personal privacy. In order to fulfill this relationship, the Privacy Officer must both have unrestricted access to information, and unrestrained ability to report critical findings to Congress and the public. The Committee directs the Secretary to instruct all Department of Homeland Security entities, whether programs, offices, directorates, contractors, inter-agency or private-sector partners, or individuals, that they must respond to information and document requests from the Privacy Officer within the time frames set by the Privacy Officer so that privacy issues may be analyzed and resolved expeditiously.

INTERACTION WITH CONGRESS

The Committee continues to be frustrated by the Department's inability to respond quickly, or at all, to items of Congressional interest or direction. Agencies throughout the Department have not submitted reports on time. Some notable examples include: (1) the Coast Guard's failure to submit a Deepwater rebaseline that meets statutory requirements, such as an acquisition timeline for each new and/or legacy asset over the 20 to 25-year program, funding projections for each year of the program, and detailed descriptions of the revised mission needs requirements; (2) an inability to provide Congress with a plan to re-open National Airport to charter, business, and general aviation aircraft even though this has been requested multiple times, in multiple bills; and (3) failure to comply with language for the past two years that requires the Transportation Security Administration to submit quarterly reports on their plans to procure and install explosive detection systems at airports throughout the United States, as well as make other modifications, that will continue to permit these airports to screen 100–percent of checked baggage.

The Committee also continues to be frustrated with the lack of responsiveness from various agencies within the Department. Key questions that are asked are not followed up on. Requests for meetings are delayed or disregarded. Meetings to brief the Committee on high priority topics do not consistently involve the same Departmental officials which results in inconsistent, and often times con-

tradictory, information being provided. While the Committee recognizes that there were growing pains when the Department was first formed and it might have been unclear which agency should respond to an inquiry, the Department is now over two years old. Responsiveness should no longer be a challenge. The Committee expects the Department to review its policies for handling of questions and requests for meetings. The current practice is unacceptable and it must change. In addition, the Department should make every effort to send the same knowledgeable staff to meetings, so that the information presented does not change randomly or selectively to suit a specific policy argument or audience.

Finally, there is a growing public perception that the Department is not making advances in key areas, particularly in the review, purchase, and installation of new technologies that might enhance security in the field. Repeatedly constituents tell Members of Congress that the Department is unwilling and very slow to meet with vendors and evaluate their technologies, or to purchase technology for deployment. It is critical that the Department make every effort to speed this process along. It is the sense of the Committee that the Department needs a robust and perhaps innovative technology transfer program that not only reviews technologies, but also helps get products into production and assures rapid use once built. The Committee addresses this issue further within the Office of the Under Secretary for Science and Technology (S&T) and provides $10,000,000 within S&T to ensure that the Department moves forward with its efforts to evaluate technologies, make those evaluations more transparent, and to expedite placement of workable solutions.

MEETING REPORTING REQUIREMENTS

The Committee is extremely concerned by the Department's inability to submit reports on a timely basis. At this time, 123 of 169 reports required by the fiscal year 2005 appropriations bill are late. The Committee has requested these reports in order to further its understanding of the Department's operations in critical homeland security areas including immigration; aviation security; and mission and asset requirements of the Coast Guard, to name but a few. It is unacceptable that the Department continues to miss important deadlines and, in many instances submits reports that are not in compliance with Committee direction. The Committee has included a new provision within the Office of the Secretary and Executive Management that requires timely and comprehensive submission of all reports. The Committee withholds from obligation $20,000,000 until all reports are received. The Committee will not entertain the submission of draft reports in order to meet the intent of this bill language. The Committee cautions the Department to adequately plan for all necessary Departmental and Administration review in the calculation of time needed to submit Congressional reports.

BUDGET JUSTIFICATIONS

In fiscal year 2007, the Committee directs that the Congressional budget justification for the Office of the Secretary and Executive Management be submitted in the same level of detail as the table contained in the back of this report. All funding and staffing

changes for each individual office must be highlighted and explained. The Committee expects this level of detail to include separate discussions for personnel, compensation, and benefits; travel; training; and other services.

WORKING CAPITAL FUND

The Working Capital Fund (WCF) was established to provide funding for selected services, activities, and programs that benefit more than one Departmental organization. The WCF will also be used to consolidate funding for government-wide, mandated initiatives assessed to the Department by central management agencies, and DHS crosscutting initiatives identified by the Secretary.

The Department has not adequately explained to the Committee what activities are funded by the WCF in fiscal year 2005 and planned for in fiscal year 2006. Without more clarity, it is very difficult for the Committee or the component agencies within the Department to adequately fund these activities within their budget requests. The Committee therefore directs the Department to submit a report identifying all services, activities, programs, government-wide and Secretarial initiatives supported through the WCF in fiscal years 2005 and 2006 by January 16, 2006. This is to include a description of each activity, the basis for the pricing policy, the estimated cost for fiscal years 2005 and 2006, (if the activity is a multi-year project with a defined cost, scope, and schedule for completion, also provide the total estimated cost of the activity by fiscal year and the estimated date for completion), the number of full-time federal employees funded in each activity, a list of each Departmental organization that is allocating funds to the activity, and the funding the organization is providing in fiscal years 2005 and 2006. The report should also identify any cross-cutting initiatives or activities that benefit more than one organization that are not included in the WCF, and explain the omission.

The Committee expects all cross-cutting initiatives funded by multiple organizations to be included in the WCF and to be promptly notified of any additions, deletions, or changes that are made to the WCF during the fiscal year. Taxing Departmental organizations for cross-cutting initiatives outside the WCF will not be approved by the Committee. Furthermore, the Department should not fund any activities within the WCF that the House and Senate Committees on Appropriations have disapproved either in report language or in its response to reprogramming requests.

For fiscal year 2007, the same level of detailed information on the WCF is to be provided in the budget justification document submitted for the Departmental Operations account and the corresponding information contained in the salaries and expenses accounts for each organization that is funding the WCF. The Department should work with the Committee to ensure that the budget justification documents provide all necessary information at the appropriate level of detail.

SHARED SERVICES

Problems and confusion over the administration of shared services between Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), and Citizen and Immigration Services (CIS) continue to plague the Department. The problem

stems from the difficulty in adjusting to changes in these agencies' previous structure and systems found in the Immigration and Naturalization Service (INS) and Customs Service, and lack of guidance during the transition into the new structure. Field managers lack information about how shared services are handled. The Committee directs the Secretary to submit a report not later than January 16, 2006, on how shared services are defined, what policies are in place to guide managers on how to administer those services, and what mechanism is in place to resolve interagency disputes.

IMMIGRATION ENFORCEMENT

The number of illegal aliens in the United States is now estimated to exceed 11,000,000, including 465,000 aliens with outstanding orders of deportation who have absconded, of whom 80,000 have criminal records. The number of illegal aliens in the United States is growing by 485,000 per year. This troubling growth is the result of multiple factors: porous borders, lack of interior enforcement, and the lure of employment opportunities within the United States. The burden of immigration enforcement is split amongst many federal agencies, but falls primarily upon ICE and CBP. ICE is responsible for apprehending immigration violators inside the United States and CBP is charged with securing the border from illegal crossings. The combination of current threats facing our nation and the sheer magnitude of the growth in the illegal population reveals the fact that immigration enforcement efforts have not kept pace. Simply stated—immigration enforcement and border control is not working.

The Committee believes a fundamental shift in the Department's approach to immigration enforcement and border management is long overdue. The Committee includes a provision directing the Secretary to review the Department's current immigration enforcement strategy and develop a comprehensive immigration enforcement strategy that achieves a 10 percent per year reduction in the total number of undocumented aliens in the United States, based on estimates using data from the U.S. Census Bureau. This strategy shall specifically address threats, risks, vulnerabilities, capabilities and priorities for the enforcement of immigration and border security in the context of the Department's overall mission to protect our homeland. This strategy shall address all factors effecting immigration enforcement and border security, including but not limited to: force multipliers; repatriation, detention, and removal practices; worksite enforcement; interaction and coordination with immigration courts; technology; organizational structure; interagency coordination; staffing; and assets. Bill language is included that makes $20,000,000 unavailable for obligation until an immigration enforcement strategy to reduce the number of undocumented aliens by 10 percent per year is submitted to the Committee.

THREAT ASSESSMENT

The Committee recognizes the threat assessment experience within the Secret Service and believes other DHS agencies can benefit from it. The Secret Service has developed innovative partnerships across government, the private sector, and academia to profile various types of threats, including targeted violence, assassins,

and cyber security breaches. The National Threat Assessment Center (NTAC), created in 1999 to provide leadership and guidance to the field of threat assessment, has demonstrated considerable value to the work of the Secret Service and, more recently, to DHS. NTAC has provided technical analysis of current terrorist tactics being used in Iraq and Afghanistan and applied the results to the enhancement of domestic protective operations. In August 2004, NTAC completed an Insider Threat Study that utilized the expertise of the Secret Service's Electronic Crimes Special Agent Program (ECSAP) to develop profiles of illicit insider activities affecting information systems and data in critical infrastructure sectors. NTAC's work, combined with the resources of the Secret Service's Intelligence Division and the ECSAP, has furthered the testing and evaluation of protective technologies and led to the creation of tools, such as the Targeted Violence Information Sharing System (TAVISS). The Committee believes that DHS can make better use of the Secret Service's proficiency in developing and providing threat assessment training and operational research, but the demand for such expertise far exceeds Secret Service resources. The Committee encourages the Secret Service to work with the Department to expand the application of its threat assessment resources across the critical infrastructure protection and cyber security functions of DHS.

TRANSPORTATION SECURITY

In the statement of managers accompanying the fiscal year 2005 Appropriations Act for DHS, the conferees directed the Secretary to submit a five-year integrated strategic transportation security plan. To date, the Committee has not received this plan. Without such a plan, the Committee remains concerned that the Department has concentrated homeland security funding and technology on aviation security, without placing equal resources on securing the Nation's rail lines, tunnels, bridges, and ports. The Committee directs the Department to submit a report no later than January 16, 2006, on what progress has been made in securing this critical infrastructure, outlining a 5-year plan to achieve this objective. This report shall include how: infrastructure is identified; vulnerability assessments are accomplished; technologies are identified, tested, and deployed; funding is targeted; cooperation with private infrastructure owners is achieved; and progress in securing this infrastructure is measured. The Department shall accomplish this report in consultation with the Information Analysis and Infrastructure Protection Directorate, the Science and Technology Directorate, the Transportation Security Administration, the Office of State and Local Government Coordination and Preparedness, the United States Coast Guard, Customs and Border Protection and Immigration and Customs Enforcement.

SECURITY POLICIES RELATED TO RELEASE OF PERSONAL INFORMATION

The Committee directs the Secretary to ensure that every contract the Department enters into for services performed by any entity or person engaged in interstate commerce that owns, licenses, or collects data containing personal information, including electronically, must include a provision requiring that entity to have a security policy in place that contains procedures to promptly notify

any individual whose personal information was, or is reasonably believed to have been, lost or acquired by an unauthorized person. Notification can either be delayed or shall not occur if it would impede a law enforcement investigation or cause damage to national security. The Committee is concerned about the security of personal data, as highlighted recently by several security breaches at large companies that resulted in the theft of personal data.

PROTECTION OF CLASSIFIED INFORMATION

The Committee is pleased that the Department is taking steps to comply with the requirements for protecting classified information by using GSA-approved containers and vaults secured with a locking mechanism meeting the latest federal specifications for storage. The Committee urges the Department to complete these upgrades no later than January 16, 2006.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

Appropriation, fiscal year 2005	$151,153,000
Budget request, fiscal year 2006	146,619,000
Recommended in the bill	146,084,000
Bill compared with:	
Appropriation, fiscal year 2005	−5,069,000
Budget request, fiscal year 2006	−535,000

MISSION

The Office of the Under Secretary for Management's primary mission is to deliver quality administrative support services such as human resources and personnel; facilities, property, equipment and other material resources management; safety, health and environment; and identification and tracking of performance measurements relating to the responsibility of the Department. This office is also in charge of implementing a new mission support structure for the Department of Homeland Security to deliver administrative services while eliminating redundancies and reducing support costs.

RECOMMENDATION

The Committee recommends $146,084,000 for the Office of the Under Secretary for Management, $535,000 below the President's request and $5,069,000 below the amounts provided in fiscal year 2005. In order to adequately oversee expenditures for each office, the Committee has provided separate funding recommendations as detailed in the following table:

	Budget estimate	Recommended
Under Secretary for Management	$1,867,000	$1,822,000
Business Transformation Office	948,000	948,000
Immigration Statistics	5,987,000	5,987,000
Office of the Chief Procurement Officer	9,020,000	9,020,000
Office of Chief Human Capital Officer	61,996,000	61,951,000
Office of Chief Administrative Officer	66,801,000	66,356,000
Total	$146,619,000	$146,084,000

STAFFING ADJUSTMENTS

The President requested 12 new full-time equivalents (FTEs) under the Office of the Under Secretary for Management, including one FTE for the Under Secretary for Management, one FTE for the Office of Chief Human Capital Officer and 10 FTEs for the Office of Chief Administrative Officer. Funding for all new FTEs was requested for the full fiscal year. While the Department has been reducing the number of vacancies it has with the offices of the Under Secretary for Management, it is unrealistic to believe that these new staff will be on board the first day of the fiscal year. As a result, the Committee denies full year funding for any new FTEs. Instead, the Committee has assumed in its budgetary recommendations, that these new staff will be on board beginning in the second quarter of fiscal year 2006.

OFFICE OF CHIEF HUMAN CAPITAL OFFICER

The Committee recommends $61,951,000 for the Office of Chief Human Capital Officer, $45,000 below the President's request. The funding reduction is applied to personnel, compensation and benefits. No reduction has been made to the $53,000,000 requested for the new human resource system.

OFFICE OF CHIEF ADMINISTRATIVE OFFICER

The Committee recommends $66,356,000 for the Office of Chief Administrative Officer, $445,000 below the President's request. The funding reduction is applied to personnel, compensation and benefits. No reduction has been made to the $26,070,000 requested to continue construction related activities at the Nebraska Avenue complex.

MANAGEMENT INTEGRATION STRATEGY

In March 2005, the Government Accountability Office (GAO) reported that, while DHS has made some progress in its management integration efforts, it should implement a more comprehensive and sustained approach. GAO recommended that the Under Secretary for Management: (1) develop an overarching management integration strategy for the Department, (2) designate the Business Transformation Office (BTO) as the dedicated implementation team for the Department's management integration, and (3) provide the BTO with the requisite authority and responsibility to help set priorities and make strategic decisions to drive the integration across all functions. The Under Secretary for Management is directed: (1) to report to the House Committee on Appropriations, no later than August 1, 2005, on whether BTO has sufficient authority to serve as a dedicated implementation team to help set priorities and make strategic decisions to drive integration across all functions, and (2) to report quarterly, beginning on January 1, 2006, on the progress of DHS management integration.

OFFICE OF THE CHIEF FINANCIAL OFFICER

Appropriation, fiscal year 2005	$13,000,000
Budget request, fiscal year 2006	18,505,000
Recommended in the bill	18,505,000

Bill compared with:	
Appropriation, fiscal year 2005	+5,505,000
Budget request, fiscal year 2006	- - -

MISSION

The primary responsibilities and functions of the Office of the Chief Financial Officer include budget execution and oversight, performance analysis and evaluation, oversight of the Department's financial management system, oversight of the Department's business and financial management systems across all agencies and directorates, and credit card programs and audit liaisons.

RECOMMENDATION

The Committee recommends $18,505,000 for the Office of the Chief Financial Officer, the same as the budget request and $5,505,000 above the amounts provided in fiscal year 2005. The Committee also approves the request for nine additional FTEs, including one new appropriations liaison staff.

FINANCIAL AUDIT

The Committee is very concerned about the results of the 2004 financial audit. In it, the auditor noted that DHS was experiencing a "financial setback" and had serious "structural problems". As a result, the auditor was unable to issue an opinion on the Department's financial statement and identified 10 material weaknesses, largely within Immigration and Customs Enforcement (ICE), the Office of the Chief Financial Officer, and the U.S. Coast Guard. For example, the auditor found: ICE did not adequately maintain its accounting records in FY 2004; the Chief Financial Officer did not prepare timely financial statements and did not monitor bureau compliance with financial reporting requirements; and the Coast Guard lacked a process to adequately track property and equipment. While the Committee is aware that the CFO is working to address these problems, a repeat of such a negative audit in 2005 will be unacceptable. The Committee has fully funded the budget request so that the CFO can deploy these additional funds to address financial weaknesses highlighted in the audit, to perform more budgetary reviews of each agency within the Department, improve budget execution, and more closely track reprogramming needs and requests.

CONGRESSIONAL BUDGET JUSTIFICATIONS

The Committee directs the Department to submit all of its fiscal year 2007 budget justifications on the first Monday in February of 2006, concurrent with the official submission of the President's budget to Congress. These justifications should have the customary level of detailed data and explanatory statements to support the appropriations requests, including tables that detail each agencies programs, projects, and activities for fiscal years 2006 and 2007. The Committee directs the CFO to ensure that adequate justification is given to each increase, decrease, and staffing change proposed in the fiscal year 2007 budget, particularly within the Departmental operations and management accounts.

The Committee directs the Department to submit, as part of the fiscal year 2007 budget justification, a table identifying the last

year that authorizing legislation was provided by Congress for each program, project, or activity; the amount of the authorization; and the appropriation in the last year of the authorization.

CLASSIFIED BUDGET JUSTIFICATIONS

Several components of the Department have classified programs that require preparation and submission of a separate classified budget justification document. These classified budget justification documents must be submitted to the House and Senate Committees on Appropriations at the same time the unclassified budget justifications are transmitted.

MONTHLY REPORTING REQUIREMENTS

For the past two years, the Department has been directed to submit to the Committee a monthly budget execution report showing the status of obligations and costs for all components of the Department. Consistently, the Department has been very tardy in providing this information. These delays are unacceptable and prevent the Committee from accurately analyzing budgetary needs, particularly when considering reprogrammings and supplemental requests.

The Committee directs the Department to submit monthly budget execution reports. Each report shall include the total obligational authority appropriated (new budget authority plus unobligated carryover), undistributed obligational authority, amount allotted, current year obligations, unobligated authority, beginning unexpended obligations, year-to-date costs, and ending unexpended obligations. This budget execution information is to be provided at the level of detail shown in the tables displayed at the end of this report for each Departmental component. The Committee expects to receive these reports no later than 60 days following the end of the reporting month.

OFFICE OF THE CHIEF INFORMATION OFFICER

Appropriation, fiscal year 2005	$275,270,000
Budget request, fiscal year 2006	303,700,000
Recommended in the bill	303,700,000
Bill compared with:	
Appropriation, fiscal year 2005	+28,430,000
Budget request, fiscal year 2006	- - -

MISSION

The Chief Information Office (CIO) has oversight of all information technology projects in the Department. For projects that are estimated to cost over $5,000,000, the CIO is consulted, participates in the evaluation of proposals, and provides recommendations. The Chief Information Officer also has input into the development and execution of each directorate's information technology budgets.

RECOMMENDATION

The Committee recommends $303,700,000 for the Office of the Chief Information Officer, the same as the budget request and $28,430,000 above the amounts provided in fiscal year 2005. Within the total, the Committee recommends $5,255,000 for geospatial

activities, the same as the budget request. The following table highlights funding levels by program, project and activity:

	Budget estimate	Recommended
Salaries and Expenses	$75,756,000	$75,756,000
Information Technology Services	110,944,000	110,944,000
Security Activities	31,000,000	31,000,000
Wireless Programs	86,000,000	86,000,000
Total	303,700,000	303,700,000

The Committee recognizes the sound leadership and hard work of the Department's CIO over the last two years as the Department has attempted to coordinate, restructure and improve its Information Technology (IT) systems. The Committee also recognizes the Department's IT challenges of standardizing and integrating the legacy systems and management practices of disparate agencies, while simultaneously attempting to maintain and enhance critical homeland security operations in a dynamic environment. The Committee appreciates how an enterprise architecture and other strategic IT management structures and controls are critical to the Department's integration of stovepiped processes. Currently, there are multiple enterprise architectures within each of the operating agencies; multiple stovepipe systems with significant redundancy; and no apparent, comprehensive blueprint to guide investments and priorities.

In the interest of fully leveraging and optimizing the potential contribution of IT investments in meeting the homeland security mission, while controlling IT investment costs, maintaining schedules, and delivering capabilities, it is critical that DHS develop an enterprise architecture. The Committee is concerned that DHS may continue to invest in IT at a time when its needs and goals have not been properly articulated through its strategic planning. The Committee has directed the Department, in bill language, to report on the following, with the aim of describing the maturity of each strategic element, how far along the Department is in implementing each element, and what activities remain to be done: (1) an enterprise architecture, as defined in OMB Circular A–130 and the Federal Chief Information Officers' guidance; (2) an Information Technology Capital Plan, to include an inventory of current IT work skills, a gap analysis of any shortfalls, and a plan for addressing any shortfalls; (3) a capital investment plan for implementing the enterprise architecture; and (4) a description of the IT capital planning and investment control process. The report must be reviewed and approved by OMB, reviewed by GAO, and delivered to Congress within 180 days of enactment of this Act.

Finally, the Committee is concerned that the Department of Homeland Security, an agency charged with securing the homeland, continues to face significant challenges in securing its own information systems. The Department lacks a complete and accurate inventory of its information systems; has not tested the contingency plans for the majority of the information systems that it knows it has; is well below the government-wide average in reviewing contractor operations, even though contractors perform a large percentage of its information systems operations; and, according to the Department's Inspector General, has a poor certification and ac-

creditation process that is not performed consistently across the Department. The Committee directs the Department's CIO to develop a plan by October 1, 2005, to address the weaknesses in DHS' information security. The Inspector General is directed to review the CIO's plan and report back to the Committee by November 30, 2005, on the thoroughness of the CIO's plan.

GEOSPATIAL INFORMATION MANAGEMENT

The Committee directs the Chief Information Officer to report to the Committee, by January 16, 2006, on its efforts to develop a complete and accurate Global Geospatial Intelligence, Geographic Information System (GGI/GIS) border mapping inventory of critical U.S. infrastructure and assets through its Department-wide enterprise GIS (E-GIS) system.

OFFICE OF INSPECTOR GENERAL

OPERATING EXPENSES

Appropriation, fiscal year 2005	$82,317,000
Budget request, fiscal year 2006	83,017,000
Recommended in the bill	83,017,000
Bill compared with:	
Appropriation, fiscal year 2005	+700,000
Budget request, fiscal year 2006	- - -

MISSION

The Homeland Security Act of 2002 established an Office of Inspector General in the Department of Homeland Security by amendment to the Inspector General Act of 1978. This office was established to provide an objective and independent organization that would be more effective in: (1) preventing and detecting fraud, waste, and abuse in departmental programs and operations; (2) providing a means of keeping the Secretary of Homeland Security and the Congress fully and currently informed of problems and deficiencies in the administration of programs and operations; (3) fulfilling statutory responsibilities for the annual audit of the Department's financial statements and to ensure security of its information technology pursuant to the Federal Information Security Management Act; and (4) reviewing and making recommendations regarding existing and proposed legislation and regulations to the Department's programs and operations. According to the authorizing legislation, the Inspector General is to report dually to the Secretary of Homeland Security and to the Congress.

RECOMMENDATION

The Committee recommends $83,017,000 for the Office of Inspector General (OIG), the same as the budget request and $700,000 above the amounts provided in fiscal year 2005.

AUDIT REPORTS

The Committee directs the Inspector General to forward copies of all audit reports to the Committee immediately after they are issued and to immediately make the Committee aware of any review that recommends cancellation of, or modification to, any major acquisition project or grant, or that recommends significant budg-

etary savings. The OIG is also directed to withhold from public distribution for a period of 15 days any final audit or investigation report, which was requested by the House Committee on Appropriations.

BUY AMERICAN ACT

The Committee is disappointed that the Inspector General has still to report back to the Committee with an audit on the Department's compliance with the Buy American Act and directs them to submit this report as soon as possible. The Committee directs the Inspector General to audit the Department's compliance with the Buy American Act and submit the report at the same time the President submits to Congress the budget for fiscal year 2007.

Furthermore, the Committee directs the Secretary to issue a report to the Committees on Appropriations that describes the articles, materials, and supplies acquired by the Department during fiscal years 2004–2006 that were manufactured outside of the United States as well as an itemized list of all waivers granted with respect to such articles, materials, or supplies under the Buy American Act. The report should include a summary of the total funds spent by the Department of Homeland Security on goods manufactured within the United States compared with funds spent on goods manufactured outside of the United States.

The Committee includes bill language prohibiting funds from being used in contravention of the applicable provisions of the Buy American Act. The House and Senate Committees on Appropriations expect to be notified when the Department deviates from this direction pursuant to permissible exceptions.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

OFFICE OF THE UNDER SECRETARY FOR BORDER AND TRANSPORTATON SECURITY

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$9,617,000
Budget estimate, fiscal year 2006	10,617,000
Recommended in the bill	10,617,000
Bill compared with:	
Appropriation, fiscal year 2005	+1,000,000
Budget estimate, fiscal year 2006	- - -

MISSION

The Office of the Under Secretary for Border and Transportation Security (BTS) administers the directorate responsible for securing our nation's borders, including 350 official ports of entry, 7,500 miles of land border with Canada and Mexico, 95,000 miles of shoreline, and a 3.4 million square mile exclusive economic zone. BTS oversees the security of the nation's transportation systems and enforcement of immigration and customs laws, and manages and coordinates a variety of automation modernization programs including US-VISIT as well as the activities of four major components: U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), the Transportation Security

Administration (TSA), and the Federal Law Enforcement Training Center (FLETC).

RECOMMENDATION

The Committee recommends $10,617,000 for Salaries and Expenses, the same as the budget request and $1,000,000 above the amounts provided in fiscal year 2005. This includes $289,000 for two additional positions and contract services.

RELATIONSHIP BETWEEN CBP AND ICE

The Committee has learned that there is a frequent lack of communication between CBP and ICE, and is concerned that the concept of operations between these two critical agencies is inadequately defined. Based on their experiences within single legacy agencies, there should be seamless coordination of investigative, intelligence, and enforcement missions. Instead, the agencies appear to have created relationships based on fragmented policies at the local level rather than from centralized guidance. The Committee is disappointed by BTS' failure, after two years, to coordinate the relationships between these agencies. Some examples include: confusion over which agency can issue parole to an alien; disputes on exchange of information between agencies; and the role of the legacy INS Senior Inspector position in the prosecution of criminal immigration cases at the border. The Committee is encouraged by the Memorandum of Understanding signed in November 2004 between Border Patrol and ICE, but a myriad of issues remain unresolved between other components of CBP and ICE. The Committee directs BTS to submit a report no later than January 16, 2006, that describes the directives and guidelines that are in place to govern the interrelationship between BTS agencies and to clarify the operational roles and responsibilities of each agency and component.

IDENT-IAFIS INTEROPERABILITY

In the fiscal year 2005 statement of managers, BTS was directed to report on the status of efforts to achieve real time interoperability between the two-fingerprint Automated Biometrics Identification System (IDENT), which is used by the Border Patrol and US-VISIT, and the FBI's 10-fingerprint Integrated Automated Fingerprint Identification System (IAFIS). The report was due to Congress by January 14, 2005. In the meantime, in its Evaluation and Inspection report I–2005–001 dated December 2004, the Department of Justice Inspector General observed that efforts to achieve interoperability have stalled. This is in part due to disagreements about the appropriate fingerprint methodology between Justice, Homeland Security, and State Departments, but also because the databases contain different types of information and involve both criminal and non-criminal records. The report also notes that there are significant delays in transferring data between databases, estimating that it could take as long as six years to add seven million foreign criminal records into the IDENT database. The Committee is extremely frustrated that no report has yet been forthcoming, and expects to see the directed report as soon as possible, but in no case later than July 1, 2005. Given its delay, the Committee ex-

pects the report to address the issues raised in the aforementioned Justice IG report.

ROLE OF FIELD EMPLOYEE FEEDBACK IN BTS

The October 2004 Government Accountability Office (GAO) report entitled "Homeland Security: Management Challenges Remain in Transforming Immigration Systems" cites the lack of a mechanism for obtaining field employee feedback as a weakness in the BTS agencies. The GAO report concluded that the influence of employee feedback could have identified and help avert communication and coordination problems among BTS agencies. The Committee directs BTS to submit a report no later than January 16, 2006, on how BTS can utilize employee feedback to identify and mitigate problems between the BTS component agencies.

CARGO CONTAINER SECURITY

The Committee is frustrated by the Department's delay in submitting a report on the Department's cargo security efforts, which the fiscal year 2005 conferees directed be submitted by February 8, 2005. The Committee wants to receive this report, but is also aware that the Department has not released the National Cargo Security Strategy it circulated in draft form in December 2004. The Committee directs that the overdue report be submitted as soon as possible, and that an update, reflecting any changes resulting from the new Strategy, be delivered to the Committee at the time the Strategy is released.

INTERSTATE TRANSPORTATION OF ILLEGAL ALIENS

The Committee understands that significant numbers of illegal aliens, shortly after illegally entering the United States, are transported to their final destination within the United States using various transportation modes. For example, aliens who have illegally crossed the southwest Border or entered Los Angeles are grouped together and then moved via domestic transportation, such as commercial flights or cargo vans, to destinations in the interior or East Coast. The Committee understands that DHS lacks procedures to coordinate the efforts of DHS agencies—for instance, CBP, Federal Air Marshals (FAMs), and ICE agents—and other law enforcement agencies to identify smuggling or trafficking, and to ensure that appropriate enforcement or investigative action is taken. The Committee therefore directs the Secretary to report not later than January 16, 2006, on: estimates of the numbers of such aliens transported in this fashion by fiscal year broken out by transportation mode; the patterns of such movement; statistics for apprehension and investigation of such activity; and the processes and interagency agreements in development or in place to ensure a seamless federal approach to this facet of immigration enforcement.

STOLEN PASSPORTS

The Committee is concerned about the results of the Department's Inspector General report (OIG–05–07, December 2004) on the use of stolen passports from visa waiver countries to enter the United States. The IG found that aliens who seek admission into the United States using such documents were usually admitted,

and that it made little difference whether lookouts for the stolen passports existed, as aliens were often admitted even after such lookouts were posted. Both CBP and ICE responded that they intend to act on the eight IG recommendations. The Committee directs the Under Secretary to report semi-annually, beginning January 16, 2006, on the progress that CBP and ICE are making with respect to the eight recommendations contained in the IG report, and to continue such reports until they are in full compliance with those recommendations.

AIR AND MARINE OPERATIONS

The Committee continues to wait for detailed planning information needed to assess the air and marine programs that have been integrated within Customs and Border Protection (CBP). The most recent information provided to the Committee noted that phase two of the integration was underway, and that further information about missions, strategy, recapitalization, basing, staffing, and other investments would be forthcoming. The details sought by the Committee were laid out in Committee reports and conference reports for the past two years, and the Committee expects to see those details—for the combined CBP programs, to include Air and Marine Operations and the Border Patrol air and marine operations—before October 1, 2005. As also directed in previous years, the Committee expects to see the results of the Departmental review of missions and operations to gain full appreciation of the potential for synergy that can operate between all DHS entities in the air and marine field, to include the Coast Guard. Without such detailed, multi-year information, the Committee will find it very hard to support funding for improvements and investments that may be necessary. The Committee makes $10,000,000 unavailable for obligation within CBP's salaries and expenses account until all outstanding reports are submitted.

AUTOMATION MODERNIZATION

Appropriation, fiscal year 2005 [1]	$(340,000,000)
Budget estimate, fiscal year 2006 [2]	(411,232,000)
Recommended in the bill	411,232,000
Bill compared with:	
Appropriation, fiscal year 2005	+71,232,000
Budget estimate, fiscal year 2006	- - -

[1] Appropriation only reflects US–VISIT and is shown for comparability purposes only.
[2] The budget requested funding under a new Screening Coordination and Operations office. Funding for US-VISIT, FAST, NEXUS and SENTRI is shown for comparability purposes only.

MISSION

Four programs are funded under the Automation Modernization account: Free and Secure Trade (FAST), NEXUS, Secure Electronic Network for Traveler's Rapid Inspection (SENTRI) and US-VISIT. FAST aims to enhance secure trade by using advanced technology, risk management principles to clear commercial traffic at Points of Entry (POE) along the Mexican and Canadian Border. NEXUS and SENTRI are tools to assist the legitimate flow of people across the borders of Canada and Mexico. The mission of the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) program is to enhance the security of U.S. citizens and visitors, facilitate legitimate travel and trade, ensure the integrity of the im-

migration system, and to improve and standardize the processes, policies, and systems utilized to collect information on foreign nationals who apply for visas at an embassy or consulate overseas, attempt to enter the country at established ports of entry, request benefits such as change of status or adjustment of status, or depart the United States.

RECOMMENDATION

The Committee recommends $411,232,000 for automation modernization. The Committee denies the proposal to form a Screening Coordination Operations office. The Committee supports consolidating US-VISIT, Free and Secure Trade (FAST) and NEXUS/SENTRI. Of the total funding provided, $390,232,000 is for US-VISIT, $7,000,000 is for FAST, and $14,000,000 is for NEXUS/SENTRI.

US-VISIT IMPLEMENTATION

The Committee recognizes the significant accomplishment of implementing US-VISIT entry procedures at 115 airports, 15 seaports, and in the secondary inspection areas of the 50 busiest land ports of entry. The balance of fiscal year 2005 and the beginning of fiscal year 2006 promise to be equally challenging because entry procedures will be deployed at the remaining land ports of entry by December 31, 2005. In addition, US-VISIT will need to fully assess the latest biometric technology as it becomes available, and potentially address significant infrastructure requirements. The Committee remains concerned about US-VISIT's staffing levels given the size, complexity, and importance of this program.

In order to ensure that program management is not disrupted by the requirement that no funds may be obligated prior to submission and approval of expenditure plans that are approved by DHS, OMB, and reviewed by GAO, the Committee has provided that $97,500,000 for program management and operations, including associated personnel costs and benefits for Program Management Office (PMO) staff, will be made available upon enactment of this Act. However, the Committee continues to require a detailed expenditure plan. This plan must reflect a clear benefit-cost analysis associated with the increments being proposed for funding. In addition, the Committee directs that US-VISIT adhere to the most stringent standards in developing and testing its system plans prior to their being deployed or made operational. The Committee also directs the Under Secretary to ensure that the contractors it selects to perform independent verification and validation tasks are genuinely independent and neutral with regard to whatever prime integrator or other vendors are participating in the project.

OFFICE OF SCREENING COORDINATION AND OPERATIONS

Appropriation, fiscal year 2005	- - -
Budget estimate, fiscal year 2006	$525,526,000
Recommended in the bill	- - -
Bill compared with:	
Appropriation, fiscal year 2005	- - -
Budget estimate, fiscal year 2006	−525,526,000

MISSION

The mission of the Office of Screening Coordination and Operations (SCO) is to enhance the interdiction of terrorists and the instruments of terrorism by streamlining terrorist related screening. The SCO coordinates the procedures that detect, identify, track and interdict people, cargo, conveyances, and other objects that pose a threat to homeland security, while safeguarding legal rights guaranteed by federal law. The SCO consolidates the following Department of Homeland Security programs; United States Visitor and Immigration Status Indicator Technology (US-VISIT), Secure Flight, Free and Secure Trade (FAST), NEXUS/SENTRI, credentialing administration and operations, Transportation Worker Identification Credentialing (TWIC), Registered Traveler, hazardous materials trucker background checks, and Alien Flight School checks.

RECOMMENDATION

The Committee recommends no appropriation for the proposed Office of Screening Coordination and Operations instead of $525,526,000 as proposed by the President. Although the President proposed to consolidate US-VISIT, Secure Flight, Free and Secure Trade, NEXUS/SENTRI and other screening related programs, the Committee has denied this consolidation. Within the Transportation Security Administration, the Committee has established a new office of Transportation Vetting and Credentialing to oversee Secure Flight, Crew Vetting, Registered Traveler, Transportation Worker Identification Credential, Hazmat, and Alien Flight programs. While many of these programs are funded by offsetting collections, the Committee has provided a direct appropriation totaling $84,294,000 for Secure Flight, Crew Vetting and administrative activities. US–VISIT, FAST, and NEXUS/SENTRI are funded within BTS Automation Modernization.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

Appropriation, fiscal year 2005 [1]	$4,534,119,000
Budget estimate, fiscal year 2006	4,730,544,000
Recommended in the bill	4,885,544,000
Bill compared with:	
Appropriation, fiscal year 2005	+351,425,000
Budget estimate, fiscal year 2006	+155,000,000

[1] Does not include pending supplemental of $124,425,000.

MISSION

The mission of U.S. Customs and Border Protection (CBP) is to protect the borders of the United States by preventing, preempting and deterring threats against the United States through ports of entry and to interdict illegal crossing between ports of entry. CBP's mission integrates homeland security, safety, and border management in an effort to ensure that all goods and persons crossing the borders of the United States do so in accordance with applicable laws and regulations, while posing no threat to the United States. Specifically, the priority of CBP is to prevent terrorists and terrorist weapons from entering the United States, and supporting re-

lated homeland security missions affecting border and airspace security. CBP is also responsible for apprehending individuals attempting to enter the United States illegally; stemming the flow of illegal drugs and other contraband; protecting our agricultural and economic interests from harmful pests and diseases; protecting American businesses from theft of their intellectual property; and regulating and facilitating international trade, collecting import duties, and enforcing U.S. trade laws. CBP has a workforce of over 40,000, including inspectors, pilots and air and marine enforcement officers, canine enforcement officers, Border Patrol Agents, trade specialists, intelligence analysts, and mission support staff.

RECOMMENDATION

The Committee recommends $4,885,544,000, including $3,000,000 for the collection of the Harbor Maintenance Fee, $155,000,000 above the President's request and $351,425,000 above the amounts provided in fiscal year 2005. This fully funds the President's request, and includes an additional $150,000,000 to permit the hiring of 790 Border Patrol Agents, and $5,000,000 to partially fund increases for staff, equipment and operations for Air and Marine Operations. When combined with the pending supplemental, a total of 1,500 new Border Patrol agents will come on board during fiscal years 2005 and 2006. The Committee includes bill language, as requested, making $174,800,000 available until September 30, 2007, comprising $125,000,000 for radiation detection and inspection technology; $20,000,000 for replacement Border Patrol aircraft; $19,800,000 for the America's Shield Initiative; and $10,000,000 for unmanned aerial vehicles.

A comparison of the budget estimate to the Committee recommended level by budget activity is as follows:

	Budget estimate	Recommended
Headquarters Management and Administration	$1,250,033,000	$1,250,033,000
Border Security Inspections and Trade Facilitation	1,738,024,000	1,738,024,000
Inspections, trade and travel facilitation at ports of entry	1,274,994,000	1,274,994,000
Harbor Maintenance Fee Collection (Trust Fund)	3,000,000	3,000,000
Container Security Initiative	138,790,000	138,790,000
Other International Programs	8,629,000	8,629,000
Customs-Trade Partnership Against Terrorism	54,268,000	54,268,000
Inspection and Detection Technology Investments	188,024,000	188,024,000
Systems for Targeting	28,253,000	28,253,000
National Targeting Center	16,697,000	16,697,000
Other Technologies	1,018,000	1,018,000
Training	24,351,000	24,351,000
Border Security and Control Between Ports of Entry	1,606,427,000	1,756,427,000
Border Security and Control	1,464,989,000	1,614,989,000
Air Program Operations and Maintenance	57,971,000	57,971,000
Unmanned Aerial Vehicle	10,180,000	10,180,000
America's Shield Initiative	51,084,000	51,084,000
Training	22,203,000	22,203,000
Air and Marine Operations—Salaries and Benefits	136,060,000	141,060,000
Total	4,730,544,000	4,885,544,000

CONTAINER SECURITY

The Committee has consistently supported CBP initiatives to improve security for international trade and commerce, and protect the supply chain critical to a healthy U.S. and global economy. To

further support these promising efforts, the Committee fully funds the request of $138,790,000 for the Container Security Initiative (CSI), which currently operates at 35 international seaports. The Committee has not yet received the report that was due January 14, 2005, providing detailed spending and planning projections for fiscal years 2005–2009, and directs CBP to submit it as soon as possible. The Committee includes a provision withholding $70,000,000 from obligation until this report is submitted. The Committee is aware that, in a number of instances, the host nations participating in the CSI program have been unable to deploy the necessary Non-Intrusive Inspection (NII) technology required of them as a CSI participant, and that CBP has provided assistance. The Committee is concerned that such assistance may draw resources from the program and reduce the incentive for foreign ports and governments to bear their share of the costs involved. On the other hand, a greater role for CBP in acquiring, certifying or possibly supporting the costs of NII in foreign ports could enhance the type of cooperation and the effective use of such systems in screening foreign shipments. The Committee therefore directs that the Commissioner submit a report not later than 90 days after enactment of this Act on how NII system selection and use could be improved, and the pros and cons of CBP involvement in financing or otherwise supporting NII systems at CSI ports.

The Committee also supports the investigation by CBP into ways to improve security of domestic cargo containers that move or transit the United States as "in-bond" shipments, and includes $1,018,000 to continue this program, as requested. The Committee awaits the interim report on that effort, and reminds the Department that a report on the achievements of the program in fiscal year 2005 is due to the Committee on January 1, 2006.

NON–INTRUSIVE INSPECTION AND DETECTION

The Committee continues to support the acquisition and deployment of radiation portal monitors (RPMs), including next generation monitors, and the deployment of other non-intrusive inspection (NII) technology to improve the ability to screen cargo thoroughly and efficiently. The CBP Project Execution Plan calls for approximately 2,397 RPMs to be deployed; to date the Committee understands that over 400 are in operation. The Committee provides $125,000,000 in new funding for an additional 279 RPMs, as requested. The Committee is also aware that CBP had planned to deploy in August 2004 a pilot of systems to screen for biological, chemical and explosive agents or devices. In order to fully understand the current status of CBP progress in this area, the Committee directs the Commissioner to report not later than January 16, 2006, on (1) the status of the RPM program, in terms of deployment, systems in the pipeline, and the gap that remains to be filled; (2) steps being taken by CBP to maximize the effectiveness of RPMs to detect radioactive material; (3) the explicit tradeoffs made to reduce false positives and negatives, but to also minimize the risk that nuclear material will evade detection; (4) the spending plan for RPM investment and operation for fiscal years 2006–2010; and (5) the results of pilot testing of systems to detect biological, chemical or explosive materials or weapons.

The Committee understands that CBP has a total of 164 large-scale NII systems, including truck and mobile truck x-ray systems, VACIS (gamma imaging) systems. The Committee further understands that the fiscal year 2004 cost of maintaining these systems was $56,000,000. CBP has indicated that, because these systems are still within their useful operational lifespan, there are no current plans to replace them. At the same time, the Committee is aware that some systems, in particular the large truck x-rays, are 7–9 years old and have had mechanical and other systems problems that have affected their availability to inspectors. The Committee therefore directs CBP to report not later than January 16, 2006, on its projected spending for maintenance and replacement of these systems for fiscal years 2006–2010.

QUALITY ASSURANCE AT PORTS OF ENTRY

The Committee is concerned about reports that quality assurance procedures being applied by CBP at its ports of entry are not uniform. The Committee is aware that CBP currently uses videotape systems at some inspection sites, and urges CBP to expand the use of such quality assurance procedures nationwide.

BACK PAY FOR CBP OFFICERS FOR FLETC TRAINING

It has come to the attention of the Committee that legacy Customs Inspectors and CBP Officers who received basic training at the Federal Law Enforcement Training Center during the period January 1, 2002, through October 1, 2004, were not compensated for the sixth day of training each week during that time, and that some of these Inspectors and officers may have been entitled to such compensation. The Committee directs the Commissioner to report on the number of CBP Officers and legacy Customs Inspectors who may be eligible under applicable regulations to back compensation for their sixth training day, the estimated total cost of any back compensation that may be due, and steps CBP has taken and is taking to resolve this issue.

EXPEDITED REMOVAL

The Committee recognizes the success of the expedited removal program in the Laredo and Tucson Sectors in reducing the overall cost of detention housing for other than Mexican nationals and in reducing the number of aliens released on their own recognizance. The Committee recommends that expedited removal be implemented in all Border Patrol Sectors.

IMMIGRATION ADVISORY PROGRAM

Based upon a program originally developed by the former Immigration and Naturalization Service, CBP has developed a pilot effort called the Immigration Advisory Program (IAP), previously known as the Immigration Security Initiative, for which $2,000,000 was appropriated in fiscal year 2005. This program has placed CBP inspectors at two foreign airports (Warsaw and Amsterdam) to prevent people who lack required travel documents or are identified as national security threats from traveling to the United States. The program has resulted in thousands of intercepts, including hundreds of smuggling cases, and the saving of millions of dollars to

the U.S. Government in avoided removal and processing costs. To support the request to expand the program to two additional cities, the Committee includes an additional $2,000,000, as requested, for a total program level of $4,000,000. The Committee makes $2,000,000 of this unavailable for obligation until CBP submits the report on the performance of the IAP, due since January 1, 2005, as directed in House Report 108–541.

AMERICA'S SHIELD INITIATIVE

The America's Shield Initiative (ASI) deploys a sophisticated network of sensors, cameras, communication and analytic technology along the nation's borders, to replace and subsume the Immigration and Naturalization Service (INS) legacy remote video surveillance (RVS) system of 269 cameras and other sensors. When implemented, ASI will permit the Border Patrol to detect and monitor illegal crossings in remote areas between ports of entry, and help deter and interdict such intrusions. The Committee provides $51,084,000 to continue this program. The Committee is following closely the investment review process for ASI, during which the Border Patrol has been working closely with the Science and Technical Directorate to assess the options for integrating new technology and capability into this system. The Committee expects the Department to keep it fully informed of the status of its investment planning, and to brief the Committee prior to the award of a contract to a prime integrator.

The Committee expects that ASI will permit the Border Patrol and the Department not only to detect and respond to intrusions, but also to share this information with the Department, its intelligence components, and the larger homeland security community. ASI should also record and document the numbers and types of intrusions, include them in a historical database for operational and management analysis, and make such information available to DHS, including followup action taken in response to such intrusions. The Committee directs the Commissioner to report no later than January 16, 2006, on specific performance metrics that will be applied to the ASI.

The Committee is concerned about the lack of information and planning involved in the INS predecessor to the ASI, known as the Integrated Surveillance Intelligence System (ISIS), which included the 269 RVS camera program. The December 9, 2004, audit report by the General Services Administration (GSA) Inspector General identified significant problems in the administration and oversight of procurement for the RVS program by the legacy INS and the GSA's Federal Technology Service. The Committee believes that CBP and the Border Patrol are now taking a more rigorous approach to planning for this major investment, but remains concerned by the implications of the problems highlighted in the IG report. The Committee therefore directs the Commissioner to report not later than January 16, 2006, on the problems raised in the IG report, including specific actions CBP has taken to ensure strong contract management and oversight, and ensuring that it uses competition to ensure the best price and performance of this critical system.

BORDER PATROL CHECKPOINTS

Bill language is continued and modified prohibiting funds for the site acquisition, design, or construction of any permanent Border Patrol checkpoint in the Tucson sector. The Bureau of Customs and Border Protection is reminded that it must relocate a checkpoint no more than seven days after its establishment and may not return to the previous location until at least seven days after relocation.

ARIZONA BORDER CONTROL INITIATIVE

The Committee is aware that more than half of Border Patrol arrests have occurred in Arizona since the advent of the Arizona Border Control Initiative (ABCI), and that the ABCI can be credited with 27 fewer deaths, a 26 percent reduction, in fiscal year 2004 compared to fiscal year 2003, before the ABCI began. The Committee supports this multi-agency approach to protecting a vulnerable section of our border and saving lives, and thus includes the additional $1,000,000 requested for Border Patrol temporary duty costs.

TOHONO O'ODHAM NATION AND THE ABCI

The Committee understands that one consequence of the ABCI has been an increase in illegal aliens who attempt to enter the United States via the 75-mile stretch of border occupied by the Tohono O'odham Nation. The Nation estimates that it spends over $3,000,000 in tribal funds annually in response to border related incidents. The Committee understands that a joint use facility was opened on the Tohono O'odham Nation on October 26, 2004, in which the Nation's police department is co-located with the Border Patrol and other BTS agencies to improve the efficiency of border enforcement operations in the Nation, and provide a convenient location where persons found in distress in the West Desert may receive medical treatment. The Committee directs CBP to work closely with the Nation, including making appropriate use of cooperative operations and facilities such as the joint use facility, to ensure that the Nation is kept fully aware of CBP actions that have a direct impact on them.

INTERIOR REPATRIATION

The Committee understands that the Border Patrol has repatriated over 14,000 aliens to Mexico since the inception of the Interior Repatriation Program in July 2004, averaging about 145 repatriations a day. The Committee directs the Commissioner to report not later than January 16, 2006, on the performance of this program, including cost, associated full-time equivalent, and statistics relating to the numbers repatriated and any data on recidivism for individuals so repatriated.

TEXTILE TRANSSHIPMENT ENFORCEMENT

Section 352 of the Trade Act of 2002 authorized $9,500,000 for the Customs Service for Textile Transshipment Enforcement, and specified how the authorized funds were to be spent. Congress appropriated $4,750,000 for textile transshipment enforcement by CBP in fiscal years 2004 and 2005, for a total appropriation of $9,500,000. The Committee includes $4,750,000 for fiscal year 2006

to continue this effort, and directs that CBP report not later than January 16, 2006 on how these funds, as well as those appropriated in fiscal years 2004–2005, were spent. The report should include staffing levels in fiscal years 2003–2006, differentiated by position, as authorized in Section 352 of the Trade Act of 2002. The report should also describe how CBP has redeployed its workforce previously assigned to enter and monitor quota information, now that quotas have expired.

VEHICLE MANAGEMENT

The Committee is waiting for the detailed report due on February 8, 2005, on the results of CBP's comprehensive review of its vehicle management plan. The Committees urges the Department to expedite release of this plan, which should address the plans and milestones for the Border Patrol and its requirements for off-road and severe terrain vehicles.

TOBACCO IMPORTS

The Committee is increasingly concerned that there is insufficient coordination between those Federal agencies responsible for tracking and permitting tobacco products to be imported into the United States, and those Federal agencies responsible for ensuring that Federal tax and other Federal requirements applicable to such imports are met. The Committee is also concerned that some tobacco product manufacturers (as defined in the Master Settlement Agreement) importing such tobacco products (as defined in the Master Settlement Agreement) may not be meeting their payment obligations under State tax laws, the Master Settlement Agreement, or State laws requiring that certain tobacco importers or companies place funds in escrow or make payments to States. The Committee strongly urges the Department to work with the Department of Treasury to ensure that information on tobacco imports is shared between the two departments, and that information about the validity of tobacco imports be included in screening used to assess whether or not such shipments should be cleared for entry. In addition, the Committee urges the Secretary to share information about imported tobacco products, and whether they are produced by manufacturers under the Master Settlement Agreement, with the Commodity Credit Corporation and any State, and the National Association of Attorneys General, as appropriate.

STEEL TRAINING PROGRAM

The Committee includes continued funding for the Steel Training Program, as included in the President's request. This program ensures that CBP enforcement of U.S. trade laws benefits from the expertise of the steel industry in classifying steel goods.

2010 OLYMPIC WINTER GAMES

The Committee understands that the 2010 Olympic Winter Games will be conducted in Vancouver, British Columbia from February 12 through February 28, 2010, and the 2010 Paralympic Winter Games from March 12 through March 21, 2010. The Committee anticipates that these events of international significance will greatly increase the amount of people and goods crossing the

border between Washington State and Canada. The Committee directs the Department of Homeland Security to conduct a review, in conjunction with appropriate Washington State and Canadian entities, and to report back to the Committee within six months on all relevant Departmental issues related to the Vancouver Olympic and Paralympic Games, including, but not limited to, expected border flow, border security, estimated border wait times, and the possible need for increased border personnel.

AUTOMATION MODERNIZATION

Appropriation, fiscal year 2005	$449,909,000
Budget estimate, fiscal year 2006	458,009,000
Recommended in the bill	458,009,000
Bill compared with:	
Appropriation, fiscal year 2005	+8,100,000
Budget Estimate, fiscal year 2006	- - -

MISSION

The Automation Modernization account includes funding for major information technology projects for U.S. Customs and Border Protection (CBP). Projects included in this request are the planned Automated Commercial Environment (ACE) system, continued support and transition of the legacy Automated Commercial System (ACS), and technology associated with integration and connectivity of information technology within CBP and the Department of Homeland Security.

RECOMMENDATION

The Committee recommends $458,009,000, the same as the budget request and $8,100,000 above the amounts provided in fiscal year 2005. This includes $321,690,000 for the Automated Commercial Environment (ACE) and International Trade Data System (ITDS), equivalent to the amount provided for fiscal year 2005.

AUTOMATED COMMERCIAL ENVIRONMENT (ACE)

The Committee commends CBP on its progress in deploying releases 3 and 4 of ACE and in growing the ACE program to more than 450 importer, broker, and carrier accounts. The Committee also recognizes CBP's plan to roll out ACE to port locations and geographic clusters and fully supports this initiative. The Committee will continue to track the progress of this activity so that best practices are followed and to ensure that the ACE schedule reflects cost controls and that ACE aligns with the DHS enterprise architecture. This is especially important as ACE seeks to avoid delays in delivering its releases and to manage the significant software development that remains to be completed. The Committee believes that ACE and CBP modernization should be integrated, if not form the core, of DHS information system and border security technology, including the Container Security Initiative and Automated Targeting Systems. The Committee directs CBP to address such issues in its quarterly reports on ACE implementation progress.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE AND PROCUREMENT

Appropriation, fiscal year 2005	$257,535,000

Budget estimate, fiscal year 2006	292,780,000
Recommended in the bill	347,780,000
Bill compared with:	
Appropriation, fiscal year 2005	+90,245,000
Budget Estimate, fiscal year 2006	+55,000,000

MISSION

The Office of Air and Marine Operations (AMO) provides integrated and coordinated border interdiction and law enforcement support for homeland security missions; provides airspace security for high risk areas or national special security events; and combats the illegal entry of narcotics and other items into the United States. AMO also provides aviation and marine support for the counter-terrorism efforts of many other law enforcement agencies.

RECOMMENDATION

The Committee recommends $347,780,000 for Air and Marine Operations, Interdiction, Maintenance and Procurement, $55,000,000 above the President's request and $90,245,000 above the amounts provided in fiscal year 2005. Of this total, $14,000,000 is for acquisition of manned covert surveillance aircraft; $16,000,000 is for the P–3 surveillance aircraft service life extension program; $15,000,000 is to acquire and deploy palletized sensor packages for use with the P–3 Slick aircraft; and $10,000,000 is to support procurement, operations and facilities needs of the National Capital Region air branch and the Air and Marine Operations Center.

AIR AND MARINE OPERATIONS CENTER

As DHS evaluates its plans toward defining a common command and control (C2) architecture for the Department, the Committee strongly encourages it to consider the Air and Marine Operations Center as a leading C2 asset. AMOC is the only law enforcement command, control, communications, intelligence, surveillance and reconnaissance (C3ISR) center in the country that performs detection, monitoring, identification and interdiction coordination of general aviation aircraft at the nation's borders. In addition, the Committee understands that the AMOC systems and technology have been suggested as a model for a possible maritime NORAD system.

HH–60 BLACK HAWK AND THE HH–60 JAYHAWK

The Committee is aware that AMO relies heavily on a versatile and powerful asset, the HH–60 Black Hawk, as a key interdiction and air security tool. However, the Black Hawks are of the oldest vintage and seeing declining availability due to breakdowns and maintenance needs. Given current budget constraints, it is unlikely that the Black Hawk can be replaced in the near term. As the Committee has determined that extending the life and capability of the HH–60 Jayhawk platform is integral to the Coast Guard's Deepwater program, it also sees great potential for efficiency in that AMO uses a similar asset, the HH–60 Black Hawk. Given the Coast Guard's extensive modernization plan for the HH–60 Jayhawk, the Committee strongly urges the Department, the BTS Directorate, CBP, and the Coast Guard to collaborate in the operations, maintenance, and outfitting of the HH–60 platform.

CUSTOMS NATIONAL AVIATION CENTER

Over the last several years, the Committee understands that the Customs National Aviation Center (CNAC) has augmented its pilot training with computer based instruction and simulation, which has increased training efficiency while decreasing costs. The Committee encourages the Department to continue this approach.

CONSTRUCTION

Appropriation, fiscal year 2005	$ 91,718,000
Budget estimate, fiscal year 2006	93,418,000
Recommended in the bill	93,418,000
Bill compared with:	
Appropriation, fiscal year 2005	+1,700,000
Budget Estimate, fiscal year 2006	- - -

MISSION

The construction account funds the planning, design, and assembly of U.S. Border Patrol infrastructure, including border stations, checkpoints, temporary detention facilities, mission support facilities, and tactical infrastructure such as fencing, vehicle barriers, lighting, and road improvements at the border.

RECOMMENDATION

The Committee recommends $93,418,000 for Construction, as requested by the President, and $1,700,000 above the amounts provided in fiscal year 2005.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

Appropriation, fiscal year 2005[1]	$ 2,438,494,000
Budget estimate, fiscal year 2006	2,892,281,000
Recommended in the bill	3,064,081,000
Bill compared with:	
Appropriation, fiscal year 2005	+625,587,000
Budget Estimate, fiscal year 2006	+171,800,000

[1] Does not include pending supplemental $454,250,000.

MISSION

U.S. Immigration and Customs Enforcement (ICE) is the lead agency responsible for enforcement of immigration laws, customs laws, air security laws, and facilities security. ICE protects the United States by investigating, deterring, and detecting threats arising from the movement of people and goods into and out of the United States. ICE consists of more than 15,000 employees within five major program areas: Office of Investigations, Federal Air Marshals Service, Federal Protective Service, Office of Intelligence, and Detention and Removal Operations.

RECOMMENDATION

The Committee recommends $3,064,081,000 for Salaries and Expenses, $171,800,000 above the President's request and $625,587,000 above the amounts provided in fiscal year 2005. This fully funds the President's request and adds $90,000,000 for an additional 1,920 bed spaces, $16,000,000 for an additional 60 fugitive

operations team members, $18,000,000 for an additional 100 Institutional Removal Program agents, $10,000,000 for an additional 49 Alternatives to Detention positions, $19,000,000 for an additional 150 Criminal Investigators, $18,000,000 for an additional 200 Immigration Enforcement Agents, and $800,000 in additional funding for the Cyber Crimes Center. When combined with the pending Supplemental, a total of 200 Criminal Investigators and 368 Immigration Enforcement Agents will come on board during fiscal years 2005 and 2006.

A comparison of the budget estimate to the Committee recommended level by budget activity is as follows:

	Budget estimate	Recommended
Headquarters Management and Administration	$412,143,000	$412,143,000
Investigations	1,233,848,000	1,271,648,000
Operations	1,215,916,000	1,253,716,000
Training	17,932,000	17,932,000
Intelligence	61,822,000	61,822,000
Headquarters Reporting Center	4,988,000	4,988,000
Operations/Operations Center	56,834,000	56,834,000
Detention and Removal Operations	1,184,468,000	1,318,468,000
Custody Management	600,160,000	690,160,000
Case Management	166,277,000	166,277,000
Fugitive Operations	103,255,000	119,255,000
Institutional Removal Program	70,104,000	88,104,000
Alternatives to Detention	33,406,000	43,406,000
Transportation and Removal Program	211,266,000	211,266,000
Total	2,892,281,000	3,064,081,000

ICE FINANCIAL MANAGEMENT

The Committee is extremely concerned and disappointed by the persistent financial troubles of ICE that are a direct and total failure of DHS to deal with major costs and financial management issues that lingered from legacy agencies and were carried into the newly formed Department. The litany of problems—failure to fully disclose financial information, poor execution of budgets, the lack of strong management and adequate numbers of critical staff to ensure an effective transition—have caused what should have been a predictable cost of transition, to virtually undermine the financial solvency of the entire agency. In the meantime, ICE has been forced to employ drastic cost-cutting measures, including a hiring freeze, halting critical training and, the Committee believes, adversely limiting the operations of the second largest investigative and enforcement agency in the federal government. The Committee recognizes that the Department and its Office of the Chief Financial Officer have become heavily engaged in solving these problems, working to ensure that critical staff positions are filled, and that the financial situation at ICE is turned around. The Committee wants to encourage the progress being made and is therefore providing substantial resources to address this issue. The Committee expects to be kept fully informed on a monthly basis on the financial health of ICE and progress towards the management reforms that have been initiated. When combined with the pending Supplemental, the Committee has provided sufficient funds to make ICE whole in terms of its basic costs and its staffing needs, and will continue a high level of scrutiny into how ICE manages its funding

and communicates its budgetary and financial condition to the Congress. The intent of the Committee is not to fix the problem by filling a bottomless pit, but to ensure that pitfalls will henceforth be flagged and avoided. The Committee therefore directs the Secretary to report monthly on ICE's financial condition, with the initial report, due no later than November 1, 2005, to cover the actions taken in fiscal year 2005.

DETENTION CAPACITY

There will always be a limit on the number of beds available to hold detainees, but ICE has suffered from an acute shortage of detention space, exacerbated by its current financial straits. Since 2004, ICE has reduced the available number of beds from 23,000 to 18,000. As a result, ICE and Border Patrol Agents (who are responsible for most apprehensions of illegal aliens) have been forced to allow many aliens who are not "mandatory" to be released on their own recognizance (ROR). For example, the Committee understands that in fiscal year 2003, only 9,500 of the 49,500 non-Mexicans apprehended by the Border Patrol were ROR; but in fiscal 2004, the number shot up to 75,000 apprehended and 34,800 ROR. The Committee believes there is a need for both additional detention capacity and alternatives to detention. The Committee adds $90,000,000 for additional detention capacity and adds an additional $10,000,000 for alternatives to detention. When combined with the pending Supplemental, a total of 3,870 beds will be added to current detention capacity during fiscal years 2005 and 2006.

The Committee directs ICE to place emphasis on using funds for alternatives to detention to reduce the need for detention for those individuals who are low risk but who should not be released. The Committee also directs ICE to work with the Science and Technology Directorate to develop next generation electronic enforcement devices, such as GPS enabled ankle bracelets, to be used in this area. The Committee also recommends that ICE review options to gain efficiencies through the use of regional detention contracts. The Committee has included bill language making $50,000,000 unavailable for obligation until a plan has been provided to the Committee that sets forth, in detail, a comprehensive national detention management plan, with particular attention to the use of regional detention contracts and alternatives to detention.

ENFORCEMENT PRIORITIES

The Committee believes that ICE's enforcement mission is torn between criminal investigations and enforcing administrative violations, leaving a culture that will do neither activity well and is set up for failure. ICE, and the INS before it, incorrectly relied upon criminal investigators (special agents) to enforce administrative immigration violations, such as apprehending non-criminal illegal aliens. Special agents, who are trained and responsible for handling long term, intensive criminal investigations, in practice treat administrative violations as a lower priority compared to criminal cases. As a result, a vast element of immigration law is under-enforced. The Committee believes that administrative violations should be enforced by officers specifically designated for administrative enforcement, such as Immigration Enforcement Agents

(IEAs). The administrative enforcement mission has never been given a chance to be a distinct organizational component, apart from criminal investigations. ICE has indicated in its budget justifications that it plans to use IEAs to manage the Institutional Removal Program (IRP), freeing up special agents to pursue criminal or national security investigations. The Committee supports ICE's plan for the IRP and sees great potential in the IEA position for expanded attention to administrative enforcement including, worksite enforcement and apprehending illegal aliens.

The Committee supports an expansion of IEA's role to enforce administrative immigration violations and provides $18,000,000 for an additional 200 positions in fiscal year 2006. An additional 168 positions are funded in the pending emergency supplemental appropriations bill. The Committee has included bill language directing ICE to submit, with concurrence of Secretary of Homeland Security, a plan for the expanded use of Immigration Enforcement Agents to enforce administrative immigration violations by December 1, 2005.

The Committee directs ICE to identify in their plan how their additional personnel will satisfy the immigration enforcement requirements of underserved States.

STATE AND LOCAL SUPPORT FOR IMMIGRATION ENFORCEMENT

The Committee supports the "287(g) Program" to cross-designate state and local law enforcement officers to perform limited immigration enforcement functions and provides $5 million in support of this program, including the training of participants. Section 287(g) of the Immigration and Nationality Act authorizes the Secretary of Homeland Security to enter into written agreements to delegate authority to enforce federal immigration laws to state and local law enforcement officers. This program is completely voluntary for the state and local governments. The Committee understands that delegation is granted only after extensive training from ICE and that the delegated officers perform immigration enforcement functions under direct ICE supervision. Beginning in 2002, there are currently three jurisdictions enrolled in various stages of the program.

The Committee directs DHS to be more proactive in encouraging state and local governments to participate in this program. The Committee fully supports the 287(g) program and views the program as a powerful force multiplier to better enforce immigration laws and, consequently, to better secure the homeland.

FUGITIVE OPERATIONS

The Committee supports the expansion of the fugitive operations program, within Detention and Removal Operations. The Committee includes an additional $16,000,000 to expand the program in order to reduce the current fugitive alien population estimated to be 465,000. In order to mitigate the fugitive problem, the Committee strongly urges Detention and Removal Operations to explore ways to coordinate efforts with the immigration courts to apprehend those non-detained aliens immediately after a final order of removal is issued. When possible, ICE should be aware of the order of removal before the alien is notified. The current situation, in which an estimated 90 percent of non-detained aliens abscond after receiving an order of removal, is entirely unacceptable.

VISA SECURITY PROGRAM

The Committee continues to support the role that the Visa Security Program has in ensuring that terrorists and criminals are not given the opportunity to exploit the State Department's visa issuance process to gain entry into the United States. The highly skilled officers that staff the Visa Security Program provide their expertise and guidance to State Department consular officers before a visa is issued. The first phase of the program was to deploy Visa Security Officers to Saudi Arabia to screen all visa applications in that country as directed in the Homeland Security Act of 2002. ICE is now expanding the program to countries beyond Saudi Arabia, having used the lessons learned in Saudi Arabia to guide future deployments. The Committee supports the continued development of the program and recommends $19,000,000 for fiscal year 2006 to expand the program to additional countries based on ICE's site assessments.

INTEGRATION OF LEGACY AGENCY INVESTIGATORS

The Committee is pleased to learn that all ICE special agents have been cross-trained in the legacy disciplines of immigration and customs related laws and investigative techniques. Additionally, ICE has resolved the pay parity issue that divided its special agents. The Committee recognizes that there are tangible benefits of having ICE investigators integrated to maximize the diverse experience and knowledge that ICE inherited upon its creation. However, there are areas of great concern to the Committee in regards to the integration of the ICE workforce. ICE is over two years old and the overwhelming majority of ICE's law enforcement officers still carry legacy agency credentials and badges. The Committee views this as a divisive influence as well as a safety concern of having incorrectly identified officers. Another area of concern is ICE's need to co-locate all of ICE's legacy personnel, particularly within the Office of Investigations. Physical co-location is needed to unify personnel and manage a cohensive workforce. Estimates from ICE on the cost of co-location are approximately $150,000,000, with a goal of completion within five to seven years. The Committee directs ICE to submit, in conjunction with its 2007 budget request, a report on the cost and schedule for co-locating personnel, broken out by each field office location. Included should be an estimate for co-locating offices within a significantly shorter period than five to seven years.

EMPLOYEE TRAINING

The Committee is concerned that, since March 2004, ICE has not provided any advanced training to its employees due to its strained financial condition in fiscal years 2004 and 2005. To address this critical issue, the Committee is providing $17,932,000 to ICE for training, which includes resources for advanced training for its Special Agents, Deportation Officers, Immigration Enforcement Agents and other personnel. The Committee directs ICE to resume this training with minimal delay in order to sustain a competent, effective workforce. The Committee requests that ICE submit a report in conjunction with its fiscal year 2007 budget request that provides statistical detail on basic, advanced, and specialized train-

ing from fiscal year 2003 through fiscal year 2006, to include: number and position of personnel trained, title and purpose of training, and location of training.

FINANCIAL INVESTIGATIONS

The Committee recognizes and is encouraged by ICE's efforts to combat money laundering and financial crimes, mainly through its Operation Cornerstone program. Illicit monetary proceeds and unlawful transfers of money are what motivate and sustain criminal organizations and provide a source of funding for terrorist groups. Cutting off funding to criminals and terrorists is essential to the broader mission of homeland security. ICE's performance in this arena is worthy of recognition and is a testament to the dedicated personnel that enforce the agency's diverse authority. The Committee supports and encourages the increased use of partnerships with the private sector and foreign governments in combating money laundering and other financial crimes. With the additional law enforcement resources provided in this bill, the Committee encourages ICE to build on its many successes in this area.

LEGAL ORIENTATION PROGRAM

The Committee is aware that the Legal Orientation Program (LOP), which is run by the Justice Department's Executive Office of Immigration Review (EOIR), has helped reduce the time some immigrants spend in detention and helped make EOIR proceedings more efficient. The Committee urges ICE to explore with EOIR possibly expanding LOP to more ICE detention facilities.

FAMILY DETENTION

The Committee is concerned about reports that children apprehended by DHS, even as young as nursing infants, are being separated from their parents and placed in shelters operated by the Office of Refugee Resettlement (ORR) while their parents are in separate adult facilities. Children who are apprehended by DHS while in the company of their parents are not in fact "unaccompanied;" and if their welfare is not at issue, they should not be placed in ORR custody. The Committee expects DHS to release families or use alternatives to detention such as the Intensive Supervision Appearance Program whenever possible. When detention of family units is necessary, the Committee directs DHS to use appropriate detention space to house them together.

EXPEDITED REMOVAL

In response to the increase in other than Mexican nationals apprehended by the Border Patrol and subsequently released on their own recognizance, the Committee strongly urges that ICE provide adequate bed space to ensure the detention and removal of approximately 91,000 aliens along the US-Mexico Border. The Committee urges ICE to support more widespread implementation of the expedited removal program.

IMMIGRATION ENFORCEMENT STATISTICS

The Committee is concerned that information about immigration enforcement and the impact that ICE makes on the problem na-

tionally is difficult to find, and statistics are easily distorted. To assist the Committee in understanding better the enforcement actions of ICE, the Assistant Secretary of Immigration and Customs Enforcement is directed to provide on a quarterly basis, with the first report due January 1, 2006, a report on the (1) current estimate of illegal aliens in the U.S. including absconders (those who have not appeared for immigration hearings or fled after receiving orders for deportation) and criminal aliens; (2) current estimate of foreign born aliens in the U.S. prison system, and of those, how many ICE estimates are deportable; (3) the number of aliens who are apprehended by ICE, broken down by ICE office location and specific ICE program such as the Fugitive Operations teams or Compliance Enforcement; (4) the number of aliens who are apprehended by other law enforcement agencies and delivered to ICE; (5) the number of aliens who are released on their own recognizance; (6) the number of aliens so released who fail to appear for their immigration hearings; (7) the number of bed spaces available and the number of bed spaces actually occupied; (8) the number of aliens removed; (9) number of individuals placed in alternatives to detention; (10) types of alternatives to detention used; (11) number of worksite enforcement operations and inspections conducted; (12) the number of positions and FTE dedicated to administrative enforcement; and (13) staffing, to include on-board staffing, new hires and attrition broken down by function, such as Special Agents, IEAs, and Deportation Officers.

TEXTILE TRANSSHIPMENT ENFORCEMENT

Section 352 of the Trade Act of 2002 authorized $9,500,000 for the Customs Service for Textile Transshipment Enforcement, and specified how the authorized funds were to be spent. Congress appropriated $4,750,000 for textile transshipment enforcement by ICE in fiscal years 2004 and 2005, for a total appropriation of $9,500,000. The Committee includes $4,750,000 for fiscal year 2006 to continue this effort, and directs that ICE report not later than January 1, 2006, on how these funds, as well as those appropriated in fiscal years 2004–2005, were spent. The report should include staffing levels in fiscal years 2003–2006, differentiated by position, as authorized in Section 352 of the Trade Act of 2002. The report should also describe how ICE has redeployed its workforce previously assigned to investigate quota violations, now that quotas have expired.

CYBER CRIMES CENTER

The Committee is aware that the ICE Cyber Crimes Center (C3) is a lead investigative asset in combating international criminal activities conducted on or facilitated by the Internet. As the core of ICE Internet-related investigations, the C3 provides technological assistance in forensic investigations, operates three units addressing child exploitation, computer forensics, and cyber crimes, and has been used extensively by ICE offices nationwide to develop leads and support the field offices in pursuing investigations. The Committee provided $4,200,000 in fiscal year 2005 to help improve data storage capacity for the C3 and to help begin the process of establishing six regional Cyber Crime Support Centers to provide computer forensic laboratories at major ICE field offices around the

country. The Committee strongly supports the C3 as a key asset in law enforcement and national security, and provides $5,000,000 in fiscal year 2006, an increase of $800,000 above the amount provided in fiscal year 2005.

FEDERAL AIR MARSHALS

Appropriation, fiscal year 2005	$662,900,000
Budget estimate, fiscal year 2006	688,860,000
Recommended in the bill	698,860,000
Bill compared with:	
Appropriation, fiscal year 2005	+35,960,000
Budget Estimate, fiscal year 2006	+10,000,000

MISSION

The Federal Air Marshals (FAMs) provide for the security of the nation's civil aviation system through the effective deployment of armed federal agents to detect, deter, and defeat hostile acts targeting U.S. air carriers, airports, passengers, and crews.

RECOMMENDATION

The Committee recommends $698,860,000 for FAMs, $10,000,000 above the President's request and $35,960,000 above the amounts provided in fiscal year 2005. Of this total, $616,927,000 is for management and administration, $71,933,000 is for travel and training, and $10,000,000 is to implement the air-to-ground communications program. The Committee anticipates that this funding level will maintain, or perhaps increase, mission coverage on both domestic and international flights.

AIR-TO-GROUND COMMUNICATIONS

For the past few years, Congress has been funding an air-to-ground communications program. As part of this program, FAMs has been working with other government agencies to integrate their airborne communication system into other communications systems. At a minimum, this system must be reliable, WiFi compatible, in compliance with government standards on wireless security, provide guaranteed timely transmission and/or receipt, and receive signal at any point (airborne or ground) within the continental United States or abroad. This program is reaching maturity. The Committee recommends $10,000,000 to continue this work, begin prototype testing, and possible implementation of this system in fiscal year 2006. Beginning on January 1, 2006, and quarterly thereafter, FAMs shall brief the House Committee on Appropriations on the status of the air-to-ground communications program.

AIRPORT SURVEILLANCE

The Committee has learned that FAMs is exploring the idea of expanding its mission to go beyond the aircraft and enter the airport security arena. The proposed activities would include surveillance in the airport environment and airport related investigations. The Committee is not clear on the scope and detail of this proposed expansion and is concerned with potential mission creep and conflicting jurisdictions with other law enforcement agencies. The Committee directs FAMs to submit a report in conjunction with the fiscal year 2007 budget request that provides detail to these ex-

panded responsibilities and the potential impact to the FAMs mission, to include: the types of investigations that would be conducted in airports, the potential tangible benefits of FAMs conducting surveillance in an airport, whether this expansion would merit and require the conversion of FAMs to 1811 status, a timeframe for implementation, statistical distribution of workload hours between airport and aircraft missions, additional FTEs required, additional costs associated with an enhanced airport mission, additional training requirements, and how an expanded FAMs mission would interrelate with the numerous law enforcement agencies that are currently conducting airport security operations.

CROSS TRAINING OF ICE AGENTS

The Committee has learned that FAMs and ICE have begun planning again to cross train ICE agents to serve as air marshals. Although the Committee does not oppose conducting such training, the Committee continues to be concerned that this cross training will not be particularly effective unless ICE agents serve as air marshals on a periodic basis, not just during times of heightened threats. As such, the Committee directs FAMs and ICE to report on their cross training plans, including the tentative number of ICE agents to be trained yearly, and how they plan to maintain these perishable skills. This report shall be submitted no later than July 15, 2005, so that the Committee can fully evaluate this proposal before ICE begins its cross-training. Absent receipt of this plan, the Committee will be unable to support this initiative in fiscal year 2006.

FEDERAL PROTECTIVE SERVICE

Appropriation, fiscal year 2005	$ 478,000,000
Budget estimate, fiscal year 2006	487,000,000
Recommended in the bill	487,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+9,000,000
Budget Estimate, fiscal year 2006	- - -

MISSION

The Federal Protective Service (FPS) is responsible for the protection of public buildings and other areas under the charge and control of the General Services Administration. FPS is also responsible for the enforcement of laws enacted for the protection of persons and property, the prevention of breaches of peace, suppression of affrays or unlawful assemblies, and enforcement of any rules and regulations made and promulgated by the GSA Administrator. This authority can also be extended, by agreement, to any area with a significant federal interest. Funding for the FPS is provided through a transfer of funds from the Federal Buildings Fund. FPS has three major law enforcement initiatives, including: Protection Services to all Federal facilities throughout the United States and its territories; New Initiatives including expanded intelligence and anti-terrorism capabilities; and Special Programs, including Weapons of Mass Destruction (WMD) detection, hazardous material detection and response, and canine programs.

RECOMMENDATION

The Committee recommends $487,000,000, the same as the budget request and $9,000,000 above the amounts provided in fiscal year 2005.

MANAGEMENT ISSUES

The Committee is aware of a national problem in contract management and very late vendor payments by FPS relating to its contracts for security guard services. While this is due in part to transition in switching from GSA to the ICE billing system, delays are excessive, and the problem must be fixed before it adversely affects security operations at FPS facilities. The Committee is also extremely troubled by reports of security lapses in the control of contract guard credentials. The Committee directs the Assistant Secretary, in consultation with the Director of the FPS, to immediately correct these problems and to submit to the Committee, not later than December 1, 2005, a report on actions taken.

AUTOMATION MODERNIZATION

Appropriation, fiscal year 2005	$ 39,605,000
Budget estimate, fiscal year 2006	40,150,000
Recommended in the bill	40,150,000
Bill compared with:	
Appropriation, fiscal year 2005	+545,000
Budget Estimate, fiscal year 2006	- - -

MISSION

The Automation Infrastructure Modernization Account funds major information technology (IT) projects for U.S. Immigration and Customs Enforcement and for the U.S. Visitor and Immigrant Status Indicator Technology (US-VISIT) program.

RECOMMENDATION

The Committee recommends $40,150,000, the same as the budget request and $545,000 above the amounts provided in fiscal year 2005. This is for continued funding of the ATLAS information technology system.

COST CONTROLS AND ENTERPRISE ARCHITECTURE

As noted throughout the report under other information technology accounts, the Committee will continue to track progress of this activity so that best practices are followed and to ensure that the ATLAS system reflects cost controls and aligns with the DHS enterprise architecture.

CONSTRUCTION

Appropriation, fiscal year 2005	$ 26,179,000
Budget estimate, fiscal year 2006	26,546,000
Recommended in the bill	26,546,000
Bill compared with:	
Appropriation, fiscal year 2005	+367,000
Budget Estimate, fiscal year 2006	- - -

MISSION

The Construction account funds the planning, design, and assembly of ICE infrastructure, including detention facilities, mission support facilities, immigration field offices, and interior enforcement facilities.

RECOMMENDATION

The Committee recommends $26,546,000, the same as the budget request and $367,000 above the amounts provided in fiscal year 2005.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

Appropriation, fiscal year 2005	$ 4,323,523,000
Budget estimate, fiscal year 2006	4,734,784,000
Recommended in the bill	4,591,612,000
Bill compared with:	
Appropriation, fiscal year 2005	+268,089,000
Budget Estimate, fiscal year 2006	−143,172,000

MISSION

Aviation security is focused on protecting the air transportation system against terrorist threats, sabotage and other acts of violence through the deployment of passenger and baggage screeners; detection systems for explosives, weapons, and other contraband; and other, effective security technologies.

RECOMMENDATION

The Committee recommends a total of $4,591,612,000 for aviation security activities, $143,172,000 below the President's request and $268,089,000 above the amounts provided in fiscal year 2005. In addition to the amounts appropriated, a mandatory appropriation of $250,000,000 is included to support the Aviation Security Capital Fund. Funds are partially offset through the collection of security user fees paid by aviation travelers and airlines. A comparison of the budget estimate to the Committee recommended level by budget activity is as follows:

	Budget estimate	Recommended
Screening operations	$3,661,929,000	$3,608,599,000
Airport security direction and enforcement	1,072,855,000	983,013,000
Aviation security capital fund [1]	(250,000,000)	(250,000,000)
Total	4,734,784,000	4,591,612,000

[1] The Aviation Security Capital Fund is a non-add because it is not directly appropriated and is paid for entirely from user fees.

SCREENING OPERATIONS

The Committee recommends $3,608,599,000 for passenger and baggage screening operations, $53,330,000 below the President's request and $106,966,000 above amounts provided in fiscal year 2005. The following table highlights funding levels by program, project, and activity:

	Budget estimate	Recommended
Screener Workforce:		
Privatized screening	$146,151,000	$139,654,000
Passenger screeners, personnel compensation and benefits	1,590,969,000	1,520,000,000
Baggage screeners, personnel compensation and benefits	931,864,000	884,000,000
Subtotal, screener workforce	2,668,984,000	2,543,654,000
Screener Training and Other:		
Screener training	91,004,000	85,004,000
Passenger screener, other	26,952,000	20,952,000
Checked baggage screeners, other	127,091,000	110,091,000
Tort claims	4,000,000	4,000,000
Representation	3,000	3,000
Model workplace	2,400,000	2,400,000
Hazardous materials disposal	9,800,000	9,800,000
Subtotal, screener training and other	261,250,000	232,250,000
Human resource services	207,234,000	207,234,000
Checkpoint support	157,461,000	157,461,000
EDS/ETD systems:		
EDS/ETD purchase	130,000,000	170,000,000
EDS/ETD installation	14,000,000	75,000,000
EDS/ETD maintenance and utilities	200,000,000	200,000,000
Operational integration	23,000,000	23,000,000
Subtotal, EDS/ETD systems	367,000,000	468,000,000
Total, screening operations	$3,661,929,000	$3,608,599,000

PRIVATIZED SCREENING

The Committee recommends $139,654,000 for privatized screening, $6,497,000 below the President's request and $10,000,000 above the amounts provided in fiscal year 2005. As of November 19, 2004, airports could seek permission from the Transportation Security Administration (TSA) to "opt-out" of using Federal screeners. To date, only one airport has submitted paperwork to opt-out—Elko, Nevada—and this airport has less than 20 screeners. Numerous concerns have been expressed about the opt-out program, including that TSA has not made it clear that companies providing screening services shall not be liable in the case of a terrorist incident. The Committee is aware that TSA plans to review the opt-out program. Until it is clear that airports, other than the five original pilots and Elko, may participate in this program, a large increase in the privatized screening program is not justified for fiscal year 2006.

PASSENGER AND CHECKED BAGGAGE SCREENERS

The Committee recommends a total of $2,404,000,000 for personnel, compensation, and benefits for the federal passenger and checked baggage screeners, $118,833,000 below the President's request and $109,654,000 above the amounts provided in fiscal year 2005. Within the amounts provided, $1,520,000,000 is for passenger screeners and $884,000,000 is for baggage screeners. This funding level is consistent with reprogramming actions taken in fiscal year 2005.

The Committee continues bill language that limits the number of screeners to no more than 45,000 full-time equivalents on its payroll at the end of fiscal year 2006; the same provision included in

the fiscal years 2004 and 2005 appropriations bills. The Committee continues to believe that, as TSA deploys more advanced technologies that can better screen for weapons and explosive devices, there will be a need for a smaller screener workforce. For example, GAO recently reported that the majority of U.S. airports have stand-alone explosive detection systems (EDS) or explosive trace detection (ETD) systems deployed in their lobbies. These machines are very labor and time intensive to operate since each checked bag must be physically carried to an EDS or ETD machine for screening and then back to the baggage conveyor system prior to being loaded on an aircraft. GAO found that two or three times more bags can be screened per hour by an EDS in-line system compared to a stand alone system and 10 times more bags can be screened with an EDS in-line system as compared to a trace machine. Trace machines are much more labor intensive than EDS machines, yet TSA's budget continues to support their use. GAO also noted that "a typical lobby-based screening unit consisting of a stand alone EDS machine with three ETD machines had a baggage throughput of 376 bags per hour with a staffing requirement of 19 screeners. In contrast, TSA estimated that approximately 425 bags per hour could be screened by one in-line EDS machine with a staffing requirement of 4.25 screeners". The Committee has retained the screening cap, in part, to expedite TSA's progress in installing more EDS systems in-line or at the ticket check-in counters so that the number of checked baggage screeners can be reduced, including the amount of funding necessary for their salaries. Funding for EDS procurement and installation has been increased.

SCREENER TRAINING

The Committee recommends $85,004,000 for screener training, $6,000,000 below the budget request. This reduction was made because the Committee believes that more training can be provided locally instead of through large training contracts nationwide.

SCREENER OTHER

The Committee recommends a total of $131,043,000 for other screener activities, $23,000,000 below the budget request. This level is consistent with reprogramming actions TSA has made to this account in the past fiscal year.

CHECKPOINT SUPPORT

The Committee recommends $157,461,000 for checkpoint support, the same level as the budget request and $33,961,000 above the amounts provided in fiscal year 2005. It is critical that TSA aggressively pursue the development and deployment of innovative aviation security technologies, particularly at screening checkpoints. These technologies should include backscatter x-ray, diffraction, portals, and document scanners. As a recent Inspector General report noted, even though the majority of screeners are diligent in the performance of their duties, they repeatedly failed to find weapons and improvised explosive devices both in checked and carry on baggage, as well as on a person. The Committee is disappointed that screener performance has not improved. The Inspector General recommended that TSA expedite its testing program

and give priority to technologies that will enable the screener workforce to better detect both weapons and explosives. This funding increase will help TSA meet this recommendation.

EDS/ETD PURCHASE

The Committee recommends $170,000,000 for EDS and ETD purchases, $40,000,000 above the President's request and $10,000,000 below the amounts provided in fiscal year 2005. The Committee is aware that TSA has recently certified and piloted next-generation EDS technology that is far smaller and less expensive than the current generation of screening units. In addition, there are other next generation systems that have certification pending that may reduce false alarm rates and screener workforces. TSA is encouraged to continue competition among vendors so that multiple EDS technologies are available to the airports. Within the funds provided, the Committee directs that not less than $40,000,000 be used to procure these next-generation in-line EDS systems to replace ETDs. In-line EDS is not only more effective than ETDs and standalone systems, it is considerably less costly to operate. Furthermore, the Committee believes that the deployment of these systems is essential to developing in-line solutions that do not require the costly redesign of baggage conveyor systems.

EDS/ETD INSTALLATION

In addition to the statutory allocation of $250,000,000 for the Aviation Security Capital Fund, the Committee recommends $75,000,000 for EDS/ETD installation, $61,000,000 above the President's request and $30,000,000 above the amounts provided in fiscal year 2005. This funding level will fully support the eight airports that have entered into Letters of Intent (LOIs) with TSA ($264,000,000) and provide funding to install next-generation EDS systems at other airports throughout the United States.

The Committee has included bill language requested by the President that permits the Aviation Security Capital Fund to be used exclusively to fund these eight LOIs in fiscal year 2006 with a 75-percent federal share. Under tight budgetary restraints, the Committee does not have sufficient funding to raise these projects to a 90–percent federal share at a cost of $417,400,000, particularly at the expense of at least 45 other airports that need either an LOI to install EDS machines in-line or make other modifications to screen 100 percent of all checked bags through electronic means. For that reason, the Committee waives language contained in section 605 of the Vision 100 Act that distributes the Aviation Security Capital Fund by formula.

The Committee has also included a new general provision (Section 530) that directs TSA to spend any recovered or deobligated funds appropriated to Aviation Security or Administration only on procurement and installation of explosive detection systems. This provision does not conflict with Section 515 of Public Law 108–334 regarding the disposition of unclaimed money that airports may use for security needs. The Committee notes that, in the past, TSA has recovered over $133,000,000.

The Committee remains frustrated with the Department's inability and unwillingness to request funds above those provided by the Aviation Security Capital Fund that would permit more airports to

install EDS technologies and increase the number of bags screened, reduce false alarm rates, reduce federal dependency on airport screeners, and improve foot traffic in airport lobbies. For the past year, Congress has been exploring other, non-LOI, options to finance these improvements. The Committee urges TSA to enter into a small number of pilots with airports to improve their baggage screening process through creative financing options, which would result in operational and maintenance cost savings to TSA at each pilot airport. TSA would be required, upon system activation and subject to appropriations availability, to remit the identified annual cost savings to the airport every year for a term necessary to reimburse the initial capital cost.

REMOTE BAGGAGE SCREENING

The Committee is aware that TSA is participating with airports and airlines in pilots at various airports around the country to evaluate off-site baggage check-in models. The Committee shares TSA's interest in encouraging off-site check-in pilots. However, the Committee is concerned that these pilots are not moving forward expeditiously and may not be testing all options. The Committee is interested in seeing models widely tested that couple off-site check-in with off-site screening within the airport grounds at secure sort facilities before the baggage is introduced into the terminal or other critical airport infrastructure including all passenger areas.

PUBLIC SERVICE ANNOUNCEMENTS

TSA is encouraged to work with airports to provide updated Public Service Announcements that remind airline passengers and crew of enhanced security requirements enacted after September 11th, particularly when new security directions or requirements are enacted.

FLIGHT ATTENDANT SECURITY TRAINING

In fiscal year 2005, the House directed TSA to expeditiously promulgate requirements for flight attendant security training. TSA shall report back to the House Committee on Appropriations no later than January 16, 2006, on the status of these performance-based training requirements.

PASSENGER PROCESSING TIMES

The Committee notes that several airports experience unusually large peak volumes associated with international, charter and scheduled service. The Committee understands that many domestic travelers arriving in the same airport concourse as international flyers are often held up from proceeding to their final destinations because of slow processing times for these international visitors. The Committee directs TSA, in cooperation with CBP, to examine these unique situations, find appropriate solutions, and report back to the Committee on the status no later than January 16, 2006.

AIRPORT SECURITY DIRECTION AND ENFORCEMENT

The Committee recommends $983,013,000 for airport security direction and enforcement, $89,842,000 below the President's request and $161,123,000 above the amounts provided in fiscal year 2005.

The following table highlights funding levels by program, project and activity:

	Budget estimate	Recommended
Aviation regulation and other enforcement	$232,196,000	$222,416,000
Airport management, information technology, and support	758,370,000	655,597,000
Federal flight deck officer and flight crew training	36,289,000	29,000,000
Air cargo	40,000,000	60,000,000
Foreign and domestic repair stations	6,000,000	6,000,000
Airport perimeter security		10,000,000
Total	$1,072,855,000	$983,013,000

AVIATION REGULATION AND ENFORCEMENT

The Committee recommends $222,416,000 for aviation regulation and enforcement, $9,780,000 below the President's request and $7,584,000 below the amounts provided in fiscal year 2005. The Committee is concerned about the rapidly growing staffing levels in this area, which have increased by almost 43 percent over the past two years. The Committee notes that this office is not fully staffed and the funding reduction shall be applied to vacant FTEs, with the exception of new FTEs provided for security oversight of foreign and domestic repair stations.

AIRPORT MANAGEMENT, INFORMATION TECHNOLOGY AND SUPPORT

The Committee recommends $655,597,000 for airport management, information technology, and support, $102,773,000 below the President's request and $128,707,000 above the amounts provided in fiscal year 2005. Reductions were made to two areas. First, a reduction of $66,773,000 was made to the budget request for high-speed connectivity. The Committee has provided $107,227,000 for high-speed connectivity. This funding level will complete all planned airport work in fiscal year 2006. No funding was provided for fiscal year 2007, as originally requested. Second, the Committee is concerned about the growing number of staff in this area. Over the past two years, TSA has hired almost 1,000 new staff, a 43 percent growth. In many cases, federal security directors at airports have more staff than are employed by the airports. The Committee has reduced funding for staff at these airports by $36,000,000.

FEDERAL FLIGHT DECK OFFICERS AND FLIGHT CREW TRAINING

The Committee recommends $29,000,000 for the federal flight deck officer and flight crew training programs, $6,289,000 below the President's request and $4,000,000 above the amounts provided in fiscal year 2005. Of this total, $4,000,000 is for flight crew training and $25,000,000 for the Federal Flight Deck Officer (FFDO) program. Funding for the FFDO is consistent with amounts provided in fiscal years 2004 and 2005. Additional funding was not warranted due to high unobligated balances.

AIR CARGO

The Committee recommends $60,000,000 for air cargo, $20,000,000 above the President's request and $20,000,000 above the amounts provided in fiscal year 2005. The Committee continues to be concerned that TSA is not focusing enough staff or resources

on the security issues surrounding air cargo. For example, Section 513 of the fiscal year 2005 appropriations bill required the Department to immediately amend security directives to triple the screening of air cargo on passenger aircraft. The Committee is deeply disappointed that TSA has yet to fully implement this section. Similarly, late last year, the Intelligence Reform Act required TSA to issue a final notice of proposed rulemaking that would strengthen the air cargo security program. This has been slow to occur. At this time, TSA plans to finalize a rule to strengthen this program on August 19, 2005. The Committee is extremely disappointed that the fiscal year 2006 budget request does not include any funding to support these additional security enhancements. As a result, the Committee has: (1) included $10,000,000 to hire 100 new air cargo inspectors, which would increase the number of air cargo inspectors to 300; (2) increased travel funds for air cargo inspectors by $3,000,000; (3) increased funding by $5,000,000 to enhance the automated indirect air carrier maintenance system and known shipper database; and (4) included $2,000,000 to conduct security threat assessments of regulated parties and fast track certain provisions in the pending air cargo notice of proposed rulemaking.

The Committee is concerned that, while $130,000,000 has been appropriated in the past two years for air cargo research and development, a substantial amount remains unobligated. Specifically, as of January 31, 2005, TSA has obligated less than 4 percent of air cargo security funding appropriated in 2005 and did not obligate almost $7,000,000 appropriated in fiscal year 2004. While the Committee recognizes that it takes a significant amount of time to develop and test existing and new pilot technologies to screen air cargo, high unobligated balances give the impression that TSA does not view air cargo as a serious aviation security vulnerability.

Because of the slowness to implement Congressional direction and to obligate funds, the Committee sees it necessary to provide further direction to TSA on air cargo issues. As a result, the Committee has included three new legislative provisions relating to air cargo screening and standards development (Sections 512, 522 and 523):

(1) A legislative provision relating to section 513 of Public Law 108–334 and the failure of TSA to modify security directives.

(2) A legislative provision requiring TSA to develop standards and protocols, in conjunction with airline stakeholders, to better screen air cargo. Over the past two years, TSA tested current explosive detection systems, including both EDS and ETD, in the cargo screening environment and ultimately issued screening protocols using ETD systems. The Committee directs TSA to expeditiously develop similar screening standards and protocols for EDS so that the airlines have more options available to them to screen air cargo, particularly break bulk packages that could easily fit through an EDS machine. The Committee also directs TSA to develop protocols and standards in conjunction with promising new technologies to screen air cargo. In the past, delays have occurred in deploying technologies to screen air cargo while waiting for TSA to finalize usage protocols and standards.

(3) A legislative provision requiring TSA to screen cargo at existing checked baggage screening locations to the greatest extent practicable. The Committee understands that the cargo screening

peak times come prior to the passenger screening peak times and that under the last Code Orange alert, TSA screened some cargo at its checked baggage screening locations. TSA is directed to provide monthly reports, beginning with November 2005, to the House Appropriations Committee on the amount of cargo screened at checked baggage locations by TSA at each airport.

AIR CARGO PILOTS

The Committee has provided $40,000,000 to the Science and Technology Directorate (S&T) within the explosive countermeasures appropriation to continue air cargo activities, previously funded under TSA's research and development program. Of this funding, $30,000,000 shall be used to conduct three cargo screening pilot programs—one at an all cargo airport and two at top ten passenger cargo airports. These pilots shall test different concepts of operation that TSA designs in coordination with the S&T. Testing shall consist of the following: (1) physically screening a significant percentage (e.g. six times more than today) of cargo at a passenger airport using TSA screeners during slack passenger and checked baggage screening periods; (2) physically screening a significant percentage (e.g. six times more than today) of cargo at a passenger airport using TSA or private screeners solely dedicated to cargo screening; and (3) using canine teams, supplemented as needed by technology, screening a similar percentage of cargo at an all cargo airport, specifically to detect explosives and hidden passengers. Based on results of each pilot, TSA will provide cost estimates (both non-recurring and recurring) of these different operational concepts if deployed to the top five air cargo only airports and top 10 passenger airports. The Committee expects each of these pilots to be no shorter than nine months in duration and all pilots to be completed by January 31, 2007. The Committee directs S&T to provide a comprehensive report on each pilot, two months after each is completed, and interim reports of progress and results no later than August 31, 2006.

GENERAL AVIATION

The Committee continues to support the Airport Watch program and expects TSA to continue funding the toll free number (866–GA Secure) to reinforce security at the nation's 5,400 public use general aviation airports. The Committee recommends $275,000 for additional promotion of the Airport Watch program.

TRANSPORTATION SECURITY ADMINISTRATION'S ACCESS CERTIFICATE

The Committee is pleased with the progress and initial success of the Transportation Security Administration's Access Certificate (TSAAC) program. This voluntary general aviation security program is being tested with 24 business aviation operators at three New York area general aviation airports. TSAAC participants have implemented specific security procedures including corporate background checks on flight and ground crew personnel, screening/inspection of passengers and baggage, integration of pre-flight, in-flight and ground security programs, and utilization of threat intelligence. TSA audits of the current TSAAC participants found full compliance with the requirements. The Committee encourages TSA

to continue moving forward with this program and report back to the Committee no later than January 16, 2006, on any plans to further enhance and fully implement this initiative.

AIRPORT PERIMETER SECURITY

The Committee recommends $10,000,000 for airport perimeter security pilots. While funding has been provided for this work in the past, none was provided in fiscal year 2005 or requested in fiscal year 2006. The Committee is aware of a variety of innovative technologies that may reduce security weaknesses and vulnerabilities in airports throughout the United States.

AVIATION SECURITY FEES

In total, the Committee has assumed the collection of $1,990,000,000 in aviation security user fees in addition to the $250,000,000 in aviation security user fees that must automatically be deposited in the Aviation Security Capital Fund. The Committee assumes that, of this total, $1,640,000,000 shall be collected from aviation passengers and $350,000,000 shall be collected from the airlines. The Committee cannot support the budget request to increase passenger security fees by $3.00, raising the fee from $2.50 to $5.50 on the first leg of each flight and retain the $2.50 charge for a second leg if the passenger is connecting.

While the fee increase was proposed as a General Provision in the President's fiscal year 2006 appropriations request, amending existing aviation security law falls under the jurisdiction of the Homeland Security Committee. Until the authorizing Committee passes legislation to enact this fee increase, this Committee is unwilling to adopt this budget proposal.

SURFACE TRANSPORTATION SECURITY

Appropriation, fiscal year 2005	$ 48,000,000
Budget estimate, fiscal year 2006	32,000,000
Recommended in the bill	36,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−12,000,000
Budget Estimate, fiscal year 2006	+4,000,000

MISSION

Surface Transportation Security is responsible for assessing the risk of terrorist attacks to all non-aviation transportation modes, issuing regulations to improve the security of the modes, and enforcing these regulations to ensure the protection of the transportation system.

RECOMMENDATION

The Committee recommends $36,000,000 for surface transportation security, $4,000,000 above the President's request and $12,000,000 below the amounts provided in fiscal year 2005. Funding for the majority of transportation security programs, including port, rail, bus, and trucking security is provided in the Office of State and Local Government Coordination and Preparedness (SLGCP). Funding for the transportation worker identification credential and hazardous materials safety are contained within a separate appropriation for transportation vetting and credentialing.

Amounts appropriated to TSA largely fund surface transportation security staff that work in conjunction with SLGCP to make grant determinations and to coordinate security regulations and directives within DHS and with other federal entities, such as the Department of Transportation. A comparison of the budget estimate to the Committee recommended level by budget activity is as follows:

	Budget estimate	Recommended
Surface transportation security staffing	$24,000,000	$24,000,000
Rail security inspectors	8,000,000	8,000,000
Hazardous materials truck tracking program		4,000,000
Total	$32,000,000	$36,000,000

HAZARDOUS MATERIALS TRUCK TRACKING PROGRAM

The Committee continues to be supportive of the hazardous materials truck tracking program that has been ongoing for the past several years. This program is a public/private partnership that addresses the terrorist threat posed by the 800,000 truck shipments of hazardous materials each day. This program notifies the appropriate national, state, or local authorities of spills or terrorist incidents and provides them with critical information regarding the exact incident location, load content on the vehicle, volume of material involved, and handling instructions. A total of $4,000,000 has been appropriated to fund security requirements of the program, complete the system's open architecture, and to connect with other related systems and services.

NUCLEAR DETECTION AND MONITORING

The Committee continues to be frustrated by the slowness of TSA to obligate $4,000,000 provided in fiscal year 2004 for nuclear detection and monitoring capabilities. Because TSA appears to be unwilling or unable to identify the best use for this funding, the Committee directs TSA to transfer these funds to the newly established Domestic Nuclear Detection Office within DHS. These funds shall be used to initiate pilot programs for detecting nuclear materials at truck weigh stations in the United States.

RAIL SECURITY

As discussed in fiscal year 2005, the Committee is aware of promising advances in train control technology that would allow a central operator the ability to remotely control the operation of a freight or passenger train in times of distress. The Committee believes development of such a system could enhance the safety, security, and efficiency of the rail system and strongly encourages TSA to continue its investigation of this promising technology.

TRANSPORTATION VETTING AND CREDENTIALING

Appropriation, fiscal year 2005 [1]	$ (69,919,000)
Budget estimate, fiscal year 2006 [2]	(94,294,000)
Recommended in the bill	84,294,000
Bill compared with:	
Appropriation, fiscal year 2005	+14,375,000

Budget Estimate, fiscal year 2006 ..... −10,000,000

[1] In fiscal year 2005, funding was provided for programs within this office under the offices of Aviation Security and Maritime and Land. Funding is shown here for comparability purposes only.

[2] Funding for these activities was requested under a new screening coordination and operations office. Funding is shown here for comparability purposes only.

MISSION

The Transportation Vetting and Credentialing account merges a variety of TSA credentialing programs into one new appropriations line, including: Secure Flight, crew vetting, transportation worker identification credential, registered traveler, hazmat, and alien flight school.

RECOMMENDATION

The Committee recommends a direct appropriation of $84,294,000 for transportation vetting and credentialing activities, $14,375,000 above amounts provided in fiscal year 2005. No funding was requested within TSA for these activities in fiscal year 2006. Instead the budget proposed a new Screening Coordination and Operations office (SCO) as part of the BTS Directorate. The Committee has denied funding for this new screening office and instead continues to fund critical credentialing programs within TSA. While the SCO office may have merit, the Committee would like to see a broader justification for this office pending the results of the Secretary's "2nd Stage Review". Furthermore, the Committee is concerned that moving key transportation credentialing activities out of TSA and into this new office would greatly disrupt the work of these programs, many of which are in crucial stages of development. A comparison of the budget estimate to the Committee recommended level by budget activity is as follows:

	Budget estimate	Recommended
Direct Appropriations:		
Secure flight	$80,994,000	$65,994,000
Crew vetting	13,300,000	13,300,000
Screening administration and operations	0	5,000,000
Subtotal, direct appropriations	94,294,000	84,294,000
Fee Collections:		
Transportation worker identification credential	100,000,000	100,000,000
Registered traveler	20,000,000	20,000,000
Hazmat	50,000,000	50,000,000
Alien flight school (by transfer from DOJ)	10,000,000	10,000,000
Subtotal, fee collections	$180,000,000	$180,000,000

SECURE FLIGHT

The Committee recommends $65,994,000 for Secure Flight, $15,000,000 below the President's request under the SCO office and $31,075,000 above the amounts provided in fiscal year 2005. TSA has a very aggressive program to implement Secure Flight; however, a number of uncertainties remain. First, Secure Flight is still under development. TSA is in the process of testing commercial data to see if it will be utilized in the system. Many outstanding items, including schedule, cost, and work that the airlines must do to incorporate Secure Flight into their reservation system, are still unclear. TSA hopes to have these issues resolved in the

summer; however, past experience has shown TSA unable to meet aggressive schedules the agency set internally for Secure Flight and its predecessor (CAPPS II). Second, TSA or any other DHS entity is statutorily prohibited from obligating appropriated funds to deploy or implement a passenger prescreening system, other than on a test basis, until TSA has satisfied each of the ten elements identified in section 522 of Public Law 108–334. As part of fulfilling this requirement, the Government Accountability Office (GAO) must verify that these elements have been met. On March 28, 2005, GAO reported that only one of the ten elements had been satisfied. DHS cannot implement Secure Flight until all ten elements have been met. Third, TSA assumed that the Secure Flight program would be fully operational by October 1, 2006, and that all 66 airlines would be fully participating in the program. However, at this time, the first two airlines will not begin testing this program until August 19, 2005. Assuming all goes well with the first two airlines and no major problems are identified that could set back this program, the next group of airlines are not scheduled to begin utilizing Secure Flight until late 2005. TSA's current schedule of having all 66 airlines onboard by October 1, 2006, appears overly optimistic. In fact, in a recent briefing, TSA indicated that it is now more likely that full roll out of all 66 airlines will be completed in fiscal year 2007. For these reasons, the Committee has reduced funding for Secure Flight by $15,000,000.

The Committee directs GAO to continue to evaluate DHS and TSA actions to meet the ten elements listed in the section 522 of Public Law 108–334 and to report to the House Committee on Appropriations, either incrementally as DHS meets additional elements, or when all elements have been satisfied by DHS. The Committee has included bill language (Section 518) similar to last year on Secure Flight.

CREW VETTING

The Committee recommends $13,300,000 for crew vetting, the same as requested under the SCO and $3,300,000 above the amounts provided in fiscal year 2005. As explained in fiscal year 2005, the Committee believes that there is a clear distinction between the crew vetting, Secure Flight, and other credentialing programs. Funding for these activities should not be merged.

SCREENING ADMINISTRATION AND OPERATIONS

The Committee recommends $5,000,000 for screening administration and operations. This funding can be used to support staff efforts and other administrative actions that may not be fully covered by offsetting collections. For example, under the alien flight school program, the Committee is aware that Vision 100 excluded certain types of alien pilot training from this program, which reduced the population that pays the fee from the agency's initial forecast by approximately 55,000. At the same time, TSA is still required to check these pilots' backgrounds; a direct appropriation will offset some of these costs. The Committee directs that none of these funds may be used for Secure Flight.

FEE COLLECTIONS

The President's budget request estimated a total of $321,387,000 in fee collections from various TSA programs. This estimate was revised by the Congressional Budget Office (CBO) to reflect several recent changes to these programs, including that a number of policy decisions must still be made, these programs encompass populations whose size and ability to pay fees is largely unknown, and that there is uncertainty in the operational costs associated with these new programs. Because of these issues, CBO decreased the amount of estimated fees to be collected by $141,387,000. The Committee assumes collection of fees based on CBO's estimates.

TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL

The Committee continues to be deeply disappointed with the direction and scope of the transportation worker identification credential (TWIC), which TSA is currently prototyping for use at various locations in the United States. The goals of the TWIC program are ambitious, but necessary: to create one standardized identification card, universally recognized and accepted across the transportation system. Given the complexity and importance of the initiative, the Committee is extremely frustrated with the lack of progress. Missed deadlines, high turnover, lack of budget justification, and subversion of Congressional direction have plagued this program from the very beginning.

As in years past, the Committee again directs the Department to develop a personalization system that is centralized, and that uses an existing government card production facility for these purposes. These two conditions are integral to the success of the program as they relate to operational and physical security of the product. TSA shall not continue the program until these fundamental requirements are implemented. In addition, TSA may not move into the next phase of production until the House Appropriations Committee has been fully briefed on the results of the prototype phase and agrees that the program should move forward.

TRANSPORTATION SECURITY CLEARINGHOUSE

The Committee includes a new general provision (Section 527) that directs the Secretary to utilize the Transportation Security Clearinghouse (TSC) as a central identity management system for a variety of transportation credentialing and vetting programs currently under development or in operation. This language was included because, despite TSC's proven track record, DHS appears to be taking a typical government contracting approach where it awards large programs to individual vendors as a means of maintaining some programmatic control and then relies on those contractors to build a program from scratch. The case of hazardous materials truckers is a perfect example. Rather than integrating the existing TSC model to process and reconcile fingerprints from hazardous materials truckers across the country, TSA awarded the contract in its entirety to a separate vendor that is now trying to reinvent key parts of the TSC. Doing so increases both the cost to the Federal government and the time it takes to begin conducting background checks on hazardous materials truckers.

TRANSPORTATION SECURITY SUPPORT

Appropriation, fiscal year 2005	$519,852,000
Budget estimate, fiscal year 2006	545,008,000
Recommended in the bill	541,008,000
Bill compared with:	
Appropriation, fiscal year 2005	+21,156,000
Budget Estimate, fiscal year 2006	−4,000,000

MISSION

The Transportation Security Support account includes financial and human resources support; the Transportation Security Intelligence Service; information technology support; policy development and oversight; performance management and e-government; communications; public information and legislative affairs; training and quality performance; internal conduct and audit; legal advice; and overall headquarters administration.

RECOMMENDATION

The Committee recommends $541,008,000 for transportation security support, $4,000,000 below the President's request and $21,156,000 above the amounts provided in fiscal year 2005. A comparison of the budget estimate to the Committee recommended level by budget activity is as follows:

	Budget estimate	Recommended
Headquarters administration	$313,916,000	$309,916,000
Intelligence	21,000,000	21,000,000
Information technology core support	210,092,000	210,092,000
Total	$545,008,000	$541,008,000

HEADQUARTERS ADMINISTRATION

The Committee is extremely frustrated in TSA's apparent disregard for Congressional direction and has reduced funding for headquarters administration staff by $4,000,000 accordingly. Reductions should be applied to the office of the Administrator, the Chief Technology Officer, Legislative Affairs, Operations Policy, and the Chief Financial Officer. While numerous examples can be cited, a few notable ones will suffice.

First, Congress has repeatedly tasked TSA and other DHS agencies to develop a plan to open Ronald Reagan Washington National Airport to general aviation aircraft, including section 823 of Vision 100 and in the statement of managers accompanying the fiscal year 2005 appropriations bill. TSA and others have ignored this direction and have failed to provide a plan. As a result, the Committee has included bill language (Sec. 524) requiring DHS to implement a security plan that will permit general aviation aircraft to takeoff and land at Ronald Reagan Washington National Airport 90 days after enactment of this Act.

Second, for the past two years, the Committee has requested TSA to submit quarterly reports on plans for installing EDS machines inline as well as plans for other necessary physical modifications to airports so that they can perform 100-percent screening of checked baggage. TSA has failed to produce even one quarterly report.

Third, until six months into fiscal year 2005, TSA was unable to inform the Committee how it planned to award the $295,000,000 appropriated for EDS installation. Additionally, TSA has not yet been able to inform this Committee of how it plans to obligate all of the $180,000,000 appropriated for EDS procurement. The Committee cannot adequately oversee the EDS/ETD program if TSA repeatedly fails to answer basic questions. As a result, the Committee has included bill language that requires TSA to provide a detailed plan for optimally deploying EDS machines at the nation's airports on a priority basis to enhance security, reduce staffing, and save long-term costs; and a detailed spend plan for EDS procurement and installation on an airport-by-airport basis no later than 60 days after enactment of this Act. The Committee includes bill language fencing $50,000,000 until these plans are submitted.

Fourth, TSA has failed to provide any of the quarterly reports on air cargo activities, as directed by the statement of managers accompanying the fiscal year 2005 Appropriations Act. Failure to provide this information limits the Committee's ability to fully understand how the agency is working to improve air cargo security. As a result, the Committee has included three new general provisions, as discussed earlier, specifically related to air cargo activities.

UNITED STATES COAST GUARD

OPERATING EXPENSES

Appropriation, fiscal year 2005	$5,190,587,000
Budget estimate, fiscal year 2006	5,547,400,000
Recommended in this bill	5,500,000,000
Total appropriation compared with:	
Appropriation, fiscal year 2005	+309,413,000
Budget Estimate, fiscal year 2006	−47,400,000

MISSION

The operating expenses appropriation provides funding for the operation and maintenance of multipurpose vessels, aircraft, and shore units strategically located along the coasts and inland waterways of the United States and in selected areas overseas. This is the primary appropriation financing operational activities of the Coast Guard.

RECOMMENDATION

Including $1,200,000,000 for national security activities, the Committee recommends a total appropriation of $5,500,000,000 for operating expenses. The recommended funding level is $47,400,000 below the President's request and $309,413,000 above the amounts provided in fiscal year 2005. The following table highlights the recommended level by program, project, and activity:

	Budget estimate	Recommended
Military Pay and Allowance:		
Military pay and allowances	$2,318,733,000	$2,318,733,000
Military health care	581,122,000	581,122,000
Permanent change of station	111,275,000	109,695,000
Subtotal, military pay and allowances	3,011,130,000	3,009,550,000
Civilian pay and benefits	535,836,000	531,811,000
Training and Recruiting:.		

	Budget estimate	Recommended
Training and education	84,636,000	84,636,000
Recruitment	93,576,000	93,576,000
Subtotal, training and recruiting	178,212,000	178,212,000
Operating Funds and Level Maintenance:		
Atlantic Command	169,347,000	169,347,000
Pacific Command	177,967,000	177,967,000
1st District	47,166,000	47,166,000
7th District	58,076,000	58,076,000
8th District	39,134,000	39,134,000
9th District	28,431,000	28,431,000
13th District	20,238,000	20,238,000
14th District	14,575,000	14,575,000
17th District	23,950,000	23,950,000
Headquarters directorates	294,250,000	257,550,000
Headquarters managed units	111,128,000	129,933,000
Other activities	1,047,000	1,047,000
Subtotal, operating funds and level maintenance	985,309,000	967,414,000
Centrally Managed Accounts	193,936,000	193,936,000
Immediate and Depot Level Maintenance:		
Aeronautical maintenance	234,661,000	234,661,000
Electronic maintenance	103,327,000	103,327,000
Civil/Ocean engineering and shore facilities maintenance	160,126,000	160,126,000
Vessel maintenance	144,863,000	144,863,000
Subtotal, immediate and depot level maintenance	642,977,000	642,977,000
Unspecified reduction		−23,900,000
Total	$5,547,400,000	$5,500,000,000

RESPONSIVENESS TO CONGRESS

The Committee is extremely frustrated in the Coast Guard's apparent disregard for Congressional direction and has reduced funding for headquarters directorates by $5,000,000 accordingly. Reductions should be applied to the offices of the Commandant (G–C), Planning, Resources, and Procurement (CG–82), and Resource Management (CG–83). Some notable examples include: (1) the Coast Guard's failure to submit a Deepwater re-baseline that meets the statutory requirements of Public Law 108–334, including a comprehensive timeline spanning the entire 20–25 year program that clearly shows the acquisition schedule of new assets and the phase-out and transition of legacy assets, funding projections for each year of the program, and that includes and fully incorporates detailed descriptions of the revised mission needs requirements; and (2) repeated problems with reprogramming submissions that fail to recognize Congressional actions in prior years or requests for funding for longstanding actions that the Coast Guard failed to include in their original budget submissions. The Committee cannot adequately oversee Coast Guard programs when the agency fails to answer basic questions or fails to provide timely and complete information.

FINANCIAL MANAGEMENT

The Committee is very concerned about the results of the 2004 DHS financial audit that identified a number of weaknesses with the Coast Guard's financial reporting capabilities and the accuracy of their records. The auditors noted, among other things, that: (1)

the accuracy of financial information at the Coast Guard was highly dependent on the knowledge and experience of a limited number of financial personnel; (2) the Coast Guard lacks policies and procedures to oversee key financial data; (3) the Coast Guard has problems recording financial data, including financial commitments and lapsed or unspent funds; and (4) the Coast Guard did not have controls to ensure that obligations were recorded in a timely manner or to verify that recorded obligations remained valid. The Committee is aware that the Coast Guard has made some efforts to address these issues, including the hiring of highly skilled, civilian personnel and the formulation of a new, financial management plan. However, the Committee is disappointed that the implementation of this plan is scheduled to be phased-in over four years and directs the Coast Guard to take more expedient action.

ICEBREAKING

As requested in the President's budget, the Committee approves the transfer of $47,500,000 in polar icebreaking funding from the Coast Guard to the National Science Foundation (NSF). Currently the Coast Guard operates three polar icebreakers, two of which are approaching the end of their service life. Much of the icebreaking work is done so that NSF can conduct research in the Artic and Antarctica. At this point, it makes sense that the primary user of the icebreakers decides how these aging vessels are used. The Committee encourages the Coast Guard, NSF, and the White House to finalize a long-term strategy for polar icebreaking.

C4ISR UPGRADE FOLLOW-ON

The Committee recommends $12,450,000 for the C4ISR (command, control, communications, computers, intelligence, surveillance and reconnaissance) upgrade follow-on, $20,000,000 below the President's request. The budget justification for this activity is entirely unsatisfactory. While the bulk of this request falls under headquarters directorates, the justification fails to explain what the funds will actually accomplish. The C4ISR upgrades were an acquisition, construction and improvements (AC&I) function under the Deepwater program. The linkage between this capital improvement program and its associated operating expenses, which are presumably centrally managed maintenance contracts, is simply not established in the fiscal year 2006 budget justification. The Committee is entrusted to make funding recommendations that are predicated on clear, transparent information that sufficiently demonstrates the purpose and value of the amounts requested. The Coast Guard is directed to this section of its budget justification as an example of what not to do when requesting funds from the Committee.

The Committee is aware that the C4ISR upgrades that have been installed are making a substantial impact in the operational effectiveness of the Coast Guard's legacy assets, and recognizes the service's efforts to leverage technology in the execution of its missions. This modernization effort has the full support of the Committee, provided that detailed justifications are provided along with the request for additional funds. The Coast Guard is directed to submit to the Committee no later than January 16, 2006, a report on the efficiencies and effectiveness realized through the installation of C4ISR upgrades. This report should include a detailed

breakout of the associated operating costs of such upgrades and a comprehensive explanation of "follow-on" costs. This report should compare and contrast operations of legacy assets prior to the installation of modernized C4ISR equipment to that of the present state of operations, including the impact upon operating expenses both before and after installation of the C4ISR upgrades.

AREA SECURITY MARITIME EXERCISE PROGRAM

The Committee recommends $20,000,000 to continue the area security maritime exercise program under the headquarter managed units as required by the Maritime Transportation Security Act. The Coast Guard did not request any funding for this program in fiscal year 2006. Previous funding for this exercise program was provided from previously appropriated port security grants. Funding shall be used to conduct tabletop and field exercises to identify maritime vulnerabilities and weaknesses, to write after action reports on each exercise, and to follow through on any problems identified. The Committee believes that continuing these exercises is important because ports, facilities, vessels, and relevant government officials will be better trained if an incident occurs.

The Coast Guard plays a primary and significant role in port security. The 85 port security terrorism exercises conducted last year identified a number of port security problems. GAO reports that 59 percent of the exercises had communication problems, 54 percent had resource issues, such as a lack of training, 41 percent had command and control problems, and 28 percent had questions about who had decision-making authority. These are critical problems. GAO also reported that, of the 85 port security terrorism exercises conducted, after-action reports were not submitted by the Coast Guard on time for 61 percent of the exercises. In addition, 18 percent of the after-action reports did not provide an assessment of how well the objective of the exercise was met. The Committee expects the Coast Guard to use the port security terrorism exercises as a management tool to identify problems, fix them, and refine port security protocols. Therefore, the Committee directs Coast Guard to submit reports on the results of these exercises to the Committee every six months, beginning on October 1, 2005. The reports should include a description of the exercise, a summary of what was learned and how well the objective of the exercise was met, and corrective actions that were identified (including but not limited to Maritime Security Plan revisions, changes to procedures or policies, new equipment or equipment enhancements needed).

ONE-TIME REINVESTMENT COSTS

The Committee has denied funding of $16,500,000 for one-time reinvestment costs due to a poor budget justification.

RADIOLOGICAL/NUCLEAR (RAD/NUC) DETECTION

The Committee recommends $5,000,000 for enhanced rad/nuc detection, $2,000,000 below the President's request. While the Committee is supportive of this mission, a lower level of funding is recommended until the Domestic Nuclear Detection Office develops the Department's framework for rad/nuc operations. Without this

framework, it is premature to fully fund this budget request. Funding was specifically reduced from the headquarters directorate line.

MERCHANT MARINERS DOCUMENTS

The Committee is concerned that the Coast Guard has yet to develop measures to improve merchant mariner credentialing as required by the Maritime Transportation Security Act of 2002 (P.L. 107–295). The Committee directs the Commandant to establish the pilot program outlined in section 611 of that Act to develop and evaluate technologies and procedures that improve the issuance of merchant mariner documents.

SECTORS

The Committee directs the Coast Guard to continue reporting to the House Committee on Appropriations on each new sector command, as begun last year. This report shall lay out the before and after staffing levels (by rank and numbers), the organizational structure of each sector, the chain of command by sector, and information on infrastructure and other issues by sector that may require additional resources due to the move to sector commands. The Committee is frustrated that, with recent sector reports, the Coast Guard has either not provided the Committee the full 30 days to review the proposal or has provided just 30 days, no more, not permitting an adequate time for questions and answers before the Coast Guard makes these changes. The Committee directs the Coast Guard to be more conscientious in meeting these deadlines and factor in adequate time for questions to be addressed before moving to the new sectors.

LORAN C

In recent years, the Committee has provided more than $140,000,000 to the Coast Guard and the Federal Aviation Administration to modernize the Loran navigation infrastructure. The Committee continues to support that collaborative work being accomplished under the existing interagency agreement between the two agencies and remains convinced that this joint initiative offers potential for important marine security and safety benefits, along with substantially reduced future system operations and maintenance costs. The Committee believes heightened attention is warranted by the Coast Guard in supporting and completing the Loran recapitalization.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

Appropriation, fiscal year 2005	$17,000,000
Budget estimate, fiscal year 2006	12,000,000
Recommended in the bill	12,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−5,000,000
Budget estimate, fiscal year 2006	- - -

MISSION

The environmental compliance and restoration appropriation assists in bringing Coast Guard facilities into compliance with applicable federal, state and environmental regulations; conducting facilities response plans; developing pollution and hazardous waste

minimization strategies; conducting environmental assessments; and conducting necessary program support. These funds permit the continuation of a service-wide program to correct environmental problems, such as major improvements of storage tanks containing petroleum and regulated substances. The program focuses mainly on Coast Guard facilities, but also includes third party sites where Coast Guard activities have contributed to environmental problems.

RECOMMENDATION

The Committee recommends $12,000,000 for environmental compliance and restoration, the same as the budget request and $5,000,000 below the amounts provided in fiscal year 2005.

RESERVE TRAINING

Appropriation, fiscal year 2005	$113,000,000
Budget estimate, fiscal year 2006	119,000,000
Recommended in the bill	119,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+6,000,000
Budget estimate, fiscal year 2006	- - -

MISSION

This appropriation provides for the training of qualified individuals who are available for active duty in time of war or national emergency or to augment regular Coast Guard forces in the performance of peacetime missions. Program activities fall into the following categories:

Initial training.—The direct costs of initial training for three categories of non-prior service trainees;

Continued training.—The training of officer and enlisted personnel;

Operation and maintenance of training facilities.—The day-to-day operation and maintenance of reserve training facilities; and

Administration.—All administrative costs of the reserve forces program.

RECOMMENDATION

The Committee recommends $119,000,000 for reserve training, the same as the budget request and $6,000,000 above the amounts provided in fiscal year 2005.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2005	$966,200,000
Budget estimate, fiscal year 2006	1,269,152,000
Recommended in the bill	798,152,000
Bill compared with:	
Appropriation, fiscal year 2005	−168,048,000
Budget estimate, fiscal year 2006	−471,000,000

MISSION

The acquisition, construction, and improvements appropriation finances the acquisition of new capital assets, construction of new facilities, and physical improvements to existing facilities and assets.

The appropriation covers Coast Guard-owned and operated vessels, aircraft, shore facilities, and other equipment such as computer systems, as well as the personnel needed to manage acquisition activities.

RECOMMENDATION

The Committee recommends $798,152,000 for acquisition, construction, and improvements, $471,000,000 below the President's request and $168,048,000 below the amounts provided in fiscal year 2005. The following table highlights the recommended level by program, project, and activity:

	Budget estimate	Recommended
Vessels and critical infrastructure:		
Response boat medium	$22,000,000	$22,000,000
Subtotal, Vessels and critical infrastructure	22,000,000	22,000,000
Deepwater	966,000,000	500,000,000
Aircraft:		
Covert surveillance aircraft		10,000,000
Armed helicopters	19,902,000	19,902,000
C–130J missionization	5,000,000	
Subtotal, aircraft	24,902,000	29,902,000
Other Equipment:		
Rescue 21	101,000,000	91,000,000
Automatic identification system	29,100,000	29,100,000
High frequency recap	10,000,000	10,000,000
Subtotal, other equipment	140,100,000	130,100,000
Shore Facilities and Aids to Navigation:		
Survey and design, shore operational and support projects	5,000,000	5,000,000
Minor AC&I shore construction projects	3,000,000	3,000,000
Renovate USCGA Chase Hall barracks, phase I	15,000,000	15,000,000
Replace multi-purpose building-Group Long Island Sound	10,000,000	10,000,000
Construct breakwater-Station Neah Bay	2,800,000	2,800,000
Waterways aids to navigation	3,900,000	3,900,000
Subtotal, shore facilities and aids to navigation	39,700,000	39,700,000
Personnel and Related Support:		
Direct personnel costs	75,950,000	75,950,000
AC&I core	500,000	500,000
Subtotal, personnel and related support	76,450,000	76,450,000
Total	$1,269,152,000	$798,152,000

DEEPWATER

The Committee recommends $500,000,000 for Deepwater, $466,000,000 below the President's request and $223,950,000 below amounts provided in fiscal year 2005. The Committee is wholly disappointed in the Coast Guard's management of this program and its utter disregard for the legislative direction included in P.L. 108–334, intended to clarify the program's total cost, acquisition timeline, and implementation schedule. Since the Coast Guard has failed to submit an updated plan that sufficiently justifies the entire Deepwater program, the Committee is providing an appropriation consistent with the original and previously approved, 20-year plan. While the Committee remains supportive of the replacement of the Coast Guard's aging cutters and aircraft, it is not confident

in the Deepwater programmatic model as means to achieve this goal at this point in time.

The Deepwater program was intended to be a departure from "traditional" capital acquisition and a move towards a more holistic, more integrated, and more efficient process of recapitalization. In theory, the Deepwater concept is a very logical approach for the Coast Guard—an operational, armed service whose current cutters and aircraft are collectively reaching the end of their service lives at approximately the same time. However, two events have stressed this program and moved it away from its theoretical, network-based approach: (1) the events of September 11, 2001, and the resulting mission focus upon homeland security and counter terrorism, and (2) the increasingly rapid failure of legacy assets such as the HH–65 helicopters and 110-foot patrol boats. The impact of these events has forced a complete shift in the original Deepwater acquisition timeline and implementation schedule. As of the end of fiscal year 2004, the initial system concept was no longer valid and it was apparent that a re-evaluation of the Coast Guard's operational needs was necessary. Recognizing that Deepwater was at a crossroads and despite ostensible reluctance by the Coast Guard, the Committee required the service to re-baseline the entire program in the fiscal year 2005 appropriations bill (P.L. 108–334).

The intent of the re-baselining requirement was not only to gather a more firm understanding of the total cost and implementation plan of the Deepwater program, but also to align the program's modifications with the new and enhanced mission capabilities required of the Coast Guard in the post-9/11 environment. The Coast Guard's failure to comply with this legislative directive suggests not only a fundamental disregard for the Committee and Congress, but also brings into question how the Coast Guard itself is able to manage its own future. The Committee believes this re-baselining to be both crucial in terms of Congressional oversight and essential in terms of the Coast Guard's acquisition management and operational planning. The fact that the Coast Guard was over two months late in submitting a re-baselining and that its content was totally insufficient and not in compliance with the specified Congressional requirements, prohibits the Committee from considering such an expansive request for this program for fiscal year 2006. In fact, the lack of responsiveness by the Coast Guard prohibits the Committee from considering a major departure from the previously approved plan and associated funding structure and compels the Committee to take aggressive action to properly oversight this costly and sprawling program. To date, the Committee has yet to receive a report that fully satisfies the re-baselining requirements of P.L. 108–334. The Coast Guard has spent considerable time and effort attempting to rationalize a flawed and incomplete re-baseline plan, rather than adhering to the Congressional mandate and updating the previously submitted and approved 20-year plan or providing any justification for why such a re-baseline cannot be done.

The current state of the Deepwater program includes a myriad of questions ranging from an absence of a cogent policy on the future of the Coast Guard's patrol boats to a lack of a definitive maritime patrol aircraft solution to an alarmingly high increase in legacy asset sustainment. In the case of the latter issue, 25 percent of the fiscal year 2006 Deepwater request (or $239,500,000) is for

the sustainment of legacy assets—an enormous and unexpectedly high increase above the initially conceived $20,000,000 that would be devoted to legacy assets per fiscal year. In the case of the 110-foot Island Class patrol boats, the Coast Guard appears to be approaching a severe capability gap as the 110s experience significant hull failures and require mid-life maintenance overhauls while the replacement cutter, the Fast Response Cutter (FRC), is years away from full-scale production and deployment. In the case of the HH–65 helicopter engine replacements, despite significant fiscal support from the Committee, the Coast Guard and its prime integrator have allowed this program to steadily rise in cost and slip in its projected delivery schedule. The uncertainty surrounding these two assets—arguably the most heavily used operational assets in the Coast Guard's fleet—typifies why a functional Deepwater solution is needed now. Overcoming these legacy asset challenges and formulating a modernized solution that incorporates the homeland security mission focus is the purpose of the Deepwater program.

The Coast Guard has expressed reservations about submitting a revised baseline for the Deepwater program. The report that was submitted amounts to only a five-year plan along with estimated ranges of total program cost and the total number of assets. The Coast Guard has stated within this plan that it is uncertain as to the total number of assets that will be needed because of the untested potential of C4ISR systems as well as uncertainty of future funding. The Committee fails to understand how the Coast Guard can so directly state that it will meet all required performance requirements while, at the same time, providing only ranges of cost and asset totals. The Committee also fails to understand why there is such a degree of uncertainty about how new C4ISR systems will translate into performance capability, given the Coast Guard's operational experience and partnership with the Deepwater prime integrator. In fact, the Committee believes that one of the primary tenets of the Deepwater contract was to leverage the knowledge base of industry's best and brightest to formulate a robust, technically sophisticated 20-year plan. Given the significant role and payment structure of the prime integrator within the Deepwater program, the Committee believes the Coast Guard has a technically proficient resource from which to project firm estimates for the entire span of the Deepwater program. Since the Coast Guard had previously submitted a full, 20-year plan with the original Deepwater proposal, the Committee believes it is more than reasonable to require a revised and comprehensive plan that is predicated upon the new, post-9/11 environment.

The confluence of issues surrounding Deepwater has made fiscal year 2006 the tipping point for this program. Therefore, the Committee requires a completely revised Deepwater implementation plan that includes: a comprehensive acquisition timeline for the entire Deepwater program based upon the revised mission needs statement that is compared against the original Deepwater timeline; an exhaustive asset-by-asset breakdown of the entire program, aligned with the comprehensive acquisition timeline and revised mission statement that clearly shows the details of the phase-out of legacy assets and the phase-in of new, replacement assets; an aggregate total cost and timeline of the entire program that aligns with the acquisition timeline and asset-by-asset breakdown;

the revised, post-9/11 mission needs statement (MNS); a detailed progress report of the C4ISR equipment upgrades that have been installed on currently operational Deepwater assets and a complete, aggregate timeline for when such equipment will be installed on all legacy Deepwater assets; and a detailed projection of the remaining operational lifespan of every type of legacy cutter and aircraft. The Committee believes this report to be essential to the fiscal year 2007 appropriations process, just as the previously requested re-baselining request was inextricably linked to the fiscal year 2006 appropriation. The Committee restricts $50,000,000 of funds available for obligation until a revised Deepwater implementation plan, which fully complies with the outlined statutory requirements, has been received.

MANNED COVERT SURVEILLANCE AIRCRAFT

The aerial surveillance of our harbors, ports, and contiguous waterways represents an urgent homeland security responsibility of the Coast Guard. Additionally, the Coast Guard relies heavily upon aerial surveillance in the southern transit zones in order to intercept possible incoming threats. The Committee has noted a void in the Coast Guard's medium to short-range surveillance assets and provided $14,000,000 in fiscal year 2005 to procure and test three manned covert surveillance aircraft. The Committee recommends $10,000,000 in fiscal year 2006 to procure the appropriate sensor packages and to install them on the aircraft.

C–130J MISSIONIZATION

The Committee has denied the $5,000,000 requested for C–130J missionization. Costs for this work have grown dramatically, causing the Coast Guard to re-evaluate the use of the C–130J. Until final decisions have been made on how this work is to be done and whether the Coast Guard still plans to operate these aircraft in the future, it is premature to provide funding.

NATIONAL DISTRESS AND RESPONSE SYSTEM MODERNIZATION (RESCUE 21)

The Committee recommends $91,000,000 for the National Distress and Response System Modernization, commonly referred to as Rescue 21, $10,000,000 below the President's request and $15,000,000 above the amounts provided in fiscal year 2005, after recent reprogrammings and rescissions. While it appears that the contractor and the Coast Guard have resolved many of the software issues that have repeatedly delayed this program, the Committee believes that the current Rescue 21 schedule is overly optimistic and recognizes that the Service plans to carry over prior year appropriations into fiscal year 2007. As a result, a slight reduction to the budget request has been made to this program.

ENHANCED MARITIME SAFETY AND SECURITY TEAM (E–MSST)

The Committee recognizes and supports the Coast Guard's expansion of its counter-terrorism capabilities. At the forefront of this effort is the Enhanced Maritime Safety and Security Team (E–MSST). This tactical and highly specialized unit provided an essential and otherwise missing capability to many high-profile National

Special Security Events (NSSEs) over the last year, including the G8 Summit in Sea Island Georgia and both national political conventions. Just as the creation of the original Maritime Safety and Security Teams (MSSTs) was a prudent course of action in the post-9/11 environment, the Committee believes the creation and sustainment of the E–MSST and its counter-terrorism capability is a worthy investment. However, the full operating capability and requirements of the MSSTs, located at strategic ports around the nation, has yet to be officially defined and it is unclear whether the Coast Guard wants to transition additional MSSTs into the E–MSST model. The Committee directs the Coast Guard to submit a MSST policy report, along with the fiscal year 2007 budget request, that articulates the Coast Guard's policy on the use and full operating capabilities of both MSSTs and E–MSSTs throughout the Coast Guard. This report should specifically address and define the full operating capabilities of both an MSST and E–MSST; whether the Coast Guard intends to transition additional MSSTs to the enhanced model; and whether or not the Coast Guard intends to expand the mission profile or logistics base for its E–MSST program. The projected, associated costs of transitioning the MSST units into E–MSSTs should also be included.

DEEPWATER LEGACY ASSETS

The Committee is extremely concerned about the operational status and rapidly increasing maintenance costs of Deepwater legacy assets. This concern is punctuated by recent events, including the engine power loss issues with the HH–65 helicopter and the hull degradation of the 110-foot patrol boats; but it also includes the aging medium and high endurance cutters. The Committee requires the Coast Guard to submit a legacy asset report not later than January 16, 2006, that describes the remaining operational life span of each and every one of its legacy cutters and aircraft that are part of the Deepwater program. This report should be broken down by asset and should explain the projected, remaining lifespan for effective operations. The report should also include specific details regarding specialized maintenance or mid-life overhaul programs, apart from routine or preventative maintenance, that are either required or planned to prolong the service life of a given legacy asset.

110-FOOT PATROL BOATS

The 110-foot Island Class patrol boats serve as a major operational component for the Coast Guard and are often referred to as the "workhorse" of the cutter fleet. However, the service life of these assets is rapidly diminishing due to significant hull erosion and C4ISR obsolescence. To address this issue, the Coast Guard and its Deepwater program integrator designed a 110-to-123 conversion program that would not only lengthen the patrol boat, address hull degradation, and install a stern boat ramp, but also upgrade the vessel's C4ISR equipment and align it with the network-centric future of the Coast Guard. This conversion process was intended to be the bridge between the currently operating Island Class patrol boats and the Fast Response Cutter (FRC) component of the Deepwater program. Through the course of the first hull conversion on the USCGC MATAGORDA, it was revealed that there

was far greater hull damage than originally estimated. Since the completion of the MATAGORDA conversion, the Coast Guard and its patrol boat contractor have experienced repeated delays in this program and encountered significant hull degradation on subsequent cutters.

The Coast Guard has effectively halted the conversion program by not obligating $83,999,942 in funds appropriated for this purpose. While the Coast Guard has sped up the development and long-lead items associated with the FRC and the conversion program idles, there appears to be a significant capability gap emerging due to the absence of a definitive patrol boat solution. This is further complicated by the fact that six 110-foot patrol boats are operating overseas in support of the Global War on Terrorism with no clear expectation of when they might return to domestic operations.

To bridge this capability gap, the Coast Guard has pointed to the recent acquisition of five, 179-foot Cyclone Class patrol boats from the Navy and further emphasized the rapid development of the FRC. The Committee is completely dissatisfied by this course of action and is extremely concerned about the Coast Guard's ability to execute its missions without an effective patrol boat fleet. The 110s have proven to be an essential asset to drug and migrant interdiction, search and rescue, and fisheries law enforcement as well as more recently becoming a principle contributor to maritime security operations. Under ideal circumstances regarding the integration of the 179-foot Cyclone class cutters with the fleet and the development and eventual deployment of the FRC, the Coast Guard is approaching a prolonged period where aging 110s will either not be refurbished to the extent required or not be replaced by a newer, more capable asset. The Committee finds this situation unacceptable and believes immediate action is necessary to avoid any loss in the Coast Guard's operational capability or in our nation's maritime security.

To provide immediate action, the Committee includes a provision (Section 526) rescinding unobligated funds in the amount of $83,999,942 that were appropriated for the 110-to-123 conversions in fiscal years 2004 and 2005, and re-appropriating the funds towards the purchase of new Island Class patrol boats or the major maintenance availability of currently operating 110s. Although this is not an ideal solution, it provides immediate action on a proven asset. The Committee is aware that the original manufacturer of the 110-foot Island Class patrol boat has an operating production line that could rapidly construct new 110s or provide significant support on a service life extension of current vessels, including the installation of modernized C4ISR equipment and major hull repairs. This direction is consistent with the Coast Guard's Acquisition, Construction, and Improvements submittal contained within the fiscal year 2005 supplemental budget request.

AIRSPACE SECURITY

The Coast Guard has filled a critical mission by providing airspace security for the Department of Homeland Security during the five National Special Security Events (NSSEs) that occurred last year and in support of other DHS protective operations. The Committee is aware of the increased workload and resource hours that

are necessary to support airspace security operations and is providing appropriations support that will expand the capabilities of the Coast Guard's aircraft in that regard. Specifically, the Committee is actively supporting the HH–65 re-engining, the airborne use of force outfitting of the HH–60, avionics modernizations, and several other aviation projects that will contribute to the Coast Guard's performance in this mission area.

HH–60 JAYHAWK

The Committee sees value in extending the life and capability of the HH–60 platform as an integral part of the Deepwater program. The Committee sees tremendous potential for efficiency in that the Bureau of Customs and Border Protection's (CBP) Air and Marine Operations Directorate uses a similar asset, the HH–60 Black Hawk. Given the Coast Guard's extensive modernization plan for the HH–60 Jayhawk, the Committee strongly encourages the Department, the BTS Directorate, CBP, and the Coast Guard to collaborate in the operations, maintenance, and outfitting of the HH–60 platform.

ALTERATION OF BRIDGES

Appropriation, fiscal year 2005	$15,900,000
Budget estimate, fiscal year 2006	- - -
Recommended in the bill	15,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−900,000
Budget estimate, fiscal year 2006	+15,000,000

MISSION

The bill includes funding for alteration of bridges deemed a hazard to marine navigation pursuant to the Truman-Hobbs Act. The purpose of these alterations is to improve the safety of marine navigation under the bridge rather than the improvement of surface transportation on the bridge itself. Because there are occasionally unsafe conditions on the waterway beneath a bridge which has an adequate surface or structural condition, Federal-aid highways funding is not appropriate to address the purpose of the Truman-Hobbs program.

RECOMMENDATION

The Committee recommends $15,000,000 for alteration of bridges, $15,000,000 above the President's request and $900,000 below the amounts provided in fiscal year 2005. The Committee directs that, of the funds provided, $4,000,000 shall be allocated to the Canadian Pacific Railroad Bridge in LaCrosse, Wisconsin; $2,000,000 shall be allocated to the Chelsea Street Bridge in Chelsea, Massachusetts; $7,000,000 shall be allocated to the Fourteen Mile Bridge in Mobile, Alabama; and $2,000,000 shall be allocated to the Galveston Causeway Railroad Bridge in Galveston, Texas.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The Committee agrees to the President's proposal that $17,000,000 and associated personnel of the Coast Guard's research, development, test, and evaluation program are funded in the Science and Technology Directorate.

RETIRED PAY

Appropriation, fiscal year 2005	$1,085,460,000
Budget estimate, fiscal year 2006	1,014,080,000
Recommended in the bill	1,014,080,000
Bill compared with:	
Appropriation, fiscal year 2005	−71,380,000
Budget estimate, fiscal year 2006	- - -

MISSION

This appropriation provides for the retired pay of military personnel of the Coast Guard and the Coast Guard Reserve, including career status bonuses for active duty personnel. Also included are payments to members of the former Lighthouse Service and beneficiaries pursuant to the retired serviceman's family protection plan and survivor benefit plan, as well as payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act.

RECOMMENDATION

The bill provides $1,014,080,000, the same as the budget request and $71,380,000 below the amounts provided in fiscal year 2005. This is scored as a mandatory appropriation in the Congressional budget process.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$1,172,125,000
Budget estimate, fiscal year 2006	1,200,083,000
Recommended in the bill	1,228,981,000
Bill compared with:	
Appropriation, fiscal year 2005	+56,856,000
Budget estimate, fiscal year 2006	+28,898,000

MISSION

The United States Secret Service is directed by statute to carry out two significant missions: protection and criminal investigations. The Secret Service protects the President and Vice President, their families, heads of state, and other designated individuals; investigates threats against these protectees; protects the White House, Vice President's Residence, Foreign Missions, and other buildings within Washington, D.C.; and plans and implements security designs for National Special Security Events. The Secret Service also investigates violations of laws relating to counterfeiting of obligations and securities of the United States; financial crimes that include, but are not limited to, access device fraud, financial institution fraud, identity theft, computer fraud; computer-based attacks on our nation's financial, banking, and telecommunications infrastructure; and provides investigative support for missing and exploited children.

RECOMMENDATION

The Committee recommends $1,228,981,000 for Secret Service Salaries and Expenses, an increase of $28,898,000 above the President's request and $56,856,000 above the amounts provided in fiscal year 2005. The Committee recommends an additional

$5,000,000 for National Special Security Events and an additional $23,320,000 above the President's request to support staffing for protective operations, investigations, foreign field offices, and technical support functions. The Committee also recommends an additional $578,000 towards the support of the National Center for Missing and Exploited Children (NCMEC). The recommended funding levels are as follows:

Salaries and Expenses	Budget Estimate	Recommended
Protection:		
Protection of persons and facilities	$572,232,000	$583,652,000
National Special Security Event Fund	5,000,000	10,000,000
Protective intelligence activities	55,561,000	57,061,000
White House mail screening	16,365,000	16,365,000
Subtotal, Protection	649,158,000	667,078,000
Field operations:		
Domestic field operations	238,888,000	238,888,000
International field office administration, operations and training	19,768,000	22,168,000
Electronic crimes special agent program and electronic crimes task forces	35,600,000	43,600,000
Subtotal, Field operations	294,256,000	304,656,000
Administration:		
Headquarters, management and administration	203,232,000	203,232,000
National Center for Missing and Exploited Children	7,100,000	7,678,000
Subtotal, Administration	210,332,000	210,910,000
Training:		
Rowley training center	46,337,000	46,337,000
Total, Salaries and expenses	$1,200,083,000	$1,228,981,000

WORKLOAD RE-BALANCING

From fiscal year 2000 through fiscal year 2002, the Committee fully funded the Secret Service initiative, "Workload Re-balancing," to address unacceptably high levels of overtime and to achieve an appropriate balance between protective operations and criminal investigations. The Committee is extremely disappointed to learn that overtime has reached an average of over 80 hours per month for special agents, that a severely disproportionate amount of time is being devoted to protective operations over investigations, and that there has been a significant reduction in training opportunities due to the pace of operations. These issues are largely a result of the Secret Service operating under the intensity of a post-9/11 mission environment while staffing and resources have remained relatively static. For instance, while staffing has remained relatively constant at approximately 3,200 special agents since 9/11, there has been a 275-percent increase in classified message traffic, a 280-percent increase in Internet threat investigation reviews, and a 650-percent increase in manhours needed to support protection. Similarly, identity theft cases and electronic criminal activity have proliferated through the expansion of the Internet and are now the fastest growing forms of financial crime. The Secret Service is currently responsible for three times as many protectees than it was pre-9/11; is responsible for establishing, implementing, and executing the operational plans for the increasingly frequent, expensive, and complex National Special Security Events (NSSEs); is the lead federal investigative agency for electronic and financial crime; and is now supporting critical infrastructure protection, threat as-

sessment, and cyber security expertise of the Service's investigators and analysts throughout the entire Department. The significant increase in the scope of the Secret Service's dual mission has required the agency to pile a heavy workload upon its personnel, resulting in unsustainably high levels of overtime.

The Committee directs the Secret Service to submit a workload re-balancing report along with the fiscal year 2007 budget request that provides a detailed summary of the steps the agency will take to achieve a target overtime of no more than 60 hours per special agent per month. The Committee believes that workload re-balancing should reflect an equitable split of special agent time devoted to investigations and protection of 50 percent to each as well as increased availability for training.

PROTECTIVE OPERATIONS

Due to the unpredictable nature of the current threat environment, the Secret Service has developed protective intelligence and counter surveillance expertise that has worked as a force multiplier for its protective personnel. These components complement the service's traditional cadres of physical security specialists, tactical units, and special agents, and have become an increasingly important asset in meeting the growing protective operations workload. In support of these efforts, the Committee recommends an additional $12,920,000 to support the costs associated with an increase in special agents for protective intelligence, the Counter Assault Team, the Counter Surveillance Unit, and the Presidential and Vice Presidential Protective Divisions by 60 FTEs; for the costs associated with an increase in protective intelligence research specialists by 20 FTEs and for the costs associated with an increase in physical security specialists by 20 FTEs.

INVESTIGATIONS

Identity theft is now the fastest growing form of financial crime. Major database intrusions are now occurring at a pace of almost one per week, resulting in the loss of hundreds of thousands of personal data profiles and millions of dollars in financial fraud. As the lead federal agency for financial crime, the Secret Service has developed a robust set of technical, legal, and investigative skills to combat this activity, as demonstrated in the landmark Operation Firewall that was completed last year. Developed in 2001 pursuant to Congressional mandate in the USA PATRIOT Act, the Electronic Crimes Special Agent Program (ECSAP) is the cornerstone of the Secret Service's electronic crime investigative efforts. There are currently 13 Electronic Crimes Task Forces (ECTFs) that receive their primary support through the ECSAP. The Committee views the ECTFs and the ECSAP as invaluable resources in support of the financial and electronic crimes investigative mission of the Secret Service and the Department-wide mission of providing for the security of critical infrastructure. The combination of the ECSAP with highly experienced anti-counterfeiting personnel has made the Secret Service's investigative directorate one the most technically advanced entities in the global law enforcement community. In support of these efforts, the Committee recommends an additional $8,000,000 for the costs associated with increasing the staffing of the ECSAP by 50 FTEs.

FOREIGN FIELD OFFICES

Given the rise in cyber security breaches by both foreign and domestic criminals and the persistent level of international counterfeiting, the Secret Service has needed to develop and sustain an overseas presence. Foreign field offices provide a conduit for joint investigative operations with foreign law enforcement as well as logistical base of operations for protectee travel. Currently, the Secret Service has 42 Special agents assigned to foreign field offices. This staff faces dramatic increases in the volume of cyber crime and counterfeit manufacturing originating in foreign countries. The Committee recognizes the value in the Secret Service's international operations and recommends $2,400,000 for an additional 15 FTEs in foreign field office staffing. The Secret Service is directed to provide, no later than November 1, 2005, a report detailing where these additional FTEs will be located. This report should include a comprehensive summary of foreign field office salaries and expenses and should identify any impediments to locating agents in desired locations, whether it is additional staff in a currently operating foreign field office or staff for a proposed foreign field office.

TRAINING

The Committee is concerned about the training productivity of the Secret Service given the recent increase in workload. The Committee is aware of the emphasis that has always been placed upon training within the culture of the Secret Service and encourages its continuation. The Committee requests that the Secret Service submit a report in conjunction with the fiscal year 2007 budget request that provides statistical details of training productivity for the period of fiscal year 2000 through fiscal year 2005, including: a complete breakout of the number of agents trained at the James J. Rowley Training Center and the purpose for which they received training; the number, type, and purpose of tactical and specialized training courses that have been administered; the number and type of state and local law enforcement officials that have been trained; and a detailed summary of changes in the training curriculum for both special agents and state and local officials. This report should also include an explanation of the metrics used by the Secret Service to measure training performance and productivity.

NATIONAL SPECIAL SECURITY EVENTS

The Secret Service has been assigned the responsibility to lead security planning for National Special Security Events (NSSEs) such as the Presidential inaugurations, national political conventions, and other major events designated by the President or the Secretary. Examples of significant events in recent years that have been designated as NSSEs include the 2002 Winter Olympics, former President Ronald Reagan's funeral, and international summits such as the G–8 conference, which took place in Sea Island, Georgia last June. Unfortunately, despite the fact that the size, complexity, and expense of these events has dramatically risen since the inception of the NSSE designation in the late 1990s, a separate line item to fund this activity had never been included in a budget request. As a result, the Secret Service was forced to ab-

sorb these costs within appropriated funds. In fiscal year 2004, four NSSEs were designated at a cost of over $23,500,000. To date, fiscal year 2005 NSSE related expenses are $6,755,000—costs associated with the Presidential inauguration. In order to address funding uncertainty, the Committee established a separate appropriation of $5,000,000 in fiscal year 2005. For fiscal year 2006, the Committee recommends an additional $5,000,000 for the expenses of planning, preparation, and execution of security operations for NSSEs. These funds are made available for two fiscal years. The Secret Service, as with other protective activity, may use such funds to reimburse the costs of other federal agencies in support of this mission.

Given that the Secret Service now has years of experience with NSSEs and should be able to predict their occurrence and estimated cost, there is little justification for taking money from other, essential operations and not adequately budgeting for these types of events. The Committee directs the Secret Service to submit a NSSE Budgeting Model with the fiscal year 2007 budget request that includes a detailed accounting of the costs associated with NSSEs, including manpower projections, resources, technical support, travel, and other related expenses. This model should not only incorporate the historical cost data from previous NSSEs, it should also categorize these events in such a way that the primary variables associated with NSSEs—including geography, duration, protectees, and the nature of the given venue or event—are all considered and weighted accordingly.

ARMORED VEHICLES

The Committee is concerned that the costs associated with the Primary Limousine Program are not included within the Secret Service's base budget and that funds from the separate and distinct Armored Vehicle Program are taken to fund primary limousines, as needed. Maintenance and repair costs of armored vehicles are not sustained through the Armored Vehicle Program, but rather, funded within the Special Services Division (SSD) and spread across three object classes: supplies, equipment, and other contractual services. The Committee believes that the Secret Service needs to develop more comprehensive and transparent budgeting for both its Primary Limousine Program and Armored Vehicle Program to facilitate the planning, procurement, maintenance, and operations of all protective vehicles. Given the increasing costs and complexity of protective vehicles, brought upon by the rapid changes in the threat environment and technical advances in the associated countermeasures, the Committee believes this to be a core operating expense and one that demands a greater level of budgetary planning.

NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN (NCMEC)

The National Center for Missing and Exploited Children (NCMEC) was established in 1984 as a private, nonprofit organization to provide services nationwide for families and professionals in the prevention of abducted, endangered, and sexually exploited children. NCMEC involves a partnership among federal law enforcement, corporate sponsors, commercial media, and private donors. The Secret Service's assistance to this cause has been substantial. In fiscal year 2004, the Secret Service opened 273 criminal

cases, conducted 55 polygraph examinations, and completed 31 forensic examinations. Additionally in fiscal year 2004, under the Operation Safe Kids initiative, Secret Service personnel attended 17 events and fingerprinted 3,965 children. Since 1997, over 40,000 children have been fingerprinted through Operation Safe Kids. The Committee believes the contributions made to NCMEC have made a tremendously positive impact in the lives and well-being of countless children and encourages the Secret Service to build upon these noteworthy efforts. The Committee recommends $7,678,000 in support of this effort, $2,678,000 for support of investigations and $5,000,000 for grants.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriation, fiscal year 2005	$3,633,000
Budget estimate, fiscal year 2006	3,699,000
Recommended in the bill	3,699,000
Bill compared with:	
Appropriation, fiscal year 2005	+66,000
Budget estimate, fiscal year 2006	- - -

MISSION

This account supports the acquisition, construction, improvement, equipment, furnishing and related cost for maintenance and support of Secret Service facilities, including the Secret Service Memorial Headquarters Building and the James J. Rowley Training Center.

RECOMMENDATION

The Committee recommends $3,699,000, the same as the budget request and $66,000 above the amounts provided in fiscal year 2005.

JAMES J. ROWLEY TRAINING CENTER MASTER PLAN

In the fiscal year 2004 Department of Homeland Security Appropriations Bill, the Committee directed the Secret Service to submit a five-year master plan for the James J. Rowley Training Center (JJRTC) in Beltsville, Maryland. As submitted, the master plan did not adequately provide a detailed assessment of current needs and challenges, or specific proposals for enhancing the curriculum and facilities to meet future training requirements. The Committee directs the Secret Service to re-submit the JJRTC Master Plan along with the fiscal year 2007 budget. This revised, 5-year plan should include a detailed breakout of the costs associated with current needs and challenges; a detailed breakout of the costs associated with specific proposals for enhancing the curriculum and facilities; a cost-benefit analysis of a student/trainee dormitory; the costs associated with the modernization and refurbishment of the canine training facility; and a detailed summary of how the JJRTC is supporting other federal agencies, particularly other DHS agencies. This report should include, at a minimum, historical data from fiscal year 2004, current year data from fiscal year 2005, and the five-year master plan for fiscal years 2006 through 2010.

TITLE III—PREPAREDNESS AND RECOVERY

OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS

MANAGEMENT AND ADMINISTRATION

Appropriation, fiscal year 2005	$3,546,000
Budget estimate, fiscal year 2006 [1]	(47,846,000)
Recommended in the bill	3,546,000
Bill compared with:	
Appropriation, fiscal year 2005	- - -
Budget estimate, fiscal year 2006	−44,300,000

[1] Funding for Management and Administration was requested under the State and Local Programs in fiscal year 2006.

MISSION

The Office of State and Local Government Coordination and Preparedness (SLGCP) is responsible for coordinating the programs and policies of the Department as they relate to State and local governments, including funding issues and information sharing.

RECOMMENDATION

The Committee recommends $3,546,000 for Management and Administration expenses for the Office of State and Local Government Coordination (SLGC). Management and Administration expenses for the Office for Domestic Preparedness (ODP) are provided as a percentage of the State and Local grant programs, as authorized by Section 1014 of the USA PATRIOT Act. The President's request included $47,846,000 under the State and Local Programs. Of the amount requested, $44,300,000 was for ODP and $3,546,000 was for SLGC. Funding of not to exceed $2,000 is provided for official reception and representation expenses.

The Committee understands that the requested level of funding would allow ODP to hire an additional 36 full time equivalents (FTEs), for a total of 256 FTEs for fiscal year 2006, including those authorized in the Firefighter Assistance Grants appropriation. The Committee encourages ODP to hire up to their authorized level as quickly as possible.

STATE AND LOCAL PROGRAMS

Appropriation, fiscal year 2005	$3,086,300,000
Budget estimate, fiscal year 2006 [1]	3,064,756,000
Recommended in the bill	2,781,300,000
Bill compared with:	
Appropriation, fiscal year 2005	−305,000,000
Budget estimate, fiscal year 2006	−283,456,000

[1] The budget estimate for State and Local Programs includes funding for Management and Administration and Emergency Management Performance Grants, which the Committee recommends funding as separate appropriations in fiscal year 2006.

MISSION

State and Local Programs provides for building and sustaining the terrorism preparedness of the first responder community. This program includes support of various grant programs, training programs, planning activities, and technical assistance. The grant programs funded by this appropriation include State homeland security grants, law enforcement terrorism prevention grants, high-

threat high-density urban area grants, transit grants, and critical infrastructure grants. For purposes of eligibility for funds under this heading, any county, city, village, town, district, borough, port authority, transit authority, intercity rail provider, commuter rail system, freight rail provider, water district, regional planning commission, council of government, Indian tribe with jurisdiction over Indian country, authorized tribal organization, Alaska Native village, independent authority, special district, or other political subdivision of any state shall constitute a "local unit of government."

RECOMMENDATION

The Committee recommends $2,781,300,000 for State and Local Programs. With these amounts, total funding for ODP is $3,564,846,000, including $600,000,000 for Firefighter Assistance Grants, $180,000,000 for Emergency Management Performance Grants, and $3,546,000 for Management and Administration. In total, this is $90,000 above the President's request. With this funding, since fiscal year 2002, $32,410,000,000 has been made available for assistance to State and local governments for terrorism prevention and preparedness, general law enforcement, firefighter assistance, transportation security, seaport security, and public health preparedness. Of that amount, $13,377,000,000 has been provided to first responders through ODP, and $3,166,000,000 has been provided directly to firefighters.

The Committee believes that ODP must continue its vital program for assisting State and local response agencies to ensure first responders are prepared to respond in the event of a terrorist attack. However, the Committee notes that we are at a turning point in the methodology for administering the first responder grant program. Historically, funds have been distributed based on minimum percentages and population. The Department has also exercised a lack of supervision, while leaving the States and localities responsible for identifying terrorist threats and critical infrastructure, creating strategies to contend with terrorism, determining the types of equipment to buy and training methods, and assessing performance and preparedness levels. During this period, ODP has failed to provide adequate goals, standards, and guidance for the States and localities to undertake these tasks. With the implementation of Homeland Security Presidential Directive 8 (HSPD–8), ODP will begin a new methodology for administering the first responder grant program. Funding will be targeted based on threat and risk, while targeting gaps in levels of preparedness. Critical program goals, standards, and criteria will also be established. A National Preparedness Goal, which is formally established by HSPD–8, is the means by which all this will happen. However, the implementation plan for the National Preparedness Goal is a phased approach, with full implementation in fiscal year 2007. Because the Department is at these crossroads, the Committee does not believe it is in the best interest to continue to increase funding for first responder grants above the President's request as the Committee has historically done. Therefore, the Committee recommends the following amounts for fiscal year 2006 for State and Local Programs:

State and Local Programs	
State Formula Grants:	
State Homeland Security Grant Program	$750,000,000
Law Enforcement Terrorism Prevention	400,000,000
Subtotal State Grants:	1,150,000,000
Discretionary Grants:	
High-Threat, High-Density Urban Area Grants	850,000,000
Port Security	150,000,000
Rail and Transit Security	150,000,000
Buffer Zone Protection Program	50,000,000
Intercity Bus Security	10,000,000
Trucking Security	5,000,000
Subtotal, Discretionary Grants	1,215,000,000
Commercial Equipment Direct Assistance Program	50,000,000
National Programs	
National Domestic Preparedness Consortium	125,000,000
National Exercise Program	52,000,000
Metropolitan Medical Response System	40,000,000
Citizen Corps	40,000,000
Demonstration Training Grants	35,000,000
Continuing Training Grants	30,000,000
Technical Assistance	20,000,000
Evaluations and Assessments	14,300,000
Rural Domestic Preparedness Consortium	10,000,000
Subtotal, National Programs	366,300,000
Total, State and Local Programs	$2,781,300,000

STATE HOMELAND SECURITY GRANT PROGRAM

The Committee recommends $750,000,000 for State Homeland Security grants. These funds are available to all States for purposes of training, procuring equipment, planning, and conducting exercises, based on each State's approved updated homeland security strategy. Any subsequent grant made by a State shall also be based on that State's approved updated homeland security strategy. The Committee makes these funds available to all States on a formula basis, as authorized by section 1014 of the USA PATRIOT Act, (Public Law 107–56). The Committee recognizes pending legislation to modify State formula grants and presumes ODP would distribute funds based on any successor legislation. Provided no succeeding legislation to the USA PATRIOT Act is signed into law, ODP shall assess each State's threat, risk, and need to determine their minimum essential preparedness capability levels and allocate remaining funds to address those identified gaps in preparedness. The Committee directs ODP to brief the Committee 15 days prior to announcement of the awarding of these funds. That briefing shall include all threat and risk analysis applied and the process for determining need based on filling gaps in preparedness levels. The Committee expects the application kits to be made available within 45 days after enactment of this Act, that States will have 90 days to apply after the grant is announced, and ODP will act within 90 days of its receipt. The increased time allowed for State application and ODP review above previous fiscal years is based on the new methodology by which these grants will be requested and awarded. States must identify gaps in levels of preparedness when applying and ODP must evaluate all applications

based on threat and risk before awards are made. The Committee also agrees that no less than 80 percent of these funds shall be passed by the State to local units of government within 60 days of the State receiving funds. None of the funds may be used for construction or overtime, except overtime to backfill those first responders attending ODP certified training classes. However, for those projects that specifically address enhanced security at critical infrastructure facilities, such as improved perimeter security, minor construction or renovation for necessary guard facilities, fencing, and related efforts, project construction or renovation not exceeding $1,000,000 is allowable, as deemed necessary by the Secretary. Not to exceed 3 percent may be used for administrative expenses.

This level of funding will allow ODP to work with State and local agencies to address the concerns previously noted and to begin the process of allocating State funding based on risk, threat, and need, specifically targeting gaps in preparedness levels, as directed in HSPD–8. The Committee also notes that including fiscal year 2005 grants, more than $7,000,000,000 in first responder funding remains unspent. While this does not mean that States or localities have not designated funding for a specific purpose, it does mean that billions of dollars remains in the pipeline.

LAW ENFORCEMENT TERRORISM PREVENTION GRANTS

The Committee recommends $400,000,000 for State and local Law Enforcement Terrorism Prevention grants and makes these funds available to all States on a formula basis, as authorized by section 1014 of the USA PATRIOT Act, (Public Law 107–56). The Committee recognizes pending legislation to modify State formula grants and presumes ODP would distribute funds based on any successor legislation. Provided no succeeding legislation to the USA PATRIOT Act is signed into law, ODP shall assess each State's threat, risk, and need to determine their minimum essential preparedness capability levels and allocate remaining funds to address those identified gaps in preparedness. Law enforcement terrorism prevention activities that involve compensation of overtime shall be limited to those specifically related to homeland security, such as providing expanded investigation and intelligence efforts. Funding may not be used to supplant ongoing, routine public safety activities of State and local law enforcement. State applications must certify that all requests for overtime comply with this requirement. The Committee expects the application kits to be made available within 45 days after enactment of this Act, that States will have 90 days to apply after the grant is announced, and ODP will act within 90 days of its receipt. The increased time allowed for State application and ODP review above previous fiscal years is based on the new methodology by which these grants will be requested and awarded. States must identify gaps in levels of preparedness when applying and ODP must evaluate all applications based on threat and risk before awards are made. The Committee also agrees that no less than 80 percent of these funds shall be passed by the State to local units of government within 60 days of the State receiving funds. None of the funds may be used for construction. Not to exceed 3 percent may be used for administrative expenses.

The Committee does not agree with the President's proposal to set aside a percentage of first responder grant funding for prevention activities and has reestablished it as a separate grant program. The Committee believes that prevention is a key component in the fight against terror and is concerned the grant program would lose its focus if combined with other preparedness grants. The Committee encourages ODP to continue to establish a strong terrorism prevention program to serve as a frontline defense against future terrorist attacks.

DISCRETIONARY GRANTS

The Committee recommends $1,215,000,000 for discretionary grants under the Urban Area Security Initiative. Not to exceed 3 percent may be used for administrative expenses.

HIGH-THREAT, HIGH-DENSITY URBAN AREA GRANTS

Of the funds recommended for Discretionary Grants, the Committee provides $850,000,000 for grants to high-threat, high-density urban areas. The Committee expects the application kits to be made available within 45 days after enactment of this Act, that States will have 90 days to apply after the grant is announced, and ODP will act within 90 days of its receipt. The increased time allowed for State application and ODP review above previous fiscal years is based on the new methodology by which these grants will be requested and awarded. States must identify gaps in levels of preparedness when applying and ODP must evaluate all applications based on threat and risk before awards are made. The Committee also agrees that no less than 80 percent of these funds shall be passed by the State to local units of government within 60 days of the State receiving funds. None of the funds may be used for construction. However, for those projects that specifically address enhanced security at critical infrastructure facilities, such as improved perimeter security, minor construction or renovation for necessary guard facilities, fencing, and related efforts, project construction or renovation not exceeding $1,000,000 is allowable, as deemed necessary by the Secretary. The Committee expects ODP to continue the practice of reimbursing eligible overtime expenses as designated in ODP Information Bulletin No. 127, dated August 3, 2004.

PORT SECURITY

Of the funds recommended for Discretionary Grants, the Committee provides $150,000,000 for Port Security grants. The President's request combined all infrastructure protection grants into a single Targeted Infrastructure Protection Program. The Committee denies this request. The Committee directs ODP to ensure the coordination of all port security grants with the State, local port authority, and the Captain of the Port, to ensure all vested parties are aware and that the limited resources are maximized.

The Committee is concerned about the effectiveness of the port security grant program. A recent DHS Inspector General report (OIG–05–10) criticized the Department for providing funding to low priority ports and for low priority projects. The Committee, therefore, has included bill language directing ODP to work with the In-

formation Analysis and Infrastructure Protection (IAIP) Directorate to determine the threat environment at individual ports and with the U.S. Coast Guard to evaluate each port's vulnerability. The Committee includes bill language that funds will be directed at those ports with the highest risk and largest vulnerabilities. In addition, funding may only be made available for those projects recommended by the Coast Guard Captain of the Port.

The Committee is aware of the unique training challenges created by ports. Given the cost and logistics associated with live exercise disaster training, the Committee encourages ODP, in conjunction with the Science and Technology Directorate, to explore the use of high-fidelity reality-based synthetic environment technology for disaster management and training in the port environment.

RAIL AND TRANSIT SECURITY

Of the funds recommended for Discretionary Grants, the Committee provides $150,000,000 for Rail and Transit Security grants. The President's request combined all infrastructure protection grants into a single Targeted Infrastructure Protection Program. The Committee denies this request. The Committee directs ODP to continue to work with the Transportation Security Administration to develop a robust rail and transit security program, as well as with the Science and Technology Directorate on the identification of possible research and design requirements.

The Committee is concerned by a recent ODP risk assessment that highlights the need for redundant transit operations control abilities in the national capital region to maintain federal government continuity of operations. The Committee directs ODP to submit a report no later than January 16, 2006, on the steps they may take to ensure that this deficiency is addressed.

BUFFER ZONE PROTECTION PROGAM

Of the funds recommended for Discretionary Grants, the Committee provides $50,000,000 for the Buffer Zone Protection Program. The President's request combined all infrastructure protection grants into a single Targeted Infrastructure Protection Program. The Committee denies this request. The Committee directs ODP to continue to work with IAIP to identify critical infrastructure, assess vulnerabilities at those sites, and direct funding to gaps in those vulnerabilities.

INTERCITY BUS SECURITY

Of the funds recommended for Discretionary Grants, the Committee provides $10,000,000 for Intercity Bus Security grants. The President's request combined all infrastructure protection grants into a single Targeted Infrastructure Protection Program. The Committee denies this request.

TRUCKING SECURITY

Of the funds recommended for Discretionary Grants, the Committee provides $5,000,000 for Trucking Security grants. The President's request combined all infrastructure protection grants into a single Targeted Infrastructure Protection Program. The Committee denies this request.

COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM

The Committee recommends $50,000,000 for the Commercial Equipment Direct Assistance Program (CEDAP), $50,000,000 above the President's request and the same as amounts provided in fiscal year 2005. This program, formerly known as the Technology Transfer Program, provides basic technologies, which are immediately deployable, directly to smaller local jurisdictions. These jurisdictions do not always benefit directly from other first responder grants, yet have the same need for basic technologies, such as interoperable communications, defensive protection equipment, and vulnerability assessment tools. The Committee commends ODP on its successful implementation of this program, and directs a report, no later than January 16, 2006, on any proposed changes to the program. The report shall also include a summary of current and proposed technologies, feedback received from recipients, and how ODP coordinates these awards with State and local governments and their homeland security strategies.

NATIONAL PROGRAMS

The Committee recommends $366,300,000 for National Programs, $30,000,000 above the amounts provided in fiscal year 2005. The President requested $206,910,000 for these programs under separate accounts.

NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM

Of the funds recommended for National Programs, the Committee provides $125,000,000 for the National Domestic Preparedness Consortium, $45,000,000 above the President's request and $10,000,000 below the amounts provided in fiscal year 2005. Of this amount, the Committee provides $45,000,000 for the Center for Domestic Preparedness, $5,000,000 below the amounts provided in fiscal year 2005.

The Committee continues to be concerned at the level of funding requested for first responder training. The Department's fiscal year 2006 request for all first responder training programs is $112,000,000 less than last year's enacted levels. This is the second consecutive year the Department has proposed to cut first responder training by 57 percent. These programs ensure the training of hundreds of thousands of first responders annually. Reducing these funds by the amount in the President's request would seriously degrade ODP's ability to train first responders across the Nation. The Committee strongly encourages the Department to fully fund all first responder training programs in the future.

NATIONAL EXERCISE PROGRAM

Of the funds recommended for National Programs, the Committee provides $52,000,000 for the National Exercise Program, the same as the President's request and the amounts provided in fiscal year 2005.

METROPOLITAN MEDICAL RESPONSE SYSTEM

Of the funds recommended for National Programs, the Committee provides $40,000,000 for the Metropolitan Medical Response System (MMRS), $40,000,000 above the President's request and

$10,000,000 above the amounts provided in fiscal year 2005. The Committee is concerned that the Department again did not request funding for this program in fiscal year 2006. MMRS is a vital system that provides minimal funds directly to the 124 jurisdictions to bring together local first responders, medical, public health and emergency managers to respond to and manage a weapon of mass destruction mass casualty event.

CITIZEN CORPS

Of the funds recommended for National Programs, the Committee provides $40,000,000 for Citizen Corps, $10,000,000 below the President's request and $25,000,000 above the amounts provided in fiscal year 2005.

DEMONSTRATION TRAINING GRANTS

Of the funds recommended for National Programs, the Committee provides $35,000,000 for Demonstration Training Grants, $35,000,000 above the President's request and $5,000,000 above the amounts provided in fiscal year 2005. The Committee agrees that these shall be peer reviewed competitive grants for first responder pilot and demonstration training projects, covering the local, regional, and national levels.

COORDINATED PHYSICIAN TRAINING PROGRAM

The Committee believes that the nation's physicians are an important component in the defense against biological, chemical, and nuclear attack. Not only are they on the front line in treating those impacted by such an attack, they may also prove to be critical in identifying and reporting an attack through their regular treatment of patients. The Committee encourages the Department to work with the Department of Health and Human Services in developing a uniform educational approach for physicians focusing on standardized recognition, treatment, and reporting information for possible biological, chemical, and nuclear attack.

CONTINUING TRAINING GRANTS

Of the funds recommended for National Programs, the Committee provides $30,000,000 for Continuing Training Grants, $26,990,000 above the President's request and $5,000,000 above the amounts provided in fiscal year 2005. The Committee agrees that these grants shall be used to fund current first responder training programs deemed of national importance by ODP.

REGIONAL FIRST RESPONDER TRAINING

The Committee is aware of the vital role regional training centers play in equipping first responders to overcome the myriad of challenges they are called to face. The Committee has heard numerous times of training backlogs and is concerned that training needs are not being met expeditiously. Therefore, the Committee directs ODP to comprehensively assess this training backlog and whether providing states and localities with funding targeted to establishing regional first responder training centers will help meet these needs and provide a report on their findings no later than January 16, 2006.

TECHNICAL ASSISTANCE

Of the funds recommended for National Programs, the Committee provides $20,000,000 for Technical Assistance, $12,400,000 above the President's request and $10,000,000 below the amounts provided in fiscal year 2005. The Committee recognizes the importance of interoperable communications standards, which are critical to the Department's efforts to improve communications nationally. Therefore the Science and Technology (S&T) Directorate shall expedite the development of these standards, and coordinate with ODP to ensure that ODP's technical assistance program incorporates these standards, as appropriate, and as spelled out in the Memorandum of Agreement between S&T and SLGCP, signed May 24, 2004, by the Executive Director of SLGCP and August 9, 2004, by the Under Secretary of S&T.

The Committee notes that there is currently no existing capability for real-time exchange of information at the regional or interstate levels regarding equipment and supplies inventory, readiness or the compatibility of equipment. Therefore, the Committee encourages ODP to review the use of logistic centers, which would consolidate State and local assets, provide life-cycle management and maintenance of equipment, allow for easy identification and rapid deployment during an incident, and allow for the sharing of inventories across jurisdictions.

EVALUATIONS AND ASSESSMENTS

Of the funds recommended for National Programs, the Committee provides $14,300,000 for Evaluations and Assessments, the same as the budget request and the amounts provided in fiscal year 2005.

RURAL DOMESTIC PREPAREDNESS CONSORTIUM

Of the funds recommended for National Programs, the Committee provides $10,000,000 for the Rural Domestic Preparedness Consortium (RDPC), $10,000,000 above the President's request and $5,000,000 above the amounts provided in fiscal year 2005. The RDPC provides technical assistance and training relating to weapons of mass destruction prevention, preparedness, response, and recovery in support of rural homeland security requirements. Rural communities pose unique training challenges for first responders and medical and government officials, such as the protection of critical infrastructure located in rural areas and the response to urban migration following an incident in an urban area. The Committee directs ODP to continue the development of specialized and innovative training curricula for rural first responders and ensure the coordination of such efforts with existing ODP training partners.

HOMELAND SECURITY PRESIDENTIAL DIRECTIVE 8

The Committee commends ODP for its work in implementing Homeland Security Presidential Directive 8 (HSPD–8). HSPD–8 calls for the creation of a National Preparedness Goal, which together with the National Incident Management System and the National Response Plan, define what needs to be done to manage a major event, how it needs to be done, and how well it needs to

be done. Specifically, under HSPD–8, ODP has developed the Universal Task List, the Target Capabilities List and the Homeland Security Exercise and Evaluation Program, which together will integrate performance and equipment standards into a capabilities-based planning framework. To help continue this effort, the Committee directs that ODP complete the National Preparedness Assessment and Reporting System no later than April 1, 2006. This system will allow ODP and States to assess the differing vulnerabilities of a jurisdiction, and identify what preparedness standard should be reached. The Committee further directs ODP to issue the final National Preparedness Goal, including the final Universal Task List and Target Capabilities List, no later than October 1, 2005. Consequently, the Committee has included bill language that no funds can be awarded to States that have not provided an updated State homeland security strategy based on the interim National Preparedness Goal, which was issued March 31, 2005.

STATE HOMELAND SECURITY STRATEGIES

Based on the findings of a recent Committee review of first responder grants, the Committee is aware that many States were disappointed by the lack of guidance offered by ODP for the 2004 update of State homeland security strategies. The Committee is also aware of numerous problems associated with the online data collection tool used by ODP and States to develop these strategies. In fact, ODP officials have conceded that less than 50 percent of State security strategies are well thought out or provide a rational basis for procurements. In general, States and localities have been allowed to request any approved equipment item, regardless of the objective behind the procurement or their ability to operate and sustain it. Because updated strategies will be required before the award of fiscal year 2006 funds, the Committee directs ODP to provide proper guidance to the States, ensure software problems are resolved, and perform proper review of the updated strategies.

COORDINATION OF FEDERAL GRANTS

Based on the findings of a recent Committee review of first responder grants, the Committee is concerned that there is a lack of coordination of all Federal grant programs at the State level. The Department, in its first annual report on Federal homeland security preparedness funding, identified 25 programs providing homeland security funding. Many of these programs provide funds for similar purposes, which increases the probability of duplication and inefficiency in procurements. At the same time, not all States are actively coordinating the use of the funding. The Committee believes all Federal funding for homeland security should be coordinated and directs ODP to include a requirement that States establish an executive level committee or process to coordinate Federal funding and eliminate redundant and duplicative Federal funding.

REGIONALIZATION

Based on the findings of a recent Committee review of first responder grants, the Committee is encouraged that 23 States have instituted, or are in the process of instituting, some form of a re-

gional intrastate structure. Such regionalization allows for greater coordination, streamlined procurement, and better leveraging of Federal grant dollars. The Committee, however, is concerned that ODP is not doing enough to encourage regionalization, both intra and interstate. The Committee believes regionalization should be a condition of all grants, not just the urban area grants as ODP currently does. Therefore, the Committee directs ODP to encourage States to establish both intra and interstate regionalization efforts in their fiscal year 2006 grant guidance.

GRANTS MANAGEMENT SYSTEM

Based on the findings of a recent Committee review of first responder grants, the Committee is concerned at the lack of national standards guiding the distribution, tracking, and oversight of first responder grant funding. In large part, this stems from the lack of an automated system that would allow for real time tracking of the distribution and use of first responder funds. Therefore, the Commitee directs ODP to provide a report, no later than January 16, 2006, on the requirements, feasibility, and costs of an automated grants management system for the States.

AUTHORIZED EQUIPMENT LIST

Based on the findings of a recent Committee review of first responder grants, the Committee is concerned that, as authorized equipment lists are updated, prior year grants cannot be used for the new items. The Committee believes this may preclude State and local first responders from obtaining the most recent and advanced equipment available. Therefore, the Committee directs ODP to review this procedure and provide a report, no later than January 16, 2006, on the benefits and detriments to allowing previous year grant funds to be used for current authorized equipment purchases.

EMERGENCY MEDICAL SERVICES

The Committee is very concerned with the lack of first responder grant funding being provided to the Emergency Medical Services (EMS) community. In response to a report requested last fiscal year by this Committee, ODP reported that only 4 percent of first responder grants were awarded to EMS providers in fiscal year 2004. This is extremely disproportionate as EMS providers, in conjunction with police and firefighters, are the primary first responders for medical assistance in the event of a terrorist attack. Therefore, the Committee directs ODP to require State and local governments to include EMS representatives in planning committees as equal partners and to facilitate a nationwide EMS needs assessment. Further, the Committee directs that no less than 10 percent of State Homeland Security Grants and High-Threat, High-Density Urban Area Grants must be provided to EMS providers to better train and equip them to provide critical life-saving assistance in the event of a chemical, biological, radiological, or explosive event.

LOCAL GOVERNMENT PARTICIPATION IN STATE PROCESS

The Committee believes that the strong participation of local governments, including those of midsize and rural communities and

counties and multi-county regional cooperatives, is essential to the development of sound homeland security plans within each State. The Committee is concerned that the Department has done little to ensure the inclusion of all proper participants in State planning and therefore directs ODP to pay special attention to the inclusion of local participants in the State planning process while reviewing a State's updated homeland security strategy prior to fiscal year 2006 grant award.

EQUIPMENT REUSE PROGRAM

The Committee is encouraged by the Department's Homeland Defense Equipment Reuse (HDER) program, which provides surplus equipment, as well as training and technical support, to emergency responder agencies nationwide to enhance their domestic preparedness capabilities. The Committee is also aware of nonprofit organizations that refurbish old or used equipment for redeployment to other agencies that may not have the resources to obtain equipment on their own. Therefore, the Committee encourages the Department to work with outside organizations that provide these services to maximize the use of all serviceable equipment available to our nation's first responders.

FIREFIGHTER ASSISTANCE GRANTS

Appropriation, fiscal year 2005	$715,000,000
Budget estimate, fiscal year 2006	500,000,000
Recommended in the bill	600,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−115,000,000
Budget estimate, fiscal year 2006	+100,000,000

MISSION

Firefighter Assistance Grants provide grants to local fire fighting departments for the purpose of protecting the health and safety of the public and fire fighting personnel, including volunteers and emergency medical service personnel, against fire and fire-related hazards.

RECOMMENDATION

The Committee recommends $600,000,000 for Firefighter Assistance Grants, $100,000,000 above the President's request and $115,000,000 below the amounts provided in fiscal year 2005. Of this amount, $50,000,000 shall be for firefighter staffing, as authorized by section 34 of the Federal Fire Prevention and Control Act of 1974. The Committee directs ODP to continue current grant administrative practices in a manner identical to the current fiscal year, including a peer review process of applications, granting funds directly to local fire departments, and the inclusion of the United States Fire Administration during grant administration. The Committee does not agree to place priority on terrorism, and directs ODP to maintain an all-hazards focus. The Committee also does not agree to limit the list of eligible activities, which are provided in section 2229 of title 15, United States Code. Not to exceed 5 percent may be used for administrative expenses. Funds are available until September 30, 2007.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

Appropriation, fiscal year 2005	$180,000,000
Budget estimate, fiscal year 2006 [1]	(170,000,000)
Recommended in the bill	180,000,000
Bill compared with:	
Appropriation, fiscal year 2005	- - -
Budget estimate, fiscal year 2006	+10,000,000

[1] Funding for Emergency Management Performance Grants was requested under the State and Local Programs in fiscal year 2006.

MISSION

Emergency Management Performance Grant (EMPG) funds are used to support comprehensive emergency management at the State and local levels and to encourage the improvement of mitigation, preparedness, response, and recovery capabilities for all hazards. EMPG funds may also be used to support activities that contribute to the capability to manage consequences of acts of terrorism.

RECOMMENDATION

The Committee recommends $180,000,000 for Emergency Management Performance Grants, $10,000,000 above the President's request and the same as amounts provided in fiscal year 2005. The Committee does not agree to transfer EMPGs to State and Local Programs, and continues to fund the EMPG program as a separate appropriation. The Committee also directs ODP to continue current grant administrative practices in a manner identical to the current fiscal year, including remaining focused on all-hazards and not limiting personnel expenses. Not to exceed 3 percent may be used for administrative expenses.

The Committee is concerned about the possible impact of awarding EMPGs through the State Administrating Agency (SAA) to the State's emergency management agency and the delay this process can cause. The Committee directs ODP to work with all SAAs to ensure these funds reach the emergency management communities as quickly as possible.

COUNTERTERRORISM FUND

Appropriation, fiscal year 2005	$8,000,000
Budget estimate, fiscal year 2006	10,000,000
Recommended in the bill	10,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+2,000,000
Budget estimate, fiscal year 2006	- - -

MISSION

This appropriation provides funding for unbudgeted and unanticipated costs associated with support to counter, investigate or pursue domestic or international terrorism, and to re-establish the operational capability of an office, facility, or other property damaged or destroyed as a consequence of any domestic or international terrorist act. Funds may be used for reward payments for information to assist in the pursuit of suspects or networks that support and foster terrorist activity. Funding may also be used to pay the costs for officially designated National Special Security Events. These funds are available to the extent that prior notifica-

tion is given to the Committees on Appropriations in accordance with guidelines on reprogramming and transfer of funds.

RECOMMENDATION

The Committee recommends $10,000,000 for the Counterterrorism Fund, the same as the budget request and $2,000,000 above the amounts provided in fiscal year 2005.

OFFICE OF THE UNDER SECRETARY FOR EMERGENCY PREPAREDNESS AND RESPONSE

EMERGENCY PREPAREDNESS AND RESPONSE

Appropriation, fiscal year 2005	$4,211,000
Budget estimate, fiscal year 2006	4,306,000
Recommended in the bill	2,306,000
Bill compared with:	
Appropriation, fiscal year 2005	−1,905,000
Budget estimate, fiscal year 2006	−2,000,000

MISSION

The Office of the Under Secretary for Emergency Preparedness and Response (EP&R) is responsible for coordinating Federal disaster relief activities, including implementation of the National Response Plan, which authorizes the response and recovery operations of 26 federal agencies and departments as well as the American Red Cross. This office also oversees the National Flood Insurance Program and the U.S. Fire Administration as well as initiates proactive mitigation activities. Additionally, this office supports response capabilities of emergency responders and the direction of the National Disaster Medical System, the Mobile Emergency Response System, and the Nuclear Incident Response Team. In addition to its headquarters office, EP&R has ten regional offices and two area offices.

RECOMMENDATION

The Committee recommends $2,306,000 for the Office of the Under Secretary for Emergency Preparedness and Response, $2,000,000 below the President's request and $1,905,000 below the amounts provided in fiscal year 2005.

CONGRESSIONAL INTERACTION

The Committee is concerned with the lack of cooperation received from EP&R, specifically regional and field offices, while working with this Committee and other Members of Congress to execute Congressional direction. Regional offices have continually adjusted their interpretation of Committee report language in several instances in an apparent attempt to avoid execution. On one specific occasion, this process stretched over several months as the Committee tried to address the regional office's continually changing responses. It appears that interpretations of report language, codes, and regulations are being routinely changed to avoid following Congressional direction. To demonstrate the seriousness of this Committee with regards to the importance of following Congressional direction contained in report language, the Committee recommends

a $2,000,000 reduction to the Office of the Under Secretary for Emergency Preparedness and Response.

PREPAREDNESS, MITIGATION, RESPONSE AND RECOVERY

Appropriation, fiscal year 2005	$239,499,000
Budget estimate, fiscal year 2006	235,499,000
Recommended in the bill	249,499,000
Bill compared with:	
Appropriation, fiscal year 2005	+10,000,000
Budget estimate, fiscal year 2006	+14,000,000

MISSION

The Preparedness, Mitigation, Response, and Recovery activity provides for the development and maintenance of an integrated, nationwide operational capability to prepare for, mitigate against, respond to, and recover from the consequences of disasters and emergencies, regardless of their cause, in partnership with other federal agencies, State and local governments, volunteer organizations, and the private sector.

RECOMMENDATION

The Committee recommends $249,499,000 for Preparedness, Mitigation, Response, and Recovery activities, $14,000,000 above the President's request and $10,000,000 above the amounts provided in fiscal year 2005.

NATIONAL INCIDENT MANAGEMENT SYSTEM

Of the amounts recommended for Preparedness, Mitigation, Response, and Recovery, $25,000,000 is provided for the implementation of the National Incident Management System (NIMS), $10,000,000 above the President's request and $10,000,000 above the amounts provided in fiscal year 2005. The Committee is encouraged by EP&R's implementation efforts to date. NIMS, in conjunction with the National Preparedness Goal and the National Response Plan, defines what needs to be done to manage a major event, how it needs to be done, and how well it should be done. Specifically, it will provide standardized training, organization, and communication procedures for multi-jurisdictional interaction. The Committee commends EP&R for its work, and directs them to use the recommended $10,000,000 increase to continue to implement NIMS nationwide, with a focus specifically on standards identification, testing and evaluation of equipment, and gap and lessons learned identification.

EMERGENCY STRUCTURES

The Committee recommends $4,000,000 for rapidly deployable expandable structures for primary use as temporary infrastructure in response to a disaster. The Department is strongly encouraged to begin to utilize these new structures to address infrastructure needs, such as offices, schools, medical centers, and other public buildings. The Committee believes that innovative and higher quality structures could provide substantial cost-savings over time to the Federal government through effective multiple reuse, and will enhance current response and recovery activities well beyond the semi-disposable products currently being used. The Committee di-

rects EP&R to begin using these structures at the earliest possible date and to ensure that emergency housing and infrastructure requirements are submitted with their fiscal year 2007 budget request.

NATIONAL EMERGENCY COMMUNICATION SYSTEM

The Committee is aware of several ongoing demonstration programs studying emergency communications. EP&R is currently studying the use of public television digital broadcasting technology to provide secure, time-sensitive communications for Federal, State and local governments. EP&R was also directed in the Intelligence Reform and Terrorism Prevention Act of 2004 to conduct a pilot study for issuing public warnings using a system that is similar to the AMBER Alert communications network. The Committee directs EP&R to provide a report on the status of these pilot programs and the overall status of upgrading the Nation's emergency communication system, including milestones and timelines, no later than January 16, 2006.

INTEROPERABILITY

The Committee is concerned about the interoperability of Federal assets responding to a major event. For example, multiple Urban Search and Rescue (US&R) teams from across the Nation may respond to an event. It is imperative that these Federal assets be able to seamlessly communicate with each other. Likewise, any Federal asset responding to an incident must have the ability to communicate with State and local officials and first responders. Therefore, the Committee directs EP&R to report, no later than January 16, 2006, on the interoperability of the national US&R teams and Federal communications with States and locals during an incident.

CATASTROPHIC PLANNING

The Committee is aware that EP&R is developing major hurricane, and other natural and manmade disaster emergency response and shelter plans for major urban areas along the Gulf of Mexico and the Atlantic Coasts and encourages EP&R to finalize this initiative prior to hurricane season.

SCHOOL EMERGENCY KITS

In the aftermath of the attack on the school in Beslan, Chechnya the Committee is concerned with the level of preparedness for a terrorist attack in our Nation's schools and encourages the Department to develop standards for school emergency kits which would prepare students, teachers and administrators for a possible biological, chemical and nuclear attack and other weather related emergencies. These kits should also contain appropriate materials and resources for parents and local first responders to assist in the education of students in how to properly respond to an attack or natural disaster.

ADMINISTRATIVE AND REGIONAL OPERATIONS

Appropriation, fiscal year 2005	$202,939,000
Budget estimate, fiscal year 2006	218,441,000

Recommended in the bill	225,441,000
Bill compared with:	
Appropriation, fiscal year 2005	+22,502,000
Budget estimate, fiscal year 2006	+7,000,000

MISSION

Administrative and Regional Operations includes the salaries and expenses required to provide executive direction and administrative staff support for all agency programs in both the headquarters and field offices. This account funds both program support and executive direction activities.

RECOMMENDATION

The Committee recommends $225,441,000 for Administrative and Regional Operations, $7,000,000 above the President's request and $22,502,000 above the amounts provided in fiscal year 2005. Of these amounts, the Committee directs EP&R to provide $7,000,000 to continue its Document Management Support Program, an effort to archive key agency documents by digitization to optical disks. Funding of not to exceed $2,000 is provided for official reception and representation expenses.

HIRING FREEZE

The Committee understands that, despite being funded for 945 FTEs, EP&R can only fill 858 positions due to unbudgeted Department-wide obligations for fiscal year 2005. This hiring freeze is a direct result of an $18,501,425 bill for Department-wide services and Working Capital Fund payments, both of which were unknown during the fiscal year 2005 budget formulation. The Committee understands that a similar payment will be due in fiscal year 2006, but is again unbudgeted due to the Department's inability to provide timely estimates, and will likely result in another hiring freeze. The Committee is disappointed that the Department cannot provide timely estimates for payments of such services and directs EP&R to provide a report on the impact of a second consecutive year under a hiring freeze on emergency preparedness, mitigation, response, and recovery efforts. This report shall include what steps EP&R has taken to ensure the costs are budgeted for in fiscal year 2007 and is due no later than January 16, 2006.

PUBLIC HEALTH PROGRAMS

Appropriation, fiscal year 2005	$34,000,000
Budget estimate, fiscal year 2006	34,000,000
Recommended in the bill	34,000,000
Bill compared with:	
Appropriation, fiscal year 2005	- - -
Budget estimate, fiscal year 2006	- - -

MISSION

The Public Health Program account provides for the coordination of much of the Federal health, medical, and mental health response to major emergencies, federally declared disasters and terrorist acts. This nationwide response capacity supplements State and local medical resources during disasters and emergencies.

RECOMMENDATION

The Committee recommends $34,000,000 for Public Health Programs, the same as the budget request and the amounts provided in fiscal year 2005.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

Appropriation, fiscal year 2005	$ – 1,000,000
Budget estimate, fiscal year 2006	– 1,266,000
Recommended in the bill	– 1,266,000
Bill compared with:	
Appropriation, fiscal year 2005	– 266,000
Budget estimate, fiscal year 2006	- - -

MISSION

The Radiological Emergency Preparedness (REP) program ensures that the public health and safety of citizens living around commercial nuclear power plants is adequately protected in the event of a nuclear power station accident and informs and educates the public about radiological emergency preparedness. The REP program responsibilities encompass only "offsite" activities—State and local government emergency preparedness activities that take place beyond the nuclear power plant boundaries.

RECOMMENDATION

The Committee provides for the receipt and expenditure of Radiological Emergency Preparedness Program fees collected as authorized by Public Law 105–276. The President's request estimates fee collections to exceed expenditures by $1,266,000 in fiscal year 2006.

DISASTER RELIEF

Appropriation, fiscal year 2005 [1]	$8,542,380,000
Budget estimate, fiscal year 2006	2,140,000,000
Recommended in the bill	2,023,900,000
Bill compared with:	
Appropriation, fiscal year 2005	– 6,518,480,000
Budget estimate, fiscal year 2006	– 116,100,000

[1] Funding includes PL 108–324 emergency appropriations of $6,500,000,000.

MISSION

The Emergency Preparedness and Response Directorate is responsible for administering disaster assistance programs and coordinating the Federal response in Presidential disaster declarations. Major activities under the Disaster Relief program are human services which provide aid to families and individuals; infrastructure which supports the efforts of State and local governments to take emergency protective measures, clear debris and repair infrastructure damage; hazard mitigation which sponsors projects to diminish effects of future disasters; and disaster management, such as disaster field office staff and automated data processing support.

RECOMMENDATION

The Committee recommends $2,023,900,000 for the Disaster Relief fund, $116,100,000 below the President's request and $6,518,480,000 below the amounts provided in fiscal year 2005. The

Committee does not agree to include bill language amending the Stafford Act for States that implement an Enhanced Mitigation Plan. Such a change is an authorizing issue and is properly addressed by the House Committee on Transportation and Infrastructure.

DISASTER RELIEF OVERPAYMENTS

The Committee has received numerous reports on the misuse of funds in disasters over the past year and is concerned that EP&R may not employ appropriate controls over disaster relief funding. For example, it was recently reported that EP&R is asking 7,300 people in Florida to return Federal disaster assistance funds that should never have been provided in the first place. Therefore, the Committee directs EP&R to provide a comprehensive report, no later than March 15, 2006, on the overpayments made and recovered for the major disaster declarations of the past four years. This report should include analysis of additional safeguards that may be employed to prevent overpayments.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

ADMINISTRATIVE EXPENSES

Appropriation, fiscal year 2005	$567,000
Budget estimate, fiscal year 2006	567,000
Recommended in the bill	567,000
Bill compared with:	
Appropriation, fiscal year 2005	- - -
Budget estimate, fiscal year 2006	- - -

LIMITATION ON DIRECT LOANS

Appropriation, fiscal year 2005	$25,000,000
Budget estimate, fiscal year 2006	25,000,000
Recommended in the bill	25,000,000
Bill compared with:	
Appropriation, fiscal year 2005	- - -
Budget estimate, fiscal year 2006	- - -

MISSION

Beginning in 1992, loans made to States under the cost sharing provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act were funded in accordance with the Federal Credit Reform Act of 1990. The Disaster Assistance Direct Loan Program Account, which was established as a result of the Federal Credit Reform Act, records the subsidy costs associated with the direct loans obligated beginning in 1992 to the present, as well as administrative expenses of this program.

RECOMMENDATION

The Committee recommends $25,000,000 for the limitation on direct loans from the Disaster Assistance Direct Loan Program pursuant to section 319 of the Stafford Act, and $567,000 for administrative expenses of the program, the same as the budget request.

FLOOD MAP MODERNIZATION FUND

Appropriation, fiscal year 2005	$200,000,000
Budget estimate, fiscal year 2006	200,068,000

Recommended in the bill	200,000,000
Bill compared with:	
Appropriation, fiscal year 2005	- - -
Budget estimate, fiscal year 2006	−68,000

MISSION

The mission of the Flood Map Modernization Program is to modernize and digitize the Emergency Preparedness and Response Directorate's inventory of over 100,000 flood maps. These flood maps are used to determine appropriate risk-based premium rates for the National Flood Insurance Program, complete hazard determinations required for the Nation's lending institutions, and to develop appropriate disaster response plans for Federal, State, and local emergency management personnel.

RECOMMENDATION

The Committee recommends $200,000,000 for the Flood Map Modernization Fund, $68,000 below the President's request and the same as amounts provided in fiscal year 2005. The Committee directs EP&R to continue funding ongoing flood mapping projects at those levels identified in the statement of managers accompanying P.L. 108–7. The Committee further directs EP&R to provide funding to update the flood maps of the following: Craighead, Arkansas, and Lonoke counties in Arkansas; Abilene, Texas; Union, Randolph, and Forsyth counties in North Carolina; and Floyd, Pulaski, and Martin counties in Kentucky. Not to exceed 3 percent may be used for administrative expenses. Funds are available until expended.

The Committee understands that this 5–year, $1,000,000,000 program will not update all flood maps; some maps will merely be converted to a digital format. The Committee is concerned that this program was originally portrayed as a means to update all of the Nation's flood maps. Because this is not the case, the Committee directs EP&R to provide a report, no later than January 16, 2006, on the percentage of maps that will be updated, not merely transferred to a digital format, and the percentage of population that the updated maps cover.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005 [1]	($112,593,000)
Budget estimate, fiscal year 2006 [1]	(123,854,000)
Recommended in the bill [1]	(185,854,000)
Bill compared with:	
Appropriation, fiscal year 2005	+73,261,000
Budget estimate, fiscal year 2006	+62,000,000

[1] Fully offset by fee collections.

MISSION

The Flood Disaster Protection Act of 1973 requires the purchase of insurance in communities where it is available as a condition for receiving various forms of Federal financial assistance for acquisition and construction of buildings or projects within special flood hazard areas identified by the Emergency Preparedness and Response Directorate. All existing buildings and their contents in

communities where flood insurance is available, through either the emergency or regular program, are eligible for a first layer of coverage of subsidized premium rates.

Full risk actuarial rates are charged for new construction or substantial improvements commenced in identified special flood hazard areas after December 31, 1974, or after the effective date of the flood insurance rate map issued to the community, whichever is later. For communities in the regular program, a second layer of flood insurance coverage is available at actuarial rates on all properties, and actuarial rates for both layers apply to all new construction or substantial improvements located in special flood hazard areas. The program operations are financed with premium income augmented by Treasury borrowings.

RECOMMENDATION

The Committee has included bill language for salaries and expenses to administer the National Flood Insurance Fund, not to exceed $36,496,000, the same as the budget request; not to exceed $40,000,000 for severe repetitive loss property mitigation expenses under section 1361A of the National Flood Insurance Act of 1968, $40,000,000 above the budget request; not to exceed $10,000,000 for a repetitive loss property mitigation pilot program under section 1323 of the Act, $10,000,000 above the budget request; and not to exceed $99,358,000 for flood mitigation activities, $12,000,000 above the President's request. Total funding of $185,854,000 is offset by premium collections. The Committee also includes a limitation of $40,000,000 for expenses under section 1366 of the Act, $12,000,000 above the President's request, which shall be available for transfer to the National Flood Mitigation Fund. Flood mitigation funds are available until September 30, 2007, and funds for mitigation activities associated with section 1361A are available until expended.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005	$20,000,000
Budget estimate, fiscal year 2006	28,000,000
Recommended in the bill	40,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+20,000,000
Budget estimate, fiscal year 2006	+12,000,000

MISSION

The National Flood Mitigation Fund assists States and communities in implementing measures to reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes, and other structures insurable under the National Flood Insurance Program (NFIP).

RECOMMENDATION

The Committee recommends $40,000,000 for the National Flood Mitigation Fund, $12,000,000 above the President's request and $20,000,000 above the amounts provided in fiscal year 2005, to be derived by transfer from the National Flood Insurance Program.

The increase is provided as authorized by section 1367 of the National Flood Insurance Act of 1968, as amended by section 102 of the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004. Funds are available until September 30, 2007.

NATIONAL PRE-DISASTER MITIGATION FUND

Appropriation, fiscal year 2005	$100,000,000
Budget estimate, fiscal year 2006	150,062,000
Recommended in the bill	150,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+50,000,000
Budget estimate, fiscal year 2006	−62,000

MISSION

The National Pre-Disaster Mitigation Fund assists States and local governments (to include Indian Tribal governments) in implementing cost-effective hazard mitigation activities that complement a comprehensive mitigation program. All applicants must be participating in the National Flood Insurance Program (NFIP) if they have been identified through the NFIP as having a Special Flood Hazard Area (a Flood Hazard Boundary Map or Flood Insurance Rate Map has been issued). In addition, the community must not be suspended or on probation from the NFIP.

RECOMMENDATION

The Committee recommends $150,000,000 for the National Pre-Disaster Mitigation Fund, $62,000 below the President's request and $50,000,000 above the amounts provided in fiscal year 2005. Not to exceed 3 percent may be used for administrative expenses. Funds are available until expended.

PRE-DISASTER HURRICANE MITIGATION INITIATIVE

Considering the loss of property and life due to the severe hurricane conditions experienced in the Southeastern United States last year, the Committee supports EP&R's coordination with State and local governments to develop pre-disaster hurricane plans. The Committee is aware of a number of existing technologies that provide increased protection to physical structures and encourages EP&R to work closely with the private sector to determine various technologies, which will provide either passive or active protection to physical structures. Specific attention should be given to windows or other aspects of a structure that may be particularly lethal or destructive in hurricane conditions.

EMERGENCY FOOD AND SHELTER

Appropriation, fiscal year 2005	$153,000,000
Budget estimate, fiscal year 2006	153,000,000
Recommended in the bill	153,000,000
Bill compared with:	
Appropriation, fiscal year 2005	- - -
Budget estimate, fiscal year 2006	- - -

MISSION

The Emergency Food and Shelter National Board Program was created in 1983 to supplement the work of local social service orga-

nizations within the United States, both private and governmental, to help people in need of emergency assistance. This collaborative effort between the private and public sectors has disbursed over $2.4 billion in Federal funds during its 22-year history.

RECOMMENDATION

The Committee recommends $153,000,000 for the Emergency Food and Shelter program, the same as the budget request and as the amounts provided in fiscal year 2005. Not to exceed 3.5 percent may be used for administrative expenses. Funds are available until expended.

TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, ASSESSMENTS, AND SERVICES

CITIZENSHIP AND IMMIGRATION SERVICES

Appropriation, fiscal year 2005	$160,000,000
Budget estimate, fiscal year 2006	80,000,000
Recommended in the bill	120,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−40,000,000
Budget estimate, fiscal year 2006	+40,000,000

MISSION

The mission of U.S. Citizenship and Immigration Services (CIS) is to process all immigrant and non-immigrant benefits provided to visitors of the United States, promote national security as it relates to immigration issues, eliminate immigration adjudication backlogs, and implement solutions to improve immigration customer services. While essentially a service organization, CIS maintains substantial records and data that are relevant to both the individuals who seek immigration benefits, as well as for law enforcement and other homeland security purposes.

RECOMMENDATION

The Committee recommends $120,000,000 for Citizenship and Immigration Services, an increase of $40,000,000 above the President's request and $40,000,000 below the amounts provided in fiscal year 2005. This increase supports the information technology transformation requirements for CIS, including efforts to digitize the active alien files that are currently handled in paper form, and continuation of digitizing old records as part of the Historical Records project.

CIS REGIONAL SERVICE CENTERS

The Committee is pleased to see that there has been some reduction in backlogs for immigration services applications, but is concerned that this not be lost when the backlog initiative ends after fiscal year 2006. The Committee understands that CIS will streamline some of its processing among the four processing centers so as to gain some efficiencies and yet retain capacity for different benefit processing at a minimum of two sites. Because the Committee wants to ensure that CIS has the capacity to keep up with incoming workload, and in light of the potential impact of such initiatives as a temporary worker program, the Committee directs CIS to re-

port not later than January 16, 2006, on the costs and benefits of adding a fifth regional service center. The report should take into account the impact of automation on its workload and system operation, its ability to use term employees and temporary capacity to respond to surges in workload, and physical constraints or features (such as location) of existing and potential sites.

INFORMATION TECHNOLOGY TRANSFORMATION

The Committee has provided $40,000,000 for CIS' information technology (IT) transformation efforts. The Committee believes that all work in this area must align with the Department's enterprise architecture. The intensive administrative workload and documentation associated with the mission of CIS makes the agency ideally suited to apply technology and considerably improve its efficiency and productivity. However, the Committee is determined to prevent a haphazard approach to IT investments. As stated under the heading of the Chief Information Officer, the intent of the Committee is to fully leverage and optimize the potential contribution of IT investments in meeting the homeland security mission, while controlling IT investment costs, maintaining schedules, and delivering capabilities. Therefore, the Committee directs the Director of CIS to submit a report to the Committee on the agency's information technology efforts and how these activities align with DHS' enterprise architecture standards within 90 days of enactment of this Act.

BORDER CROSSING CARDS

The Border Crossing Card (BCC), also known as the laser visa, used by Mexican citizens and residents to commute across the U.S. border, continues to be in great demand. With the deployment of biometric verification system (BVS) readers at U.S. ports of entry, and implementation of capacity through US–VISIT to read the information on such documents, the Committee believes it is important that there be an adequate supply of new and replacement cards to permit full use of the capabilities of the BCC as a border security technology.

LEGAL PERMANENT RESIDENT CARDS

The Committee understands that the future use of legal permanent resident (LPR) cards will involve maintaining a link to biometric information contained in databases of the Department, including US–VISIT. The Committee directs the Department to submit a report not later than January 16, 2006, on the technical and financial issues involved in adding biometric verification as a feature of the LPR card.

USER FEE FUNDED PROGRAMS

Current estimates of examination fee collections, which constitute the majority of CIS offsetting resources, are $1,774,000,000. These would support adjudication of applications for immigration benefits and be derived from fees collected from persons applying for immigration benefits. Within the fees collected, the Committee directs CIS to provide not less than $47,000,000 to support the National Customer Service Center operations, and not to exceed

$5,000 shall be available for official reception and representation expenses.

EMPLOYMENT AUTHORIZATION DOCUMENTS (EADS)

The Committee understands that CIS issued an interim rule in July 2004 to permit applicants for immigration some relief from the prior requirement that they have their EADs renewed annually. In order to see the impact of this rule, the Committee directs CIS to report not later than January 16, 2006, on its analysis of the impact of this rule, to include the size of the affected applicant population, any impact on CIS backlogs, costs or staff workload; and, if known, the impact on applicants who previously were forced to change jobs due to the uncertainty of their work authorization status.

BASIC PILOT PROGRAM

The Committee is aware that the Basic Pilot program, a voluntary program authorized under the Immigration and Nationality Act, permits employers to check with CIS to determine if new employees are legally allowed to work in the United States. This is voluntary for most employers, and free of charge. In practice, however, most employers do not participate in the program and CIS could not now accommodate verification requests from all US employers. The Committee is interested in knowing the implications of making such verification of the status of new employees mandatory for employers, and requests that CIS submit a comprehensive report not later than January 16, 2006, that outlines the issues involved in requiring all United States employers to electronically check the legal work status of all new employees. The report should include the costs of such a requirement, options and impediments to charging a user fee for such service, and any plans for instituting such a requirement.

ELECTRONIC COMMUNICATION

CIS and the Department of State share information in the course of conducting background checks and verifying lawful permanent residency and citizenship status. To better understand their ability to share such information electronically, the Committee directs CIS to report not later than January 16, 2006, on the nature of the connections that CIS and the State Department use to communicate inquiries. To the extent there are any issues in technical compatibility that limit the ability of CIS and the Department of State to exchange information, the report should identify them and the cost to correct them.

SPANISH LANGUAGE PROGRAMS

The Committee is aware that CIS programs such as the National Customer Service Center provide nationwide telephone assistance to customers calling from within the United States about immigration services and benefits; information is available in English and Spanish. The Committee encourages CIS to continue to support programs that provide Spanish-speaking residents with information and assistance related to naturalization and citizenship.

OFFSETTING FEE COLLECTIONS

CIS operations depend on a variety of fees to offset operations, particularly the Immigration Examination Fee. The potential fluctuation of these fees can adversely affect operations if spending is not appropriately prioritized. The Committee directs CIS to ensure that it fully funds current, ongoing base operations that are fee-supported before undertaking new initiatives. The following table displays how the Committee expects these fees will be applied:

Adjudication Services (Fee Account):	
Pay and benefits	$607,000,000
District Operations	389,000,000
Service Center Operations	260,000,000
Asylum, Refugee and International Operations	74,000,000
Records Operations	66,000,000
Subtotal, Adjudication Services	1,396,000,000
Information and Customer Services:	
Pay and benefits	80,000,000
National Customer Service Center	47,000,000
Information Services	14,000,000
Subtotal, Information and Customer Service	141,000,000
Administration:	
Pay and benefits	44,000,000
Operating Expenses	193,000,000
Subtotal, Administration	237,000,000
Total, Citizenship and Immigration Services	1,774,000,000

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$177,440,000
Budget estimate, fiscal year 2006	183,362,000
Recommended in the bill	194,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+16,560,000
Budget estimate, fiscal year 2006	+10,638,000

MISSION

The Federal Law Enforcement Training Center (FLETC) provides the necessary facilities, equipment, and support services to conduct advanced, specialized, and refresher training for federal law enforcement personnel. Specifically, FLETC serves as an interagency law enforcement training organization for 81 federal agencies with personnel located throughout the United States and its territories. The Center also provides services to state, local, and international law enforcement agencies, and on a space available basis, other federal agencies with missions related to law enforcement.

FLETC is headquartered in Glynco, GA with sister facilities in Artesia, NM and Charleston, SC. A training facility in Cheltenham, MD, is intended to provide in-service and re-qualification training for officers and agents in the Washington, D.C. area.

RECOMMENDATION

The Committee recommends $194,000,000 for FLETC, an increase of $10,638,000 above the President's request and $16,560,000 above the amounts provided in fiscal year 2005. This increase supports the increased training needs of the Border Patrol and Immigration and Customs Enforcement.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriation, fiscal year 2005	$44,917,000
Budget estimate, fiscal year 2006	40,636,000
Recommended in the bill	64,743,000
Bill compared with:	
Appropriation, fiscal year 2005	+19,826,000
Budget estimate, fiscal year 2006	+24,107,000

MISSION

This account provides for the acquisition, construction, improvements, equipment, furnishings, and related costs for expansion and maintenance of facilities of the Federal Law Enforcement Training Center, to include its facilities in Georgia, South Carolina, Maryland, and New Mexico.

RECOMMENDATION

The Committee recommends $64,743,000 for FLETC Acquisition, Construction, Improvements, and Related Expenses, $24,107,000 above the budget request and $19,826,000 above the amounts provided in fiscal year 2005. This increase is to support increased facility needs for the Border Patrol and Immigration and Customs Enforcement expansion.

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

MANAGEMENT AND ADMINISTRATION

Appropriation, fiscal year 2005	$132,064,000
Budget estimate, fiscal year 2006	204,005,000
Recommended in the bill	198,200,000
Bill compared with:	
Appropriation, fiscal year 2005	+66,136,000
Budget estimate, fiscal year 2006	−5,805,000

MISSION

This account provides funding for the salaries and expenses of the Federal employees in the Information Analysis and Infrastructure Protection (IAIP) Directorate.

RECOMMENDATION

The Committee recommends $198,200,000 for Management and Administration, $5,805,000 below the President's request and $66,136,000 above the amounts provided in fiscal year 2005. This includes $6,878,000 for the Office of the Under Secretary and $191,322,000 for other salaries and expenses. Of these amounts, the Committee recommends no more than $5,000 may be used for official reception and representation expenses.

STAFFING LEVELS

The Committee's recommendation includes a $5,805,000 reduction to $11,700,000 requested for half-year funding of 146 new fulltime equivalents (FTEs) proposed by the President. Based on the current hiring schedule, IAIP will already fall 60 FTEs short of their fiscal year 2005 authorized FTE level. The reduction also considers the possible shift in the focus of the mission of IAIP. Following the passage of the Intelligence Reform and Terrorism Prevention Act of 2004, the creation of the National Counter Terrorism Center (NCTC) and the Terrorist Screening Center (TSC), IAIP has seen the scope of its national intelligence mission reduced. For example, the Homeland Security Act of 2002 and Executive Order 13311 of July 29, 2003, placed the Secretary of Homeland Security in charge of information sharing systems for homeland security information, specifically authorizing the Secretary to implement procedures under which relevant Federal agencies share homeland security information with appropriate Federal, State, and local personnel. The Intelligence Reform and Terrorism Prevention Act of 2004, however, created an Information Sharing Environment, whose Program Manager's responsibility it is to provide the means for sharing terrorism information among all appropriate Federal, State, local, and tribal entities, and the private sector.

The Committee feels it would be imprudent to continue to add personnel until a review of the future mission for IAIP and reconciliation of these contradictory authorizations is completed. The Committee therefore directs the Department to review the mission and functions of IAIP in light of the passage of the Intelligence Reform and Terrorism Prevention Act of 2004, the creation of the NCTC and TSC, and provide a report no later than January 16, 2006, on the future role IAIP will have in the intelligence community. The Department should include in this review how they reconcile the requirements of the Homeland Security Act of 2002 with those in the Intelligence Reform and Terrorism Prevention Act of 2004 and any recommended changes in IAIP's focus or mission, staffing, and organizational structure.

ASSESSMENTS AND EVALUATIONS

Appropriation, fiscal year 2005	$761,644,000
Budget estimate, fiscal year 2006	669,240,000
Recommended in the bill	663,240,000
Bill compared with:	
Appropriation, fiscal year 2005	−98,404,000
Budget estimate, fiscal year 2006	−6,000,000

MISSION

The Information Analysis and Infrastructure Protection (IAIP) Directorate is the focal point of intelligence and infrastructure protection operations within the Department of Homeland Security. Specifically, this activity includes the identification and assessment of current and future threats to the homeland, mapping of those threats against our vulnerabilities, issuance of timely warnings, and preventative and protective action. In addition to the Information Analysis and Infrastructure Protection branches, IAIP also includes the Homeland Security Operations Center (HSOC) and divisions devoted to cyber security and the National Communications

System. IAIP serves as the Department's conduit to the Intelligence Community and is a full partner and consumer of all intelligence-generating agencies, such as the National Security Agency, the Central Intelligence Agency and the Federal Bureau of Investigations. IAIP also works with localities by administering the Homeland Security Advisory System.

RECOMMENDATION

The Committee recommends $663,240,000 for Assessments and Evaluations, $6,000,000 below the President's request and $98,404,000 below the amounts provided in fiscal year 2005. Funds are available until September 30, 2007. A comparison of the budget estimate to the Committee recommendation by budget activity level is as follows:

Assessments and Evaluations	Budget Estimate	Recommended
Critical Infrastructure Outreach and Partnerships	$67,177,000	$62,177,000
Critical Infrastructure Identification and Evaluation	72,173,000	77,173,000
National Infrastructure Simulation and Analysis Center	16,000,000	16,000,000
Protective Actions	91,399,000	91,399,000
Biosurveillance	11,147,000	10,147,000
Cyber Security	73,349,000	73,349,000
National Security/Emergency Preparedness Telecommunications	142,632,000	142,632,000
Threat Determination and Assessments	19,900,000	19,900,000
Infrastructure Vulnerabilities and Risk Assessments	74,347,000	74,347,000
Evaluations and Studies	34,526,000	34,526,000
Homeland Security Operations Center (HSOC)	61,108,000	56,108,000
Information Sharing and Collaboration	5,482,000	5,482,000
Total, Assessments and Evaluations	$669,240,000	$663,240,000

CRITICAL INFRASTRUCTURE OUTREACH AND PARTNERSHIPS

Of the funds recommended for Assessments and Evaluations, the Committee provides $62,177,000 for Critical Infrastructure Outreach and Partnerships, $5,000,000 below the President's request and $44,415,000 below the amounts provided in fiscal year 2005. The private sector owns and operates more than 85 percent of the Nation's critical infrastructure and key resources. Consequently, public-private cooperation is paramount. The goals of these partnerships include improving national planning, sharing protective actions, and enhancing outreach, education, training, and awareness. IAIP accomplishes these efforts through programs such as the National Infrastructure Coordinating Center, which maintains operational awareness of the National's critical infrastructures and key resources and provides a mechanism and process for information sharing and coordination; the Protected Critical Infrastructure Information program, which provides assurance to private sector companies that information voluntarily submitted to the Department will be protected from release to the general public; the National Infrastructure Protection Plan, which provides the framework for implementing a coordinated, national infrastructure protection effort; and the Homeland Security Information Network-Critical Sector, which provides a secure national communication platform for all 13 critical infrastructure and 4 key resource sectors. The Committee notes that IAIP has failed to provide the report requested in House Report 108–541, on the Information Sharing and Analysis Centers (ISACs). Fully functional ISACs are crit-

ical to enhance IAIP's efforts to protect critical infrastructure. However, the Committee is unable to determine the level of ISAC support provided without this report. Therefore, the Committee recommends a $5,000,000 reduction to the Critical Infrastructure Outreach and Partnerships program for lack of responsiveness to Congressional direction.

CRITICAL INFRASTRUCTURE IDENTIFICATION AND EVALUATION

Of the funds recommended for Assessments and Evaluations, the Committee provides $77,173,000 for Critical Infrastructure Identification and Evaluation (CIIE), $5,000,000 above the President's request and $688,000 below the amounts provided in fiscal year 2005. The mission of CIIE is to carry out comprehensive vulnerability assessments of critical infrastructure and key assets by identifying and analyzing assets and their vulnerabilities, developing protective methodologies and guidelines, and supporting special events. To accomplish these objectives, CIIE provides Protective Security Advisors to 60 urban areas to act as a local community liaison, verify assets submitted for inclusion to the National Asset Database (NADB), validate implementation of protective measures, convey threat advisories and specific warning information, and provide and coordinate critical infrastructure training; deploys Field Security Detachments to conduct site assistance visits and assist local law enforcement agencies in developing and implementing Buffer Zone Protection Plans; collates and catalogs common vulnerabilities and potential indicators of terrorist activities collected from site assistance visits; deploys Protective Security Task Forces during times of heightened alert to provide specialized security augmentation to designated high value, critical infrastructure targets and events; and maintains the NADB, which catalogues critical infrastructure nationwide.

COMPREHENSIVE REVIEW

The Committee commends IAIP for its initial work on the Comprehensive Review of commercial nuclear reactors and associated spent fuel storage facilities. This review process is designed to take a holistic approach to looking at individual commercial nuclear power plant security, general vulnerabilities, consequences of an attack, and associated local, State, and Federal preparedness and security plans. The review will include representatives from the Nuclear Regulatory Commission, U.S. Coast Guard, Federal Aviation Administration, the Emergency Preparedness and Response Directorate, the Federal Bureau of Investigation, and local first responders and key officials. Comprehensive reviews will eventually be conducted across the Nation's 17 critical infrastructure and key resource sectors, with the goal of reducing the Nation's vulnerability to terrorism. The Committee recommends an additional $5,000,000 for IAIP to begin the expansion of the Comprehensive Review process beyond commercial nuclear power plants to other high value sectors, such as chemical and liquefied natural gas. The Committee directs IAIP to provide a report (classified if necessary) on the progress of the Comprehensive Review no later than January 16, 2006, including progress to date, a summary of the findings, action plans for addressing vulnerabilities (especially spent

nuclear fuel storage), and a plan for expansion to other high value sectors.

PROTECTIVE SECURITY FIELD OPERATIONS

The Committee is encouraged by the ongoing training and deployment of Protective Security Advisors (PSAs) and Field Security Detachments (FSDs). These individuals and teams are essential for carrying out the Department's nationwide critical infrastructure protection efforts. The Committee therefore directs the continuation of the quarterly report summarizing the status of the implementation of the PSA and FSD programs, including the number and locations of field personnel, the number of site assistance visits, buffer zone protection plans, and site verification and assistance visits that have been completed. These reports should be provided no later than 30 days after the end of each quarter.

CHEMICAL SITE SECURITY

The Committee understands that IAIP has identified almost 300 chemical manufacturing facilities that could impact over 50,000 people if attacked, and over 3,000 manufacturing facilities that could impact over 1,000 people. The Committee believes that, as the lead Federal agency responsible for chemical security, the Department must renew its focus to develop a comprehensive national chemical security strategy and complete vulnerability assessments at all chemical facilities of highest concern. Therefore, the Committee directs IAIP to complete such vulnerability assessments by December 2006 either by conducting such assessments themselves or reviewing assessments already completed; to establish a national chemical security strategy; and to work with chemical facilities to ensure best practices, common characteristics and vulnerabilities, and lessons learned are shared throughout the sector.

INFRASTRUCTURE MAPPING

The Committee is aware of local and regional efforts to map specific sectors of critical infrastructure, such as gas and oil pipelines. Such products will assist first responders and repair workers in identifying vulnerabilities and associated risks and will aide their ability to quickly respond to incidents. The Committee is aware that the Department of Transportation is responsible for the safety and mapping of all interstate transmission lines and encourages IAIP to collaborate and assist as appropriate.

PROTECTIVE ACTIONS

Of the funds recommended for Assessments and Evaluations, the Committee provides $91,399,000 for Protective Actions, the same as the President's request and $100,248,000 below the amounts provided in fiscal year 2005. The Protective Actions program works with Federal, State, local, and private sector organizations to implement protection strategies, such as the buffer zone protection plans to protect infrastructure and assets from attack. This program provides training to State Homeland Security Advisors and their State and local law enforcement personnel on how to protect their own critical infrastructure sites in a more effective and consistent manner.

The Committee supports the work of IAIP with the Protective Security Analysis Center to provide a more accurate, comprehensive, and real-time common operating picture. The Committee encourages IAIP to continue this effort to enable the targeted deployment of improved protective actions.

BUFFER ZONE PROTECTION PLAN

The Committee recommends that grant funding for the Buffer Zone Protection Program be transferred to the Office for Domestic Preparedness, as proposed in the President's request. The Committee directs IAIP to continue to work with ODP to identify critical infrastructure, assess vulnerabilities at those sites, and direct funding to gaps in those vulnerabilities.

AGRICULTURE VULNERABILITY ASSESSMENTS

The Committee encourages the Department to coordinate with the Department of Agriculture and private industry in expanding agriculture producer vulnerability assessments, and to support development of certified and on-farm security assessment protocols tailored to the various livestock sectors and production systems.

BIOSURVEILLANCE

Of the funds recommended for Assessments and Evaluations, the Committee provides $10,147,000 for Biosurveillance, $1,000,000 below the President's request and $853,000 below the amounts provided in fiscal year 2005. Biosurveillance is an interdepartmental program designed to improve the Federal government's capability to rapidly identify and characterize a potential bioterrorist attack. The IAIP mission in this program is to integrate real-time biosurveillance data with relevant threat information into a comprehensive system that provides a real-time operating picture. The Committee is concerned that IAIP has not provided the classified report requested in House Report 108–541. This report would have provided the scope, cost, schedule and key milestones for IAIP's portion of the Biosurveillance initiative. The Committee recommends a $1,000,000 reduction to the Biosurveillance program for lack of responsiveness to Congressional direction.

CYBER SECURITY

Of the funds recommended for Assessments and Evaluations, the Committee provides $73,349,000 for Cyber Security, the same as the budget request and $5,969,000 above the amounts provided in fiscal year 2005. Cyber Security functions as the Federal government coordination point, bridging public and private institutions, to advance computer security preparedness and the response to cyber attacks and incidents through the Computer Emergency Readiness Team. Additionally, the Cyber Security program studies the interconnection of cyber assets to identify critical points in our Nation's cyber infrastructure that could be exploited by malicious persons. The Committee supports cyber programs that enhance the Department's Cyber Security program's ability to build capacity for Federal, State, and local operational end-users.

NATIONAL SECURITY/EMERGENCY PREPAREDNESS TELECOMMUNICATIONS

Of the funds recommended for Assessments and Evaluations, the Committee provides $142,632,000 for the National Security/Emergency Preparedness Telecommunications program, the same as the budget request and $1,877,000 below the amounts provided in fiscal year 2005. This program supports mission-critical national security and emergency preparedness communications for the Federal, State, local, and tribal governments, and private industry.

WIRELESS PRIORITY SERVICE

The Committee recognizes that Wireless Priority Service (WPS) provides a critical communications link between National Security/Emergency Preparedness personnel and key government officials in the event of a national crisis. The Committee, therefore, encourages the Department to take into consideration whether an entity is a WPS provider in the awarding of federal wireless telecommunications contracts.

HOMELAND SECURITY OPERATIONS CENTER

Of the funds recommended for Assessments and Evaluations, the Committee provides $56,108,000 for the Homeland Security Operations Center (HSOC), $5,000,000 below the President's request and $21,108,000 above the amounts provided in fiscal year 2005. The HSOC serves as the primary national level hub for operational communications, information sharing and situational awareness for all information pertaining to domestic incident management. It accomplishes this mission by receiving and integrating threat information with a detailed mapping of the Nation's critical infrastructure to provide an accurate and timely common operating picture, and enabling information sharing and collaboration among Federal, State, tribal, local, and private sector entities through the Homeland Security Information Network. The Committee is concerned that IAIP has not provided the 5-year HSOC implementation plan requested in House Report 108–541, yet is being asked to provide more than $26,000,000 above fiscal year 2005. Without the implementation plan, the Committee cannot determine if the requested increase in funding is the most efficient use of the limited resources available. Therefore, the Committee recommends a $5,000,000 reduction to the HSOC for lack of responsiveness to Congressional direction.

HOMELAND SECURITY INFORMATION NETWORK

The Committee is encouraged with IAIP's implementation of the Homeland Security Information Network (HSIN), which is the primary information sharing and collaboration tool for all levels of government and private sector that provides a reliable, uniform platform to encourage information sharing and collaboration between all parties engaged in the security of the homeland. The Committee understands that the increase in funding requested would allow IAIP to connect all county level governments to HSIN; States and major urban areas were connected in previous years. The Committee directs IAIP to provide a report on the implementation of HSIN, no later than January 16, 2006, including who is con-

nected, what training and outreach is provided, and what types of information is shared.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

Appropriation, fiscal year 2005	$68,586,000
Budget estimate, fiscal year 2006	81,399,000
Recommended in the bill	81,399,000
Bill compared with:	
Appropriation, fiscal year 2005	+12,813,000
Budget estimate, fiscal year 2006	- - -

MISSION

The Management and Administration appropriation provides for the salaries and expenses of federal employees of the Science and Technology Directorate.

RECOMMENDATION

The Committee recommends $81,399,000, the same as the President's request and $12,813,000 above the amounts provided in fiscal year 2005. The President's request includes salaries and expenses for several different program areas and also reflects the continued consolidation of research and development activities formerly funded from other accounts being transferred to Science and Technology.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

Appropriation, fiscal year 2005	$1,046,864,000
Budget estimate, fiscal year 2006	1,287,047,000
Recommended in the bill	1,258,597,000
Bill compared with:	
Appropriation, fiscal year 2005	+211,733,000
Budget estimate, fiscal year 2006	−28,450,000

MISSION

The mission of the Science and Technology (S&T) Directorate is to develop and deploy technologies and capabilities to secure our homeland. This directorate conducts, stimulates, and enables research, development, test, evaluation, and the timely transition of homeland security capabilities to federal, state, and local operational end-users. This activity includes investments in both evolutionary and revolutionary capabilities with high payoff potential; early deployment of off-the-shelf, proven technologies to provide for initial defense capability; near-term utilization of emerging technologies to counter current terrorist threats; and development of new capabilities to thwart future and emerging threats.

RECOMMENDATION

The Committee recommends $1,258,597,000, for Research, Development, Acquisition and Operations, $28,450,000 below the President's request and $211,733,000 above the amounts provided in fiscal year 2005. Decreases in the President's budget include $100,000,000 from the newly created Domestic Nuclear Detection Office, $12,000,000 from Chemical Countermeasures, and $13,650,000 from Conventional Missions. Increases include

$40,000,000 for Explosives Countermeasures for air cargo activities, $21,000,000 for Interoperable Communications, $15,000,000 for Critical Infrastructure Protection research, and $4,400,000 for Safety Act implementation. The Committee also provides $10,000,000 for implementation of Section 313 of the Homeland Security Act and technology development and transfer.

TECHNOLOGY DEVELOPMENT AND TRANSFER

The Committee recognizes that S&T has made good progress in developing, standardizing, and certifying new homeland related technologies in its two years of existence, and that quicker progress may be expected in the near-term as certain activities funded in prior years come on line. However, as the public has been waiting since 9/11 for improved flow through airport screening, assurance of secure cargo containers, and standards for interoperable communications to name a few, patience is growing thin.

Some vendors complain that goods and services that they have to offer can solve many of these problems, but that S&T has not evaluated, certified, purchased or otherwise worked to assure their use. Further, once goods and services are identified, S&T appears slow to disseminate them through the Department or to make available to state and local entities. While this does not seem to be a problem solely for Science and Technology to address, it would play a central role in solving it.

The Department is directed to develop and report to the Committee 180 days after enactment of this Act on its business model to address: (1) the process that determines goods and services needed; (2) how information about needs will be spread to the market place; (3) where individuals with ideas and products can be heard; (4) the development of needed technology transfer programs; (5) the certification process for appropriate products; (6) how the Department can build future funding into its budgetary process so that the Department can begin procurement immediately upon certification; (7) how the rate of deployment can be enhanced; and (8) how to integrate an ombudsman function to direct inquiries and correct problems. The report should outline how S&T is addressing the above and any other issues the Department believes are relevant, how far along the Department is in implementing the business plan, and indicate what challenges it faces toward full implementation. The report shall also include recommendations to help the process of assessment, certification, transparency of review and deployment of goods and services.

A comparison to the President's budget request, by budget activity, is as follows:

	Budget Estimate	Recommended
Technology Development and Transfer	0	$10,000,000
Biological Countermeasures	$362,300,000	360,000,000
Chemical Countermeasures	102,000,000	90,000,000
Explosives Countermeasures	14,700,000	54,700,000
Radiological and Nuclear countermeasures	19,086,000	19,086,000
Domestic Nuclear Detection Office	227,314,000	127,314,000
Conventional Missions in Support of DHS	93,650,000	80,000,000
Threat and Vulnerability, Testing and Assessment	47,000,000	47,000,000
Emerging Threats	10,500,000	10,500,000
Standards	35,500,000	35,500,000
University Programs/Homeland Security Fellowship Programs	63,600,000	63,600,000

	Budget Estimate	Recommended
Cyber Security	16,700,000	16,700,000
Critical Infrastructure Protection	20,800,000	35,800,000
Rapid Prototyping program	20,900,000	30,000,000
Counter MANPADS	110,000,000	110,000,000
Interoperability and Compatibility	20,500,000	41,500,000
SAFETY Act	5,600,000	10,000,000
Research and Development Consolidation	116,897,000	116,897,000
Total, Research, Development, Acquisition, and Operations	1,287,047,000	1,258,597,000

BIOLOGICAL COUNTERMEASURES

The Biological Countermeasures program develops and implements an integrated systems approach to reducing the probability and potential consequences of a biological attack on this nation's civilian population, infrastructure, or agricultural system. The Committee recommends $360,000,000, a decrease of $2,300,000 from the budget request. This reduction reflects the movement of some of the program's rapid prototyping funds back to the core rapid prototyping program.

PLUM ISLAND

The Committee recognizes that the Department of Homeland Security's Plum Island facility will need to be replaced in the near future and that other potential locations need to be explored. The bill provides $23,000,000 for such an effort and authorizes the Department to explore alternative locations. It is the expectation of the Committee that the Department will assess a number of locations for suitability for handling animal pathogens and perform all environmental and health analysis necessary to make a determination that the site can be made suitable for safe handling of these pathogens. Money is provided for planning, design and other pre-construction activities.

VETERINARY VACCINES

The Committee continues to be aware of various federal task force recommendations related to the need for development and stockpiling of improved veterinary vaccines. Specifically, there is a pronounced and recognized need for vaccines to mitigate the threats posed by high priority disease agents to public health, U.S. livestock, and the economy. The Committee is disappointed with the progress the Department has made on this important initiative and continues to encourage it to develop a vaccine defense regimen that incorporates advanced research done in the field. The Committee encourages S&T to review existing and innovative technologies that prove safe and effective, such as pharmaceutical proteins in plants.

CHEMICAL COUNTERMEASURES

This portfolio focuses on characterizing and reducing the vulnerability posed by toxic industrial materials in use, storage or transport within the nation as well as providing countermeasures to emerging chemical threats. The Committee recommends $90,000,000 for Chemical Countermeasures, $12,000,000 less than the budget request and $37,000,000 above the amounts provided

fiscal year 2005. Much of this reduction reflects the movement of some of the program's rapid prototyping funds back to the core rapid prototyping program.

EXPLOSIVE COUNTERMEASURES

The Explosive Countermeasures program provides the science and technology needed to significantly increase the probability of interdicting an explosives attack on buildings, critical infrastructure, and this nation's civilian population. The Committee recommends $54,700,000 for Explosive Countermeasures, $40,000,000 above the budget request and $35,000,000 above the amounts provided in fiscal year 2005. Of the amount provided, the Committee recommends $40,000,000 for air cargo, of which $30,000,000 is for air cargo pilots and $10,000,000 is to continue air cargo research and development activities previously initiated by TSA.

AIR CARGO

Based on recommendations in S&T's system engineering study of civil aviation security, the Committee directs that $30,000,000 shall be used to conduct three cargo screening pilot programs—one at an all cargo airport and two at top ten passenger cargo airports. These pilots shall test different concepts of operation that S&T designs in coordination with TSA. Testing shall consist of the following: (1) physically screening a significant percentage (e.g., six times more than today) of cargo at a passenger airport using TSA screeners during slack passenger and checked baggage screening periods; (2) physically screening a significant percentage (e.g., six times more than today) of cargo at a passenger airport using TSA or private screeners solely dedicated to cargo screening; and (3) using canine teams supplemented as needed by technology, screening a similar percentage of cargo at an all cargo airport, specifically to detect explosives and hidden passengers. Based on results of each pilot, cost estimates (both non-recurring and recurring) shall be developed for these different operational concepts if deployed to the top five air cargo only airports and top 10 passenger airports. The Committee expects each of these pilots to be no shorter than nine months in duration and all pilots to be completed by January 31, 2007. The Committee directs S&T to provide a comprehensive report on each pilot, two months after each is completed, and interim reports of progress and results no later than August 31, 2006.

The remaining $10,000,000 shall be used to continue research and development efforts for new technologies that can be utilized to screen larger pieces of air cargo, including those that are odd sized, in pallets, banded, or shielded, for explosives, weapons or other security concerns. The Committee is deeply disappointed that, although Congress directed TSA to aggressively research and develop technologies that could screen air cargo carried on passenger aircraft at the earliest date possible, TSA was slow to begin these efforts. While the Administration awarded grants in 2004 to screen consolidated air cargo, the results were not anticipated for two years, or until 2006. In early 2005, TSA began researching and evaluating commercial off-the-shelf security systems in the three primary air cargo areas: break bulk (initiated January 2005), palletized and/or containerized (to be initiated in May 2005) and

mail (to be initiated in August 2005). Results from this work are not anticipated until late 2006 or 2007. Realizing that no single technology will provide the ultimate solution for inspection of air cargo, the Committee directs S&T to aggressively pursue processes and continue research to identify technologies, such as dual energy transmission x-ray, passive millimeter wave, computed tomography, quadrupole resonance, and amplifying fluorescent polymer that may provide tailored security "solutions" at aviation facilities (depending on, for instance, site requirements, cargo commodity "mix", cargo volume). The Committee directs S&T to move more expeditiously than TSA has done in the past.

NUCLEAR AND RADIOLOGICAL COUNTERMEASURES

The Nuclear and Radiological Countermeasures program has focused on providing appropriate and effective detection and interdiction technologies to prohibit the importation or transportation and subsequent detonation of nuclear or radiological device in the United States; however, its function is now less clear as the same role has been taken by the Administration's creation of the Domestic Nuclear Detection Office that will report directly to the Secretary. The Committee recommends $19,086,000 for Nuclear and Radiological Countermeasures, the same as the budget request and $103,528,000 below the amounts provided in fiscal year 2005.

DOMESTIC NUCLEAR DETECTION OFFICE

While requested under this heading, the Domestic Nuclear Detection Office has been made a freestanding office reporting directly to the Secretary. The Committee recognizes the gravity of terrorists acquiring and using a nuclear device and commends the Department on its efforts to work with other Departments to prevent such an event. The Committee believes that DHS still needs to clarify its role in regard to other federal agencies, such as the Department of Defense and the Department of Energy, that have similar and more mature programs. The Committee looks forward to working with DHS as it moves forward to establishing this new office. The Committee recommends $127,314,000 for this new office, $100,000,000 less than the budget request and $127,314,000 above the amounts provided in fiscal year 2005. In addition, because of the delay in obligating $4,000,000 provided in fiscal year 2004 for nuclear detection and monitoring capabilities through TSA, the Committee has directed TSA to transfer these funds to the newly established Domestic Nuclear Detection Office within DHS. These funds shall be used to initiate pilot programs for detecting nuclear materials at truck weigh stations in the United States.

CONVENTIONAL MISSIONS IN SUPPORT OF THE DEPARTMENT

The Committee recommends $80,000,000 for Conventional Missions in support of the Department, $13,650,000 below the budget request and $25,350,000 above the amounts provided in fiscal year 2005. Of this reduction, $5,000,000 reflects the movement of some of the program's rapid prototyping funds back to the core rapid prototyping program.

CONTAINER SECURITY

The Committee is aware that Science and Technology, in cooperation with Transportation Security Administration and Bureau of Customs and Border Protection, has a number of initiatives underway concerning the security of containers, including the detection of materials within the container and the security of the container itself. S&T is looking to assure the integrity of conveyance loading and documentation; significantly reduce the risk of undetected tampering in transit; and provide accurate, complete, timely and protected shipment information while enhancing supply chain efficiency. These initiatives are underway through the solicitation of technologies through a small business innovative research effort and a broad agency announcement. The Committee continues to support this important effort and urges S&T to accelerate its efforts where possible and to report to the Committee by January 16, 2006 on its progress to date.

TUNNELS

The Committee notes with concern the recent discoveries of large tunnels under the U.S. border and encourages S&T to work with BTS to assess, and if needed, develop new technologies to locate tunnels.

THREAT AND VULNERABILITY, TESTING AND ASSESSMENT

The Threat and Vulnerability, Testing and Assessment program creates advanced modeling, information and analysis capabilities that are used to enhance the Science and Technology's ability to evaluate extensive amounts of data and information from diverse sources. The Committee recommends $47,000,000 for Threat and Vulnerability, Testing and Assessment, the same as the budget request and $25,350,000 below the amounts provided in fiscal year 2005.

EMERGING THREATS

The Emerging Threats portfolio aims to anticipate, detect and deter new threats that terrorists may pose using novel tactics. The Committee recommends $10,500,000, for Emerging Threats, the same as the budget estimate and $250,000 below the amounts provided in fiscal year 2005.

STANDARDS PROGRAM

The Standards Program develops standards for homeland security related equipment and systems in collaboration with operational end-users. The Committee recommends $35,500,000 for the Standards program, the same as the budget request and $4,200,000 below the amounts provided in fiscal year 2005.

BLAST-RESISTANT RECEPTACLES

The Committee notes with concern that no standards for blast-resistant receptacles have been established and strongly believes standards, which reflect the best available technology for explosion containment, should be established expeditiously to protect the traveling public. The Committee directs Science and Technology to

develop standards and testing protocols for measuring performance of blast-resistant products, and initiate testing of both installed and new products. The Committee further directs Science and Technology to report back on the status of this effort no later than January 16, 2006.

UNIVERSITY PROGRAMS/FELLOWSHIP PROGRAMS

The Committee notes that the University and Fellowship Programs will have at least $45,000,000 in unobligated resources at the end of fiscal year 2005. The Committee recommends $63,600,000 in new budgetary authority, the same as the budget request, for a total of $108,600,000 available for these programs in fiscal year 2006. The Committee urges S&T to continue to expand its Centers of Excellence. Through the Homeland Security Centers of Excellence (HS-Centers) Science and Technology is encouraging universities to become centers of multi-disciplinary research. The future of homeland security science is being advanced through both its Centers of Excellence and by the development of the next generation of scientists through its Scholars and Fellows Program. There continues to be intense interest from universities with proposals to perform homeland security activities. This additional funding will allow Science and Technology to evaluate and support additional university proposals in fiscal year 2006.

CYBER SECURITY

The Cyber Security program focuses on several areas: improving the security of process control systems, next generation cyber security technology; and economic assessment and modeling to recommend cyber security investments. The Committee recommends $16,700,000 for the Cyber Security program, the same as the budget request and $1,300,000 below the amounts provided in fiscal year 2005.

CRITICAL INFRASTRUCTURE PROTECTION

The Critical Infrastructure Protection program conducts vulnerability, consequence and risk analysis to identify the best approaches to protecting the nation's infrastructure, allowing priorities to be established based on a rational process and resources to be invested with the highest payoff of risk reduction and damage mitigation. The Committee recommends $35,800,000 for Critical Infrastructure Protection, $15,000,000 above the budget request, and $8,800,000 above the amounts provided in fiscal year 2005.

The Committee recommends $15,000,000 to support existing work in research and development and application of technology for community based critical infrastructure protection efforts.

The Committee is concerned that the Department lacks appropriate assessment tools to help prioritize security risks for critical infrastructure and urges S&T to examine well-established scientific analysis tools commonly used in engineering and design, including six sigma analysis.

RAPID PROTOTYPING PROGRAM

The Committee recommends $30,000,000 for Rapid Prototyping, $9,100,000 above the budget request and $46,000,000 below the

amounts provided in fiscal year 2005. The Rapid Prototyping Program accesses the capabilities of private sector industry for rapid development and prototyping of technologies in support of the Department of Homeland Security's missions. The Committee has partially restored the Rapid Prototyping program and expects that prototyping activities will continue in other segments of the Directorate. The Committee believes that poor utilization of Rapid Prototyping is a factor in the growing frustration at the slow deployment of new technologies to the field. The Committee supports the President's budget request, at a minimum, for the newly formed Public Safety and Security Institute for Technology (PSITEC) that acts as a centralized technology clearinghouse for federal, state and local governments, and perhaps a critical component of implementing Section 313 of the Homeland Security Act.

COUNTER-MANPADS

The Counter-MANPADS program is focused on identifying, developing, and testing a cost-effective capability to protect the nation's commercial aircraft against the threat of man-portable air defense systems (MANPADS), commonly called anti-aircraft missiles. The Committee recommends $110,000,000 for the Counter-MANPADS program the same as the budget request, and $49,000,000 above the amounts provided in fiscal year 2005.

In prior fiscal years, Science and Technology has, appropriately, worked toward transitioning relatively mature, military counter-MANPADS technologies to civilian use. It has been the expectation that fielding an existing technology would require less time, would be more reliable, and would cost less than a wholly new system. While the Directorate's evaluation of the current systems is not complete, preliminary results are not entirely encouraging. The Committee is concerned that the resulting technologies will not be sufficiently able to meet the challenges of commercial application at a cost that is economically feasible. The Committee is also aware of emerging technologies that may be simpler and more cost effective, but are far from fully developed.

The Counter-MANDPADS program is fully funded at the President's request and the Directorate should continue its efforts to mature existing technologies to reduce their cost and maintenance needs. However, given the seriousness of the threat and the distinct possibility that the current technologies will not be made reliable enough for use, the Committee directs that not less than $10,000,000 be used to evaluate emerging technologies that could work better, could be more cost effective, and easier to deploy and maintain.

INTEROPERABILITY AND COMPATIBILITY

The Committee recommends $41,500,000 for the Interoperability and Compatibility program, $21,000,000 above the budget request and $20,500,000 above the amounts provided in fiscal year 2005. Of the increase, $10,000,000 is for expansion of the RapidCom program.

The ability of the country's first responders to communicate with one another across jurisdictions and disciplines is a long-standing, complex and critical issue facing our nation. The SAFECOM (Wireless Public SAFEty Interoperable COMmunications) program was

placed in the Department of Homeland Security's Science and Technology Directorate for full access to the scientific expertise and resources needed to help our nation achieve true public safety wireless communications interoperability. The Committee commends Science and Technology for the work done thus far under SAFECOM, and for standing-up the Interoperability and Communications program in order to comprehensively address the interoperability of public safety communications.

The Office of Interoperability and Compatibility (OIC) has made good progress in recently releasing a Statewide Communications Interoperability Planning (SCIP) Methodology, a Statement of Requirements and other documents. The Committee recognizes difficulties and the importance of interoperable communications standards, which are critical to the Department's efforts to improve communications nationally. Therefore the Science and Technology Directorate (S&T) shall expedite the development of these standards, and coordinate with ODP to ensure that ODP's technical assistance program incorporates these standards, as appropriate, and as spelled out in the Memorandum of Agreement between S&T and SLGCP, signed May 24, 2004, by the Executive Director of SLGCP and August 9, 2004, by the Under Secretary of S&T.

The Committee recognizes that merging multiple agencies in the formation of the Department created overlapping activities, such as addressing interoperability and assessment of technology and equipment. The Committee strongly supports OIC efforts to align these programs to ensure conformance, compatibility and interoperability as well as steps to enhance training and communications. The Committee specifically notes the critical work done by the Risk Assessment Policy working group to align risk assessment policies and methodologies and directs OIC to report to the Committee on the status of its efforts no later than January 16, 2006.

SAFETY ACT

The "Support Anti-terrorism by Fostering Effective Technologies Act of 2002", (SAFETY Act) facilitates the development of homeland security technologies that otherwise would not be deployed because of the risk of liability. Companies can apply to have their products and services deemed "qualified anti-terrorism technologies". The Committee recommends $10,000,000 for the SAFETY Act program, $4,400,000 above the President's request and the same as amounts provided in fiscal year 2005. These funds are for the continued establishment of a SAFETY Act Program Implementation Office. The Committee has increased resources to enhance the program's slow progress to date in making only 17 decisions on 83 applications. Many companies still voice concerns that the process requirements are so complicated that they discourage applications. The Committee directs the Office to report to the Committee on the status of applications, certification decisions, its actions to speed up this process, and efforts to streamline the application process by January 16, 2006.

RESEARCH AND DEVELOPMENT CONSOLIDATION

The Committee approves the President's request to transfer research and development funding for other agencies within the Department of Homeland Security to the Science and Technology Di-

rectorate. As noted in the statement of managers' accompanying the fiscal year 2004 appropriations bill, the Committee was concerned that some of the research and development activities being independently conducted by each of the Department's legacy agencies may be duplicative. The consolidation of these activities into the Science and Technology Directorate should assure better management oversight of these activities and enhance research synergies.

The Committee recommends a total of $127,497,000 be transferred from DHS component agencies to S&T, as requested in the President's budget. Of this total, the Committee recommends $10,599,000 come from S&T's management and administration's account and the remainder from S&T's research and development account. Funding is distributed as follows: $17,000,000 for the U.S. Coast Guard's research, development, test, and evaluation activities, $109,040,000 for Transportation Security Administration's research and development activities, $1,456,000 for the U.S. Customs and Border Protection research and development activities, and $1,000 from Infrastructure Analysis and Infrastructure Protection research and development activities.

MANHATTAN II

For the past several years, TSA has been funding the Manhattan II program. This program focused on activities to develop next-generation explosive detection systems, which may be tested in the airport environment within the next three to five years. Because of the longer-term nature of this program, the program has been transferred to S&T.

Of the total funding S&T will provide to aviation security research activities in fiscal year 2006, the Committee recommends $15,000,000 to continue the Manhattan II program. The Committee understands that work is underway and advancing towards achieving the program's objectives to reduce false alarm rates, increase throughput, reduce manpower costs, enhance resolution and vastly improve efficiencies. Existing Manhattan II program awardees represent a wide range of technologies and capabilities. The Committee directs DHS to give priority to those awardees with projects that develop a comprehensive system with a high probability of success in achieving the goals of the program. Further, the Committee urges the Department to encourage awardees to team with each other to add viable technology components, to create synergies and to accelerate the delivery of a comprehensive, next-generation explosive detection system.

PORTS

The Committee is aware of the unique training challenges created by ports. Given the costs and logistics associated with live exercise disaster training, the Committee encourages Science and Technology, in conjunction with the Office of Domestic Preparednesss, to explore the use of high-fidelity reality-based synthetic environment technology for disaster management and training in the port environment.

CONVERGING TECHNOLOGIES

The Committee recognizes that DHS has made efforts to automate detection, identification, and warning of Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) incidents. As these systems mature, they will likely be integrated with other tools in development, such as geospatial technologies that will indicate where an event is relative to response resources, how that event will be affected by the current weather, and other real time parameters that could affect response to a terrorist threat. As with other technology development activities, the Committee encourages S&T to work with other departments (e.g. DOD or DOE) that may have existing systems or relatively mature prototype systems that detect, integrate, and disseminate such information.

DOCUMENT SECURITY

The S&T Directorate is encouraged to work with the United States Secret Service's Forensic Services Division (FSD) in the research and development of standardized security features that can be embedded in paper documents such as birth certificates. Given FSD's contributions to the implementation of security features to prevent counterfeiting and the Secret Service's expertise in credentialing, the Committee believes the agency can lend considerable support to S&T's efforts in the improvement of applied paper document security research.

NANOTECHNOLOGY

The Committee believes that nanotechnology is a promising technology that could contribute significantly in the defense against terrorism. The Committee encourages S&T to pursue research in nanotechnologies that may aid in the detection of biological, chemical, radiological, and explosive agents.

TITLE V—GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSION OF FUNDS)

Section 501. The Committee continues a provision providing that no part of any appropriation shall remain available for obligation beyond the current year unless expressly provided.

Section 502. The Committee continues a provision providing that unexpended balances of prior appropriations may be merged with new appropriation accounts and used for the same purpose, subject to reprogramming guidelines.

Section 503. The Committee continues and modifies a provision providing reprogramming authority for funds within an account and not to exceed 5% transfer authority between appropriations accounts with the requirement for a 15-day advance Congressional notification. A detailed funding table identifying each Congressional control level for reprogramming purposes is included at the end of this Report. All notifications shall be submitted no later than June 30, except in extraordinary circumstances. These reprogramming guidelines shall be complied with by all agencies funded by the Department of Homeland Security Appropriations Act, 2006.

Section 504. The Committee continues a provision providing that not to exceed 50 percent of unobligated balances remaining at the end of fiscal year 2006 from appropriations made for salaries and expenses shall remain available through fiscal year 2007 subject to reprogramming guidelines.

Section 505. The Committee continues a provision providing that funds for intelligence activities are deemed to be specifically authorized during fiscal year 2006 until the enactment of an Act authorizing intelligence activities for fiscal year 2006.

Section 506. The Committee continues a provision directing the Federal Law Enforcement Training Center to establish an accrediting body to establish standards for assessing federal law enforcement training programs, facilities, and instructors.

Section 507. The Committee continues and modifies a provision requiring notification of the Committees on Appropriations three days before any grant allocation, discretionary grant award, discretionary contract award, or letter of intent totaling $1,000,000 or more is announced by the Department.

Section 508. The Committee continues a provision providing that no agency shall purchase, construct, or lease additional facilities for federal law enforcement training without advance approval of the Committees on Appropriations.

Section 509. The Committee continues a provision requiring the Director of the Federal Law Enforcement Training Center to ensure that all training facilities are operated at optimal capacity throughout the fiscal year.

Section 510. The Committee continues a provision providing that none of the funds may be used for any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, has not been approved.

Section 511. The Committee continues a provision that none of the funds may be used in contravention of the Buy American Act.

Section 512. The Committee includes a new provision that reduces funding for the Transportation Security Administration's Office of Transportation Security Support by $100,000 per day for each day after enactment of this Act that the second proviso of section 513 of Public Law 108–334 is not implemented.

Section 513. The Committee continues a provision requiring the Coast Guard to submit, at the time of the President's budget submission, a list of approved but unfunded priorities and the funds needed for each priority.

Section 514. The Committee continues and modifies a provision that allows TSA to impose a reasonable charge for the lease of real and personal property to TSA employees.

Section 515. The Committee continues and modifies a provision regarding the acquisition of equipment and supplies by the Transportation Security Administration.

Section 516. The Committee continues and modifies a provision authorizing the Department of Homeland Security to conduct background investigations for certain employees.

Section 517. The Committee continues a provision exempting the formula-based grants and high-threat, high-density urban area grants from the requirements of the Cash Management Improvement Act of 1990.

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Section 523. The Committee includes a new provision that requires the Transportation Security Administration to utilize existing checked baggage explosive detection equipment and screeners to screen cargo carried on passenger aircraft to the greatest extent practicable at each airport and report back monthly on these efforts.

Section 524. The Committee includes a new provision that requires the Secretary of Homeland Security to implement a security plan that permits general aviation aircraft to land and take off at Ronald Reagan Washington National Airport 90 days after enactment of this Act.

Section 525. The Committee includes a new provision that restricts funds available for obligation for the transportation worker identification credential until the Department develops a personalization system that is centralized and a card production capability that utilizes an existing government card production facility. Language is also included limiting funds for the production phase until the House Appropriations Committee has been fully briefed on the results of the prototype phase and agrees that the program should move forward.

Section 526. The Committee includes a new provision rescinding $83,999,942 from the unexpended balances of the Coast Guard "Acquisition, Construction and Improvements" account specifically identified in report language for Integrated Deepwater System patrol boats 110 to 123-conversion in fiscal years 2004 and 2005 and reappropriates these funds to procure new 110-patrol boats or for

major maintenance availability for the current 110-patrol boat fleet.

Section 527. The Committee includes a new provision directing the Secretary of Homeland Security to utilize the Transportation Security Clearinghouse as the central identity management system for the deployment and operation of the registered traveler program, the transportation worker identity credential program and other applicable programs for the purposes of collecting and aggregating biometric data necessary for background vetting; provide all associated record-keeping, customer service and related functions; ensuring interoperability between different airports and vendors; and act as a central aviation, revocation, and transaction hub for participating airports, ports, and other points of presence.

Section 528. The Committee includes a new provision relating to section 222 of the Homeland Security Act and reporting requirements of the privacy officer.

Section 529. The Committee includes a new provision prohibiting funds made available in this or previous Appropriations Acts to pay the salary of any employee serving as a contracting officer's technical representative (COTR) who has not received COTR training.

Section 530. The Committee includes a new provision that recovered or deobligated TSA funds from fiscal years 2002–2005 shall be available only for procurement and installation of explosive detective systems.

Section 531. The Committee includes a new provision rescinding funds from the unobligated balances available in the Department of Homeland Security Working Capital Fund.

Section 532. The Committee includes a new provision withholding funds for obligation until the direction in the statement of managers accompanying Public Law 108–324 and House Report 108–541 is completed.

Section 533. The Committee includes a new provision clarifying H1B visa processing.

Section 534. The Committee includes a new provision regarding the Sensitive Security Information designation process.

Section 535. The Committee includes a new provision regarding Coast Guard Station "Group St. Petersburg".

APPROPRIATIONS CAN BE USED ONLY FOR THE PURPOSES FOR WHICH MADE

Title 31 of the United States Code makes clear that appropriations can be used only for the purposes for which they were appropriated as follows:

Section 1301. Application.

(a) Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

The following items are included in accordance with various requirements of the Rules of the House of Representatives.

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2), rule XIII of the Rules of the House of Representatives, the following is submitted describing the transfer of funds provided in the accompanying bill.

The table shows, by title, department and agency, the appropriations affected by such transfers:

APPROPRIATION TRANSFERS RECOMMENDED IN THE BILL

Account to which transfer is to be made	Amount	Account from which transfer is to be made	Amount
Title III:			
National Flood Mitigation Fund	$40,000,000	National Flood Insurance Fund	$40,000,000

RESCISSION OF FUNDS

In compliance with clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the Committee reports that it recommends a rescission of $83,999,942 from the Coast Guard's Acquisition, Construction, and Improvements account, and a rescission of $7,000,000 from the Department of Homeland Security Working Capital Fund.

CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives states that:

> "Each report of a committee on a bill or joint resolution of a public character, shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution."

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America that states:

> "No money shall be drawn from the Treasury but in consequence of Appropriations made by law * * *"

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

COMPLIANCE WITH RULE XIII, CL. 3 (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee reports there are no changes to existing law made by the bill.

FINANCIAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974 (Public Law 93–344), as amended, the financial assistance to state and local governments is as follows:

[In millions of dollars]

FY 2006 new budget authority	$5,439
FY 2006 outlays resulting therefrom	$7,795

COMPARISON WITH BUDGET RESOLUTION

Clause 3(c)(2) of Rule XIII of the Rules of the House of Representatives requires an explanation of compliance with section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, which requires that the report accompanying a bill providing new budget authority contain a statement detailing how the authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year from the Committee's section 302(a) allocation. This information follows:

[In millions of dollars]

Comparison with Allocation	302(b) allocation		This bill	
	Budget	Outlays	Budget	Outlays
General Purpose Discretionary	$30,846	$33,233	$30,846	*$33,213
Mandatory	931	924	931	924
Total	31,777	34,157	31,777	34,137

*Includes Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (HR 1268).

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of Rule XIII off the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

FIVE YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget Act of 1974 (Public Law 93–344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

[In millions of dollars]

Outlays:	
2006	$19,335
2007	6,453
2008	3,722
2009	1,414
2010 and beyond	583

COMPLIANCE WITH RULE XIII, CLAUSE 3(f)(1)

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the Committee has inserted at the appropriate place in the report a description of the effects of provisions proposed in the accompanying bill which may be considered, under certain circumstances, to change the application of existing law, either directly or indirectly.

The bill provides, in some instances, for funding of agencies and activities where legislation has not yet been finalized. In addition, the bill carries language, in some instances, permitting activities

not authorized by law. Additionally, the Committee includes a number of general provisions.

TITLE I—DEPARTMENT MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

The Committee includes language providing funds reception and representation expenses. The Committee also restricts funds available for obligation until certain reporting requirements and general provisions are satisfied.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

The Committee includes language providing funds for reception and representation expenses and for costs necessary to consolidate headquarters operations at the Nebraska Avenue Complex, including tenant improvements and relocation costs.

CHIEF INFORMATION OFFICER

The Committee includes language providing funds for the Chief Information Officer (CIO) and for the development and acquisition of information technology equipment, software, services, and related activities and prohibits the use of funds to augment other automated systems. The Committee also includes language that requires the CIO to submit a report on its enterprise architecture and other strategic activities.

OFFICE OF THE INSPECTOR GENERAL

The Committee includes language providing funds for certain confidential operational expenses, including the payment of informants.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

OFFICE OF THE UNDER SECRETARY FOR BORDER AND TRANSPORTATION SECURITY

The Committee includes language providing funds for official reception and representation expenses.

AUTOMATION MODERNIZATION

The Committee includes language making funds available until expended for the US-VISIT, FAST, NEXUS, and SENTRI programs. It also includes language requiring the submission of an expenditure plan prior to the obligation of funds for US-VISIT.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

The Committee includes language making funds available for border security, immigration, customs, and agricultural inspections and regulatory activities; acquisition, lease, maintenance and operation of aircraft; purchase of vehicles; contracting with individuals for personal services; Harbor Maintenance Fee collections; official

reception and representation expenses; inspection and surveillance technology, unmanned aerial vehicles, and equipment for the Container Security Initiative; Customs User Fee collections; payment of rental space in connection with pre-clearance operations; compensation of informants; contractual or reimbursable agreements with State and local law enforcement agencies; and Border Patrol checkpoints in the Tucson sector. The Committee includes a provision regarding average overtime limitations, requiring the submission of a report on the Immigration Advisory Program, the Container Security Initiative and Air and Marine Operations prior to the obligation of funds, and language making certain funds available until September 30, 2007.

AUTOMATION MODERNIZATION

The Committee includes language making funds available until expended for automated systems and includes language requiring the submission of an expenditure plan prior to the obligation of funds.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

The Committee includes language making funds available for the operation, maintenance and procurement of marine vessels and other equipment; travel; rental payments for facilities; and assistance to other law enforcement agencies and humanitarian efforts. The Committee includes language prohibiting the transfer of aircraft and related equipment out of the Bureau of Customs and Border Protection unless certain conditions are met.

CONSTRUCTION

The Committee includes language making funds available until expended for the planning, construction, renovating, equipping, and maintaining of buildings and facilities.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

The Committee includes language making funds available for enforcement of immigration and customs laws, detention and removals, and investigations; purchase of replacement vehicles; special operations; official reception and representation expenses; compensation to informants; promotion of public awareness of the child pornography tipline; Project Alert; and reimbursement of other Federal agencies for certain costs. The Committee includes language regarding overtime compensation, forced child labor laws, requiring the submission of a national detention management plan prior to the obligation of funds, and requiring the submission of a plan to enforce administrative violations of a immigration laws. The Committee makes funds available for the implementation of section 287(g) of the Immigration and Nationality Act, as amended.

FEDERAL AIR MARSHALS

The Committee includes language making $5,000,000 available until expended for the Federal Air Marshals.

FEDERAL PROTECTIVE SERVICE

The Committee includes language making funds available until expended for the operations of the Federal Protective Service.

AUTOMATION MODERNIZATION

The Committee includes language making funds available until expended for automated systems and includes language requiring the submission of an expenditure plan prior to the obligation of funds.

CONSTRUCTION

The Committee includes language making funds available until expended for the planning, constructing, renovating, equipping, and maintaining of buildings and facilities.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

The Committee includes language making funds available until expended for civil aviation security; and establishing conditions under which security fees are collected and credited. The Committee includes language limiting screener staffing levels to 45,000 full time equivalents. The Committee includes language that limits the federal share of any letter of intent to 75 percent for any medium or large airport and 90 percent for any other airport and permits appropriations authorized for aviation security to be distributed in any manner necessary to ensure aviation security and fulfill the government's cost share under existing letters of intent. The Committee also includes language providing funds for reception and representation expenses.

SURFACE TRANSPORTATION SECURITY

The Committee includes language providing funds for surface transportation security programs of the Transportation Security Administration.

TRANSPORTATION VETTING AND CREDENTIALING

The Committee includes language on the development and implementation of screening programs.

TRANSPORTATION SECURITY SUPPORT

The Committee includes language providing funds for transportation security support programs of the Transportation Security Administration. The Committee includes language requiring the submission of a long-term explosive detection plan and a detailed spend plan for explosive detection systems procurement and installation prior to obligation of funds.

UNITED STATES COAST GUARD

OPERATING EXPENSES

The Committee includes a provision regarding passenger motor vehicles and the Oil Spill Liability Trust Fund, and prohibits the

use of funds for yacht documentation except under certain circumstances and for administrative expenses in connection with shipping commissioners in the United States. The Committee also includes language on reception and representation expenses.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

The Committee includes language providing funds for environmental compliance and restoration of the Coast Guard.

RESERVE TRAINING

The Committee includes language providing funds for the Coast Guard reserve, including maintenance and operation of the reserve program, personnel and training costs, equipment and services.

ACQUISITIONS, CONSTRUCTION AND IMPROVEMENTS

The Committee includes a provision requiring a capital investment plan for future appropriations years with certain conditions. The Committee includes language requiring that the Commandant of the Coast Guard submit a new baseline for the acquisition schedule of the Deepwater program prior to the obligation of funds.

ALTERATION OF BRIDGES

The Committee includes a provision specifying certain conditions for the availability of funds for bridge alteration projects.

RETIRED PAY

The Committee includes language providing funds for retired pay and medical care for the Coast Guard's retired personnel and their dependents.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

The Committee includes language that provides funds for the purchase and replacement of vehicles; the hire of aircraft; purchase of motorcycles; services of expert witnesses; rental of certain buildings; improvements to buildings as may be necessary for protective missions; per diem and subsistence allowances; firearms matches; presentation of awards; protective travel; research and development; grants for behavioral research; official reception and representation expenses; technical assistance and equipment to foreign law enforcement organizations; advance payment for commercial accommodations; and uniforms. The Committee includes language making funds available for investigations of missing and exploited children, including grants; provides for two year availability of funds for protective travel. The Committee authorizes the obligation of funds in anticipation of reimbursements for training, under certain conditions and authorizes short-term medical services for students undergoing training. The Committee includes bill language providing for costs associated with National Special Security Events and makes these funds available for two years.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

The Committee includes language providing funds for the acquisition, construction, improvement, and related expenses of Secret Service facilities and makes these funds available until expended.

TITLE III—PREPAREDNESS AND RECOVERY

OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS

SALARIES AND EXPENSES

The Committee includes language providing funds for reception and representation expenses.

STATE AND LOCAL PROGRAMS

The Committee includes language that provides funds for grants, contracts, cooperative agreements, other activities, including grants to State and local governments for terrorism prevention. The Committee also includes a provision identifying the amount of funds available for formula-based grants, law enforcement terrorism prevention grants, high-threat, high-density urban area grants, rail and transit security grants, port security grants, trucking security grants, intercity bus security grants, national programs, and the Commercial Equipment Direct Assistance Program. The Committee includes language specifying the conditions under which both applications and grants are made to certain grants made in the Act. The Committee also includes language specifying the conditions for distribution of certain grants. The Committee also includes language that limits the availability of funds for construction, except for port security and rail and transit security grants; allows for law enforcement terrorism prevention grants and high-threat, high-density urban area grants to be used for operational expenses such as overtime in certain situations; directs grantees to report on use of funds as deemed necessary by the Secretary; and establishes a deadline for the final National Preparedness Goal, and a requirement for the submission of updated State homeland security strategies.

FIREFIGHTER ASSISTANCE GRANTS

The Committee includes a provision providing funding for section 34 of the Federal Fire Prevention and Control Act and authorizing the transfer of funds for program administration and language making funds available until September 30, 2007.

COUNTERTERRORISM FUND

The Committee includes language authorizing the Secretary of Homeland Security to reimburse Federal agencies for the costs of providing support to counter, investigate, or prosecute unexpected threats or acts of terrorism, including payment of rewards in connection with these activities.

EMERGENCY PREPAREDNESS AND RESPONSE

OFFICE OF THE UNDER SECRETARY FOR EMERGENCY PREPAREDNESS AND RESPONSE

The Committee includes language providing funds for the Office of the Under Secretary for Emergency Preparedness and Response.

PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY

The Committee includes language that provides funds for preparedness, mitigation, response, and recovery activities.

ADMINISTRATIVE AND REGIONAL OPERATIONS

The Committee includes language that provides funds for administrative and regional operations. The Committee also includes a provision providing funds for reception and representation expenses.

PUBLIC HEALTH PROGRAMS

The Committee includes language that provides funds for countering potential biological, disease, and chemical threats.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The Committee includes a provision regarding charges assessed for the radiological emergency preparedness program, including conditions and methodology for the assessment and collection of fees.

DISASTER RELIEF

The Committee includes language making funds available until expended.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

The Committee includes a provision limiting gross obligations for direct loans; includes a provision regarding the cost of modifying loans; and provides for administrative expenses of the direct loan program.

FLOOD MAP MODERNIZATION FUND

The Committee includes provisions regarding non-Federal sums for cost-shared mapping activities and limiting total administrative costs to 3 percent of the total appropriation. The Committee also includes language making funds available until expended.

NATIONAL FLOOD INSURANCE FUND

The Committee includes a provision authorizing the transfer of funds for flood mitigation; a provision regarding the cost of modifying loans; and a limitation on operating expenses, mitigation activities associated with sections 1361A and 1323 of the National Flood Insurance Act of 1968, agents' commissions and taxes, and for interest on Treasury borrowings. The Committee also includes language making funds flood hazard mitigation available until September 30, 2007, making funds for mitigation activities associated

with section 1361A available until expended, and authorizing the transfer of funds to the National Flood Mitigation Fund.

NATIONAL FLOOD MITIGATION FUND

The Committee includes language regarding authorized activities and authorizing the transfer of funds from the National Flood Insurance Fund. The Committee also includes language making funds available until September 30, 2007.

NATIONAL PRE-DISASTER MITIGATION FUND

The Committee includes language authorizing grant awards to be made on a competitive basis without reference to State allocations, quotas, or other formula-based allocation of funds. The Committee includes a provision limiting total administrative costs to 3 percent of the total appropriation. The Committee also includes language making funds available until September 30, 2006.

EMERGENCY FOOD AND SHELTER

The Committee includes language making funds available until expended, and limiting total administrative costs to 3.5 percent of the total appropriation.

TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, ASSESSMENTS, AND SERVICES

CITIZEN AND IMMIGRATION SERVICES

The Committee includes language making funds available for citizenship and immigration services.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

The Committee includes language making funds available for official representation expenses; purchase of police type pursuit vehicles; student athletic and related recreational activities; conducting and participating in firearms matches; public awareness and community support; services authorized by 5 U.S.C. 3109; law enforcement accreditation; reimbursements for certain mobile phone expenses. The Committee includes language authorizing the training of certain law enforcement personnel; authorizes the use of appropriations and reimbursements for such training and establishes a cap on total obligations. The Committee also includes language that authorizes pecuniary actions for losses or destruction of government property; and makes material and support funds available until September 30, 2007.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS AND RELATED EXPENSES

The Committee includes language making funds available until expended for real property and facilities and authorizes reimbursement from government agencies requesting construction of special use facilities.

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

MANAGEMENT AND ADMINISTRATION

The Committee includes language providing funds for reception and representation expenses.

ASSESSMENTS AND EVALUATIONS

The Committee includes language making funds available until September 30, 2007 for information and analysis and infrastructure protection.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

The Committee includes language providing funds for managment and administration of programs and official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION AND OPERATIONS

The Committee includes language making funds available until expended, as authorized. The Committee also includes language making funds available for the National Bio and Agrodefense Laboratory, and implementation of Section 313 of the Homeland Security Act of 2002.

TITLE V—GENERAL PROVISIONS

(INCLUDING RECISSION OF FUNDS)

Section 501. The Committee continues a provision providing that no part of any appropriation shall remain available for obligation beyond the current year unless expressly provided.

Section 502. The Committee continues a provision providing that unexpended balances of prior appropriations may be merged with new appropriation accounts and used for the same purpose, subject to reprogramming guidelines.

Section 503. The Committee continues and modifies a provision providing reprogramming authority for funds within an account and not to exceed 5% transfer authority between appropriations accounts with the requirement for a 15-day advance Congressional notification. A detailed funding table identifying each Congressional control level for reprogramming purposes is included at the end of this Report. All notifications shall be submitted no later than June 30, except in extraordinary circumstances. These reprogramming guidelines shall be complied with by all agencies funded by the Department of Homeland Security Appropriations Act, 2006.

Section 504. The Committee continues a provision providing that not to exceed 50 percent of unobligated balances remaining at the end of fiscal year 2005 from appropriations made for salaries and expenses shall remain available through fiscal year 2006 subject to reprogramming guidelines.

Section 505. The Committee continues a provision providing that funds for intelligence activities are deemed to be specifically au-

thorized during fiscal year 2006 until the enactment of an Act authorizing intelligence activities for fiscal year 2006.

Section 506. The Committee continues a provision directing the Federal Law Enforcement Training Center to establish an accrediting body to establish standards for assessing federal law enforcement training programs, facilities, and instructors.

Section 507. The Committee continues and modifies a provision requiring notification of the Committees on Appropriations three days before any grant allocation, discretionary grant award, discretionary contract award, or letter of intent totaling $1,000,000 or more is announced by the Department.

Section 508. The Committee continues a provision providing that no agency shall purchase, construct, or lease additional facilities for federal law enforcement training without advance approval of the Committees on Appropriations.

Section 509. The Committee continues a provision requiring the Director of the Federal Law Enforcement Training Center to ensure that all training facilities are operated at optimal capacity throughout the fiscal year.

Section 510. The Committee continues a provision providing that none of the funds may be used for any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, has not been approved.

Section 511. The Committee continues a provision that none of the funds may be used in contravention of the Buy American Act.

Section 512. The Committee includes a provision reducing funding for the Transportation Security Administration's Transportation Security Support for each day that the second proviso of Section 513 is not implemented.

Section 513. The Committee continues a provision requiring the Coast Guard to submit, at the time of the President's budget submission, a list of approved but unfunded priorities and the funds needed for each priority.

Section 514. The Committee continues and modifies a provision that allows TSA to impose a reasonable charge for the lease of real and personal property to TSA employees.

Section 515. The Committee continues and modifies a provision regarding the acquisition of equipment and supplies by the Transportation Security Administration.

Section 516. The Committee continues and modifies a provision authorizing the Department of Homeland Security to conduct background investigations for certain employees.

Section 517. The Committee continues a provision exempting the formula-based grants and high-threat, high-density urban area grants from the requirements of the Cash Management Improvement Act of 1990.

Section 518. The Committee continues and modifies a provision prohibiting the obligation of funds for Secure Flight, except on a test basis, until that the requirements of Section 522 of Public Law 108–334 have been met and the Government Accountability Office has reviewed such certification.

Section 519. The Committee continues a provision that directs that none of the funds may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

Section 520. The Committee continues a provision regarding competitive sourcing.

Section 521. The Committee continues and modifies a provision that none of the funds may be used to alter the Secret Service from being anything but a distinct entity within the Department, to merge the Secret Service with any other agency or department function, or to alter the current reporting structure of the Secret Service.

Section 522. The Committee includes a new provision that requires the Secretary of Homeland Security, in conjunction with airline stakeholders, to develop screening standards and protocols to more thoroughly screen all types of air cargo on passenger and cargo aircraft. The language specifies that these screening standards and protocols shall be developed in conjunction with the research and development of technologies that will permit screening of all high-risk air cargo. The Committee withholds funding appropriated to the Office of the Secretary and Executive Management until new air cargo screening standards and protocols are implemented.

Section 523. The Committee includes a new provision that requires the Transportation Security Administration to utilize existing checked baggage explosive detection equipment and screeners to screen cargo carried on passenger aircraft to the greatest extent practicable at each airport and report back monthly on these efforts.

Section 524. The Committee includes a new provision that requires the Secretary of Homeland Security to implement a security plan that permits general aviation aircraft to land and take off at Ronald Reagan Washington National Airport 90 days after enactment of this Act.

Section 525. The Committee includes a new provision that restricts funds available for obligation for the transportation worker identification credential until the Department develops a personalization system that is centralized and a card production capability that utilizes an existing government card production facility. Language is also included limiting funds for the production phase until the House Appropriations Committee has been fully briefed on the results of the prototype phase and agrees that the program should move forward.

Section 526. The Committee includes a new provision rescinding $83,999,942 from the unexpended balances of the Coast Guard "Acquisition, Construction and Improvements" account specifically identified in report language for Integrated Deepwater System patrol boats 110 to 123 conversion in fiscal years 2004 and 2005 and reappropriates these funds to procure new 110 patrol boats or for major maintenance availability for the current 110 patrol boat fleet.

Section 527. The Committee includes a new provision directing the Secretary of Homeland Security to utilize the Transportation Security Clearinghouse as the central identity management system for the deployment and operation of the registered traveler program, the transportation worker identity credential program and other applicable programs for the purposes of collecting and aggregating biometric data necessary for background vetting; provide all associated record-keeping, customer service and related functions;

ensuring interoperability between different airports and vendors; and act as a central aviation, revocation, and transaction hub for participating airports, ports, and other points of presence.

Section 528. The Committee includes a new provision relating to section 222 of the Homeland Security Act and reporting requirements of the privacy officer.

Section 529. The Committee includes a new provision prohibiting funds made available in this or previous Appropriations Acts to pay the salary of any employee serving as a contracting officer's technical representative (COTR) who has not received COTR training.

Section 530. The Committee includes a new provision that recovered or deobligated TSA funds from fiscal years 2002–2005 shall be available only for procurement and installation of explosive detection systems.

Section 531. The Committee includes a new provision rescinding funds from the unobligated balances available in the Department of Homeland Security Working Capital Fund.

Section 532. The Committee includes a new provision withholding funds for obligation until the direction in the statement of managers accompanying Public Law 108–324 and House Report 108–541 is completed.

Section 533. The Committee includes a new provision clarifying H1B visa processing.

Section 534. The Committee includes a new provision regarding the Sensitive Security Information designation process.

DETAILED EXPLANATIONS IN REPORT

It should be emphasized again that a more detailed statement describing the effect of the above provisions inserted by the Committee which directly or indirectly change the application of existing law may be found at the appropriate place in this report.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the House of Representatives, the following table lists the appropriations in the accompanying bill that are not authorized by law:

APPROPRIATIONS NOT AUTHORIZED BY LAW

[Dollars in thousands]

Agency/program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Office of the Secretary and Executive Management	[1] NA	NA	NA	$133,329
Office of the Under Secretary for Management	NA	NA	NA	146,084
Office of the Chief Financial Officer	NA	NA	NA	18,505
Office of the Chief Information Officer	NA	NA	NA	303,700
Office of the Inspector General	NA	NA	NA	83,017
Counterterrorism Fund	NA	NA	NA	10,000
Automation Modernization [2]	NA	NA	NA	21,000
Bureau of Customs and Border Protection, Salaries and Expenses	[3] 2003	$2,739,695	[4] $3,195,094	4,885,544
Bureau of Customs and Border Protection, Salaries and Expenses	[5] 2002	Such sums	730,710	4,885,544
Bureau of Immigration and Customs Enforcement, Salaries and Expenses	[6] 2003	2,739,695	[7] 3,032,094	3,064,081

APPROPRIATIONS NOT AUTHORIZED BY LAW—Continued

[Dollars in thousands]

Agency/program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Bureau of Immigration and Customs Enforcement, Automation and Modernization	[8] 2003	2,739,695	[9] 380,000	40,150
Transportation Security Administration, Surface Transportation Security	NA	NA	NA	36,000
Transportation Security Administration, Transportation Vetting and Credentialing	NA	NA	NA	84,294
Office of State and Local Governments Coordination and Preparedness	NA	NA	NA	3,564,846
National Pre-Disaster Mitigation Fund	[10] 2005	NA	200,000	150,000
Flood Map Modernization Fund	[8] 2004	NA	200,000	200,000
National Flood Insurance Program (limitation on expenses)	[8] 2004	NA	110,570	185,854
Preparedness, Migitation, Response and Recovery	[11] 2003	[9] 50,000	[9] 39,984	249,499
Prepardeness, Migitation, Response and Recovery	[12] 2003	[10] 21,585	[10] 16,778	249,499
US Citizenship and Immigration Services	[13] 2002	631,745	[14] 707,392	120,000
US Coast Guard, Operating Expenses	005	5,404,300	[15] 5,157,220	5,500,000
US Coast Guard, Environmental Compliance and Restoration	2005	17,000	17,000	12,000
US Coast Guard, Reserve Training	2005	[16] 117,000	113,000	119,000
US Coast Guard, Acquisitions, Construction and Improvements	2005	1,500,000	[17] 982,200	798,152
US Coast Guard, Alteration of Bridges	2005	19,650	15,900	15,000
US Coast Guard, Retired Pay	2005	1,085,460	1,085,460	1,014,080
Information Analysis and Infrastructure Protection, Assessments and Evaluations and Operating Expenses	NA	NA	NA	861,440
Operations	2003	Such sums	NA	1,339,996

[1] NA indicates that no specific funding level has been authorized.
[2] Includes FAST and NEXUS/SENTRI only.
[3] Immigration and Naturalization Service—inspection, investigations, Border Patrol, detention and deportation only.
[4] Includes $2,862,094,000 from the FY 2003 INS Salaries and Expenses appropriations, and $333,000,000 included in the FY 2003 Wartime Supplemental Appropriations Act, PL 108–11.
[5] Agriculture Plant and Health Inspection Service only.
[6] Immigration and Naturalization Service—inspection, investigations, Border Patrol, detention and deportation only.
[7] Includes $2,862,094,000 from the FY 2003 INS Salaries and Expenses appropriations, and $170,000,000 included in the FY 2003 Wartime Supplemental Appropriations Act, PL 108–11.
[8] Immigration and Naturalization Service—inspection, investigations, Border Patrol, detention and deportation only.
[9] For Entry-Exit system.
[10] Authorized through December 31, 2005.
[11] Fire preparedness only.
[12] Earthquake mitigation only.
[13] INS Citizenship Services.
[14] Includes $704,392,000 from FY 2003 INS Citizenship Service appropriations, and $3,000,000 in the FY 2003 Wartime Supplemental Appropriations Act, PL 108–11.
[15] There is additional funding ($33,367) from the Emergency Supplemental for the Hurricane; also $100,000,000 authorized in DoD appropriations act for transfer to USCG from Iraqi Freedom Fund.
[16] Reserve level is authorized under the National Defense Authorization Act; however, no appropriations level has been specified for reserve training.
[17] Does not include funding of $34,000,000 in the Department of Defense Appropriations Act, 2004. Does not include $16,000,000 rescission pursuant to P.L. 108–334.

FULL COMMITTEE VOTES

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

ROLLCALL NUMBER: 1

Date: May 10, 2005

Measures: Department of Homeland Security Appropriations Bill, FY 2006

Motion by: Mr. Obey

Description of Motion: To provide $100,000,000 for the REAL ID Act of 2005; funding is offset through a rescission of unobligated prior year balances.

Results: Rejected 26 yeas to 35 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Berry	Mr. Aderholt
Mr. Bishop	Mr. Alexander
Mr. Boyd	Mr. Bonilla
Mr. Cramer	Mr. Carter
Mr. Dicks	Mr. Crenshaw
Mr. Edwards	Mr. Culberson
Mr. Farr	Mr. Cunningham
Mr. Fattah	Mr. Doolittle
Mr. Hinchey	Mrs. Emerson
Mr. Hoyer	Mr. Frelinghuysen
Ms. Kaptur	Mr. Goode
Mr. Kennedy	Ms. Granger
Ms. Kilpatrick	Mr. Hobson
Mrs. Lowey	Mr. Istook
Mr. Mollohan	Mr. Kirk
Mr. Moran	Mr. Knollenberg
Mr. Murtha	Mr. Kolbe
Mr. Obey	Mr. LaHood
Mr. Olver	Mr. Latham
Mr. Pastor	Mr. Lewis
Mr. Price	Mr. Peterson
Mr. Rothman	Mr. Regula
Ms. Roybal-Allard	Mr. Rehberg
Mr. Sabo	Mr. Rogers
Mr. Serrano	Mr. Sherwood
Mr. Visclosky	Mr. Simpson
	Mr. Sweeney
	Mr. Taylor
	Mr. Tiahrt
	Mr. Walsh
	Mr. Wamp
	Dr. Weldon
	Mr. Wicker
	Mr. Wolf
	Mr. Young

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
DEPARTMENT OF HOMELAND SECURITY					
TITLE I - DEPARTMENTAL MANAGEMENT AND OPERATIONS					
Departmental Operations					
Office of the Secretary and Executive Management:					
Immediate Office of the Secretary	2,141	2,393	2,393	+252	---
Immediate Office of the Deputy Secretary	1,112	1,132	1,132	+20	---
Office of Security	21,424	61,278	51,278	+29,854	-10,000
Chief of Staff	5,240	4,103	4,103	-1,137	---
Executive Secretary	3,500	5,491	5,400	+1,900	-91
Office of Policy, Planning and International Affairs	---	8,770	8,770	+8,770	---
Special Assistant to the Secretary/Private Sector	3,781	4,181	4,181	+400	---
Office for National Capital Region Coordination	688	1,072	982	+294	-90
Office of International Affairs	1,200	---	---	-1,200	---
Office of Public Affairs	8,120	9,312	9,172	+1,052	-140
Office of Legislative Affairs	5,400	6,182	5,500	+100	-682
Office of General Counsel	10,821	11,947	11,800	+979	-147
Office of Civil Rights and Liberties	13,000	13,000	13,000	---	---
Citizenship and Immigration Services Ombudsman	3,546	3,652	3,652	+106	---
Homeland Security Advisory Committee	1,287	---	---	-1,287	---
Privacy Officer	3,774	3,981	4,381	+607	+400
Regions	---	49,895	---	---	-49,895
Operation Integration Staff	---	9,459	7,495	+7,495	-1,964
Subtotal, Office of the Secretary and Executive Management	85,034	195,848	133,239	+48,205	-62,609

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of the Under Secretary for Management:					
Under Secretary for Management	1,434	1,867	1,822	+388	-45
Business Transformation Office	920	948	948	+28	---
Office of the Chief Procurement Officer	7,350	9,020	9,020	+1,670	---
Office of the Human Resources	7,200	---	---	-7,200	---
Office of the Chief Human Capital Officer:					
Salaries and expenses	---	8,996	8,951	+8,951	-45
MAX - HR System	---	53,000	53,000	+53,000	---
Subtotal, Office of the Chief Human Capital Officer	---	61,996	61,951	+61,951	-45
Office of Administration	27,270	---	---	-27,270	---
Office of the Chief Administrative Officer:					
Salaries and expenses	---	40,731	40,286	+40,286	-445
Nebraska Avenue Complex (NAC-DHS Headquarters)	---	26,070	26,070	+26,070	---
Subtotal, Office of the Chief Administrative Officer	---	66,801	66,356	+66,356	-445
Immigration statistics	5,898	5,987	5,987	+89	---
Headquarters	65,081	---	---	-65,081	---
Human resources system	36,000	---	---	-36,000	---
Subtotal, Office of the Under Secretary for Management	151,153	146,619	146,084	-5,069	-535
Office of the Chief Financial Officer	13,000	18,505	18,505	+5,505	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of the Chief Information Officer:					
Salaries and expenses	67,270	75,756	75,756	+8,486	---
Information technology services	91,000	110,944	110,944	+19,944	---
Security activities	31,000	31,000	31,000	---	---
Wireless program	86,000	86,000	86,000	---	---
Subtotal, Office of the Chief Information Officer	275,270	303,700	303,700	+28,430	---
Total, Departmental operations	524,457	664,672	601,528	+77,071	-63,144
Office of Inspector General					
Operating expenses	82,317	83,017	83,017	+700	---
Total, Office of Inspector General	82,317	83,017	83,017	+700	---
Total, title I, Departmental Management and Operations	606,774	747,689	684,545	+77,771	-63,144
TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
Office of the Under Secretary for Border and Transportation Security	9,617	10,617	10,617	+1,000	---
U.S. Visitor and Immigrant Status Indicator Technology	340,000	---	---	-340,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Automation Modernization					
U.S. Visitor and Immigrant Status Indicator Technology	---	---	390,232	+390,232	+390,232
FAST	---	---	7,000	+7,000	+7,000
NEXUS/SENTRI	---	---	14,000	+14,000	+14,000
Total, Automation Modernization	---	---	411,232	+411,232	+411,232
Office of Screening Coordination Operations:					
U.S. Visitor and Immigrant Status Indicator Technology	---	390,232	---	---	-390,232
SecureFlight	---	94,294	---	---	-94,294
FAST	---	7,000	---	---	-7,000
NEXUS/SENTRI	---	14,000	---	---	-14,000
Credentialing/Startup	---	20,000	---	---	-20,000
Fee Funded Program:					
TWIC/TSA Credentialing	---	(100,000)	---	---	(-100,000)
Registered Traveler	---	(20,000)	---	---	(-20,000)
HAZMAT	---	(50,000)	---	---	(-50,000)
Alien Flight School (By transfer)	---	(10,000)	---	---	(-10,000)
Total, Office of Screening Coordination Operations	---	(705,526)	---	---	(-705,526)
Appropriations	---	(525,526)	---	---	(-525,526)
(Fee funded programs)	---	(180,000)	---	---	(-180,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Customs and Border Protection					
Salaries and expenses	1,172,838	---	---	-1,172,838	---
Salaries and expenses:					
Management and administration, border security inspections and trade facilitation	---	656,826	656,826	+656,826	---
Management and administration, border security and control between port of entry	---	593,207	593,207	+593,207	---
Subtotal, Headquarters management and administration	1,172,838	1,250,033	1,250,033	+77,195	---
Border security inspections and trade facilitation:					
Inspections, trade, and travel facilitation at ports of entry	1,242,800	1,274,994	1,274,994	+32,194	---
Harbor maintenance fee collection (trust fund)	3,000	3,000	3,000	---	---
Container security initiative	126,096	138,790	138,790	+12,694	---
Other international programs	57,300	8,629	8,629	-48,671	---
Customs trade partnership against terrorism/ Free and secure trade	37,828	54,268	54,268	+16,440	---
Inspection and detection technology investments	145,159	188,024	188,024	+42,865	---
Automated targeting systems	29,800	28,253	28,253	-1,547	---
National Targeting Center	16,100	16,697	16,697	+597	---
Other technology investments, including information technology	1,000	1,018	1,018	+18	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Training	23,800	24,351	24,351	+551	---
Subtotal, Border security inspections and trade facilitation	1,682,883	1,738,024	1,738,024	+55,141	---
Border security and control between ports of entry:					
Border security and control	1,413,800	1,464,989	1,614,989	+201,189	+150,000
Air program operations	37,300	57,971	57,971	+20,671	---
Unmanned aerial vehicles	10,000	10,180	10,180	+180	---
America Shield Initiative (ASI) procurement	64,162	51,084	51,084	-13,078	---
Training	21,700	22,203	22,203	+503	---
Subtotal, Border security and control between ports of entry	1,546,962	1,606,427	1,756,427	+209,465	+150,000
Air and marine operations, personnel compensation and benefits	131,436	136,060	141,060	+9,624	+5,000
Subtotal, Salaries and expenses (gross)	4,534,119	4,730,544	4,885,544	+351,425	+155,000
Appropriations	(4,534,119)	(4,730,544)	(4,885,544)	(+351,425)	(+155,000)
Rescission (P.L. 108-11)	(-63,010)	---	---	(+63,010)	---
Subtotal, Salaries and expenses (net)	4,471,109	4,730,544	4,885,544	+414,435	+155,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Automation modernization:					
Automated commercial environment/International Trade Data System (ITDS)	321,690	321,690	321,690	---	---
Automated commercial system and legacy IT costs	128,219	136,319	136,319	+8,100	---
Subtotal, Automation modernization	449,909	458,009	458,009	+8,100	---
Air and marine operations:					
Operations and maintenance	196,535	230,682	240,682	+44,147	+10,000
Procurement	61,000	62,098	107,098	+46,098	+45,000
Subtotal, Air and marine operations	257,535	292,780	347,780	+90,245	+55,000
Construction:					
Construction (Border patrol)	91,718	93,418	93,418	+1,700	---
Total, Direct appropriations	5,270,271	5,574,751	5,784,751	+514,480	+210,000
Fee accounts:					
Immigration inspection user fee	(429,000)	(464,816)	(464,816)	(+35,816)	---
Immigration enforcement fines	(6,000)	(6,403)	(6,403)	(+403)	---
Land border inspection fee	(28,000)	(29,878)	(29,878)	(+1,878)	---
COBRA passenger inspection fee	(318,000)	(334,000)	(334,000)	(+16,000)	---
APHIS inspection fee	(204,000)	(204,000)	(204,000)	---	---
Puerto Rico collections	(89,000)	(97,815)	(97,815)	(+8,815)	---
Small airport user fees	(5,004)	(5,234)	(5,234)	(+230)	---
Subtotal, fee accounts	(1,079,004)	(1,142,146)	(1,142,146)	(+63,142)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Total, Customs and Border Protection	(6,349,275)	(6,716,897)	(6,926,897)	(+577,622)	(+210,000)
Appropriations	(5,333,281)	(5,574,751)	(5,784,751)	(+451,470)	(+210,000)
Rescission	(-63,010)	---	---	(+63,010)	---
(Fee accounts)	(1,079,004)	(1,142,146)	(1,142,146)	(+63,142)	---
Immigration and Customs Enforcement					
Salaries and expenses:					
Headquarters Management and Administration (non-Detention and Removal Operations):					
Personnel compensation and benefits, service and other costs	96,202	277,572	277,572	+181,370	---
Headquarters managed IT investment	120,119	134,571	134,571	+14,452	---
Subtotal, Headquarters management and administration	216,321	412,143	412,143	+195,822	---
Investigations:					
Operations	1,055,345	1,215,916	1,253,716	+198,371	+37,800
Training	15,671	17,932	17,932	+2,261	---
Subtotal, Investigations	1,071,016	1,233,848	1,271,648	+200,632	+37,800

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Intelligence:					
Headquarters Reporting Center	4,882	4,988	4,988	+106	---
Operations/Operations Center	55,130	56,834	56,834	+1,704	---
Subtotal, Intelligence	60,012	61,822	61,822	+1,810	---
Detention and removal operations:					
Custody management	504,221	600,160	690,160	+185,939	+90,000
Case management	192,269	166,277	166,277	-25,992	---
Fugitive operations	35,242	103,255	119,255	+84,013	+16,000
Institutional removal program	33,719	70,104	88,104	+54,385	+18,000
Alternatives to detention	14,202	33,406	43,406	+29,204	+10,000
Transportation and removal program	311,492	211,266	211,266	-100,226	---
Subtotal, Detention and removal operations	1,091,145	1,184,468	1,318,468	+227,323	+134,000
Subtotal, Salaries and expenses	2,438,494	2,892,281	3,064,081	+625,587	+171,800
Appropriations	(2,438,494)	(2,892,281)	(3,064,081)	(+625,587)	(+171,800)
Emergency appropriations	---	---	---	---	---
Federal air marshals:					
Management and administration	593,552	616,927	626,927	+33,375	+10,000
Travel and training	69,348	71,933	71,933	+2,585	---
Subtotal, Federal air marshals	662,900	688,860	698,860	+35,960	+10,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal protective service:					
Basic security	106,362	109,235	109,235	+2,873	---
Building specific security (including capital equipment replacement/acquisition)	371,638	377,765	377,765	+6,127	---
Subtotal	478,000	487,000	487,000	+9,000	---
Offsetting fee collections	-478,000	-487,000	-487,000	-9,000	---
Automation modernization:					
ATLAS/CHIMERA IT connectivity	39,605	40,150	40,150	+545	---
Construction	26,179	26,546	26,546	+367	---
Total, Direct appropriations	3,167,178	3,647,837	3,829,637	+662,459	+181,800
Fee accounts:					
Immigration inspection user fee	(90,000)	(91,621)	(91,621)	(+1,621)	---
Breached bond/detention fund	(70,000)	(71,260)	(71,260)	(+1,260)	---
Student exchange and visitor fee	(40,000)	(66,552)	(66,552)	(+26,552)	---
Subtotal, fee accounts	(200,000)	(229,433)	(229,433)	(+29,433)	---
Subtotal, Immigration and Customs Enforcement (gross)	(3,845,178)	(4,364,270)	(4,546,070)	(+700,892)	(+181,800)
Offsetting fee collections	(-478,000)	(-487,000)	(-487,000)	(-9,000)	---
Total, Immigration and Customs Enforcement	(3,367,178)	(3,877,270)	(4,059,070)	(+691,892)	(+181,800)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Appropriations	(3,167,178)	(3,647,837)	(3,829,637)	(+662,459)	(+181,800)
(Fee accounts)	(200,000)	(229,433)	(229,433)	(+29,433)	---
Transportation Security Administration					
Aviation security:					
Screener operations:					
Screener workforce:					
Privatized screening	129,654	146,151	139,654	+10,000	-6,497
Passenger screener - personnel, compensation, and benefits	1,445,486	1,590,969	1,520,000	+74,514	-70,969
Baggage screener - personnel, compensation, and benefits	848,860	931,864	884,000	+35,140	-47,864
Subtotal, Sceener workforce	2,424,000	2,668,984	2,543,654	+119,654	-125,330
Screening training and other:					
Passenger screeners, other	140,614	---	20,952	-119,662	+20,952
Baggage screeners, other	203,660	---	---	-203,660	---
Screener training	---	91,004	85,004	+85,004	-6,000
Screener other	---	170,246	126,294	+126,294	-43,952
Subtotal, Screening training and other	344,274	261,250	232,250	-112,024	-29,000
Human resource services	150,000	207,234	207,234	+57,234	---
CAPPS II	34,919	---	---	-34,919	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Crew vetting	10,000	---	---	-10,000	---
Registered traveler	15,000	---	---	-15,000	---
Checkpoint support	123,500	157,461	157,461	+33,961	---
EDS/ETD Systems:					
Purchase	180,000	130,000	170,000	-10,000	+40,000
Installation	45,000	14,000	75,000	+30,000	+61,000
Maintenance	174,940	200,000	200,000	+25,060	---
Operation integration	---	23,000	23,000	+23,000	---
Subtotal, EDS/ETD Systems	399,940	367,000	468,000	+68,060	+101,000
Subtotal, Screening operations	3,501,633	3,661,929	3,608,599	+106,966	-53,330
Aviation direction and enforcement:					
Aviation regulation and other enforcement	230,000	238,196	222,416	-7,584	-15,780
Airport management, IT, and support	526,890	758,370	655,597	+128,707	-102,773
FFDO and flight crew training	25,000	36,289	29,000	+4,000	-7,289
Air cargo	40,000	40,000	60,000	+20,000	+20,000
Airport perimeter security	---	---	10,000	+10,000	+10,000
Foreign repair stations	---	---	6,000	+6,000	+6,000
Subtotal, Aviation direction and enforcement	821,890	1,072,855	983,013	+161,123	-89,842
Flight school checks (by transfer)	(9,700)	---	---	(-9,700)	---
Subtotal, Aviation security (gross)	4,323,523	4,734,784	4,591,612	+268,089	-143,172
Offsetting fee collections	-1,823,000	-3,670,000	-1,990,000	-167,000	+1,680,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Total, Aviation security (net)	2,500,523	1,064,784	2,601,612	+101,089	+1,536,828
Surface transportation security:					
Staffing and operations	24,000	---	---	-24,000	---
Surface transportation security staffing	---	24,000	---	---	-24,000
Enterprise staffing	---	---	24,000	+24,000	+24,000
Transfer to credentialing activities	-27,000	---	---	+27,000	---
TWIC	15,000	---	---	-15,000	---
Credentialing start-up	5,000	---	---	-5,000	---
Hazardous materials security	17,000	---	---	-17,000	---
Hazardous materials truck tracking/training	2,000	---	4,000	+2,000	+4,000
Rail security (inspectors)	12,000	8,000	8,000	-4,000	---
Subtotal, Surface transportation security	48,000	32,000	36,000	-12,000	+4,000
Credentialing activities	67,000	---	---	-67,000	---
Offsetting fee collections	-67,000	---	---	+67,000	---
Transportation Vetting and Credentialing:					
SecureFlight	---	---	65,994	+65,994	+65,994
Crew vetting	---	---	13,300	+13,300	+13,300
Screening administration and operations	---	---	5,000	+5,000	+5,000
Total, Direct appropriations	---	---	84,294	+84,294	+84,294
Fee accounts:					
Registered Traveler Program fees	---	---	(20,000)	(+20,000)	(+20,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TWIC fees	---	---	(100,000)	(+100,000)	(+100,000)
HAZMAT fees	---	---	(50,000)	(+50,000)	(+50,000)
Alien Flight School (by transfer from DOJ) - fees	---	---	(10,000)	(+10,000)	(+10,000)
Subtotal, fee accounts	---	---	(180,000)	(+180,000)	(+180,000)
Subtotal, Transportation Vetting and Credentialing (gross)	---	---	(264,294)	(+264,294)	(+264,294)
Transportation security support:					
Intelligence	14,000	21,000	21,000	+7,000	---
Administration:					
Headquarters administration	267,382	302,781	309,916	+42,534	+7,135
Mission support centers	5,000	3,051	---	-5,000	-3,051
Information technology	240,470	210,092	210,092	-30,378	---
Corporate training	7,000	8,084	---	-7,000	-8,084
Subtotal, Administration	519,852	524,008	520,008	+156	-4,000
Research and development:					
Research and development at Tech Center	49,000	---	---	-49,000	---
Next generation explosive detection systems and explosive trace detection	54,000	---	---	-54,000	---
Air cargo	75,000	---	---	-75,000	---
Subtotal, Research and development	178,000	---	---	-178,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Subtotal, Transportation security support.....	711,852	545,008	541,008	-170,844	-4,000
Aviation security capital fund.....	(250,000)	(250,000)	(250,000)	---	---
Total, Transportation Security Administration (gross).....	5,333,375	5,561,792	5,682,914	+349,539	+121,122
Offsetting fee collections.....	-1,890,000	-3,670,000	-1,990,000	-100,000	+1,680,000
Aviation security capital fund.....	(250,000)	(250,000)	(250,000)	---	---
Fee accounts.....	---	---	(180,000)	(+180,000)	(+180,000)
Total, Transportation Security Administration (net).....	3,260,375	1,641,792	3,262,914	+2,539	+1,621,122
United States Coast Guard					
Operating expenses:					
Military pay and allowances.....	2,807,827	3,011,130	3,009,550	+201,723	-1,580
Civilian pay and benefits.....	456,110	535,836	531,811	+75,701	-4,025
Training and recruiting.....	161,441	178,212	178,212	+16,771	---
Operating funds and unit level maintenance.....	924,125	985,309	967,414	+43,289	-17,895
Centrally managed accounts.....	175,438	193,936	193,936	+18,498	---
Coast Guard watch standards.....	9,000	---	---	-9,000	---
Intermediate and depot level maintenance.....	623,279	642,977	642,977	+19,698	---
Emergency appropriations (P.L. 108-324).....	33,367	---	---	-33,367	---
Unspecified reduction.....	---	---	-23,900	-23,900	-23,900

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Subtotal, Operating expenses	5,190,587	5,547,400	5,500,000	+309,413	-47,400
Less adjustment for defense function	-1,204,000	-340,000	-1,200,000	+4,000	-860,000
Defense function	1,204,000	340,000	1,200,000	-4,000	+860,000
Subtotal, Operating expenses	5,190,587	5,547,400	5,500,000	+309,413	-47,400
Appropriations	(3,953,220)	(5,207,400)	(4,300,000)	(+346,780)	(-907,400)
Defense function	(1,204,000)	(340,000)	(1,200,000)	(-4,000)	(+860,000)
Emergency appropriations	(33,367)	---	---	(-33,367)	---
Environmental compliance and restoration	17,000	12,000	12,000	-5,000	---
Reserve training	113,000	119,000	119,000	+6,000	---
Acquisition, construction, and improvements:					
Vessels:					
Great Lakes Icebreaker (GLIB) replacement	7,750	---	---	-7,750	---
Response boat medium (41ft UTB and NSB replacement)	12,000	22,000	22,000	+10,000	---
Subtotal, Vessels	19,750	22,000	22,000	+2,250	---
Aircraft:					
Armed helicopter equipment (Phase I) (legacy asset)	2,500	19,902	19,902	+17,402	---
Covert surveillance aircraft	---	---	10,000	+10,000	+10,000
C-130J Missionization	---	5,000	---	---	-5,000
Subtotal, Aircraft	2,500	24,902	29,902	+27,402	+5,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Other equipment:					
Automatic identification system	24,000	29,100	29,100	+5,100	---
National distress and response system modernization (Rescue 21)	134,000	101,000	91,000	-43,000	-10,000
HF Recap	---	10,000	10,000	+10,000	---
Rescission (P.L. 108-90)	-16,000	---	---	+16,000	---
Subtotal, Other equipment	142,000	140,100	130,100	-11,900	-10,000
Personnel compensation and benefits:					
Core acquisition costs	500	500	500	---	---
Direct personnel cost	72,500	75,950	75,950	+3,450	---
Subtotal, Personnel compensation and benefits	73,000	76,450	76,450	+3,450	---
Integrated deepwater systems:					
Aircraft:					
Aircraft, other	86,250	125,900	---	-86,250	-125,900
HH-65 re-engining	99,000	133,100	---	-99,000	-133,100
Subtotal, Aircraft	185,250	259,000	---	-185,250	-259,000
Surface ships	364,300	522,400	---	-364,300	-522,400
C4ISR	53,600	74,400	---	-53,600	-74,400
Logistics	39,800	25,200	---	-39,800	-25,200
Systems engineering and integration	43,000	45,000	---	-43,000	-45,000
Government program management	38,000	40,000	---	-38,000	-40,000
Miscellaneous	---	---	500,000	+500,000	+500,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Subtotal, Integrated deepwater systems.....	723,950	966,000	500,000	-223,950	-466,000
Shore facilities and aids to navigation:					
Shore operational and support projects.....	1,000	5,000	5,000	+4,000	---
Shore construction projects.....	1,600	3,000	3,000	+1,400	---
Small arms range at ISC Honolulu, HI.....	1,600	---	---	-1,600	---
Renovate USCGA Chase Hall Barrack, Phase I....	---	15,000	15,000	+15,000	---
Replace multi-purpose building - Group Long Island Sound.....	---	10,000	10,000	+10,000	---
Construct breakwater - Station Neah Bay.....	---	2,800	2,800	+2,800	---
Waterways aids to navigation infrastructure...	800	3,900	3,900	+3,100	---
Subtotal, Shore facilities and aids to navigation.....	5,000	39,700	39,700	+34,700	---
Subtotal, Acquisition, construction, and improvements (net).....	966,200	1,269,152	798,152	-168,048	-471,000
Appropriations.....	(982,200)	(1,269,152)	(798,152)	(-184,048)	(-471,000)
Rescissions.....	(-16,000)	---	---	(+16,000)	---
Alteration of bridges.....	15,900	---	15,000	-900	+15,000
Research, development, test, and evaluation.....	18,500	---	---	-18,500	---
Subtotal, U.S. Coast Guard discretionary.....	6,321,187	6,947,552	6,444,152	+122,965	-503,400
Retired pay (mandatory).....	1,085,460	1,014,080	1,014,080	-71,380	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Total, United States Coast Guard	7,406,647	7,961,632	7,458,232	+51,585	-503,400
Appropriations	(7,389,280)	(7,961,632)	(7,458,232)	(+68,952)	(-503,400)
Emergency appropriations	(33,367)	---	---	(-33,367)	---
Rescissions	(-16,000)	---	---	(+16,000)	---
United States Secret Service					
Salaries and expenses:					
Protection:					
Protection of persons and facilities	571,640	572,232	583,652	+12,012	+11,420
National special security event fund	5,000	5,000	10,000	+5,000	+5,000
Protective intelligence activities	53,989	55,561	57,061	+3,072	+1,500
White House mail screening	16,365	16,365	16,365	---	---
Subtotal, Protection	646,994	649,158	667,078	+20,084	+17,920
Field operations:					
Domestic field operations	221,489	238,888	238,888	+17,399	---
International field office administration, operations and training	19,208	19,768	22,168	+2,960	+2,400
Electronic crimes special agent program and electronic crimes task forces	34,536	35,600	43,600	+9,064	+8,000
Subtotal, Field operations	275,233	294,256	304,656	+29,423	+10,400

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Administration:					
Headquarters, management and administration...	197,747	203,232	203,232	+5,485	---
National Center for Missing and Exploited Children.....	7,100	7,100	7,678	+578	+578
Subtotal, Administration.....	204,847	210,332	210,910	+6,063	+578
Training:					
Rowley training center.....	45,051	46,337	46,337	+1,286	---
Subtotal, Salaries and expenses.....	1,172,125	1,200,083	1,228,981	+56,856	+28,898
Operating expenses (rescission) (P.L. 108-11).....	-750	---	---	+750	---
Acquisition, construction, improvements and related expenses (Rowley training center).....	3,633	3,699	3,699	+66	---
Total, United States Secret Service.....	1,175,008	1,203,782	1,232,680	+57,672	+28,898
Total, title II, Security, Enforcement, and Investigations:					
New budget (obligational) authority.....	20,629,096	20,565,937	21,990,063	+1,360,967	+1,424,126
Appropriations.....	(20,675,489)	(20,565,937)	(21,990,063)	(+1,314,574)	(+1,424,126)
Emergency appropriations.....	(33,367)	---	---	(-33,367)	---
Rescission.....	(-79,760)	---	---	(+79,760)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - PREPAREDNESS AND RECOVERY					
Office of State and Local Government Coordination and Preparedness					
Management and administration	3,546	---	3,546	---	+3,546
State and local programs:					
Salaries and expenses	---	3,546	---	---	-3,546
State and local basic formula grants	1,100,000	---	750,000	-350,000	+750,000
State Homeland Seurity Grant Program:					
State and local basic formula grants	---	1,020,000	---	---	-1,020,000
Emergency management performance grants	---	170,000	---	---	-170,000
Citizen Corps	---	50,000	---	---	-50,000
Subtotal, State Homeland Security Grant Pgm	---	1,240,000	---	---	-1,240,000
Law enforcement terrorism prevention grants	400,000	---	400,000	---	+400,000
Urban area security initiative:					
High-threat, high-density urban area	885,000	1,020,000	850,000	-35,000	-170,000
Targeted infrastructure protection	---	600,000	---	---	-600,000
Buffer Zone Protection Program	---	---	50,000	+50,000	+50,000
Port security grants	150,000	---	150,000	---	+150,000
Rail and transit security	150,000	---	150,000	---	+150,000
Trucking security grants	5,000	---	5,000	---	+5,000
Intercity bus security grants	10,000	---	10,000	---	+10,000
Subtotal, Urban area security initiative	1,200,000	1,620,000	1,215,000	+15,000	-405,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Commercial equipment direct assistance program....	50,000	---	50,000	---	+50,000
National programs:					
National domestic preparedness consortium.....	135,000	80,000	125,000	-10,000	+45,000
National exercise program.....	52,000	52,000	52,000	---	---
Technical assistance.....	30,000	7,600	20,000	-10,000	+12,400
Metropolitan medical response system.....	30,000	---	40,000	+10,000	+40,000
Demonstration training grants.....	30,000	---	35,000	+5,000	+35,000
Continuing training grants.....	25,000	3,010	30,000	+5,000	+26,990
Citizen Corps.....	15,000	---	40,000	+25,000	+40,000
Evaluations and assessments.....	14,300	14,300	14,300	---	---
Rural domestic preparedness consortium.....	5,000	---	10,000	+5,000	+10,000
Subtotal, National programs.....	336,300	156,910	366,300	+30,000	+209,390
Management and administration.....	---	44,300	---	---	-44,300
Subtotal, State and local programs.....	3,086,300	3,064,756	2,781,300	-305,000	-283,456
Firefighter assistance grants.....	650,000	---	---	-650,000	---
Fire department staffing assistance grants:					
Grants.....	---	500,000	550,000	+550,000	+50,000
Staffing for Adequate Fire and Emergency Response (SAFER) Act.....	65,000	---	50,000	-15,000	+50,000
Subtotal, Firefighter assistance grants.....	715,000	500,000	600,000	-115,000	+100,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Emergency Management Performance Grants	180,000	---	180,000	---	+180,000
Total, Office of State and Local Government Coordination and Preparedness	3,984,846	3,564,756	3,564,846	-420,000	+90
Counterterrorism Fund					
Counterterrorism fund	8,000	10,000	10,000	+2,000	---
Emergency Preparedness and Response					
Office of the Under Secretary for Emergency Preparedness and Response	4,211	4,306	2,306	-1,905	-2,000
Preparedness, mitigation, response and recovery:					
Operating activities	209,499	228,499	242,499	+33,000	+14,000
Urban search and rescue teams	30,000	7,000	7,000	-23,000	---
Subtotal, Preparedness, mitigation, response and recovery	239,499	235,499	249,499	+10,000	+14,000
Operating expenses (rescission)	-5,000	---	---	+5,000	---
Administrative and regional operations	202,939	170,441	177,441	-25,498	+7,000
Defense function	---	48,000	48,000	+48,000	---
Subtotal, Administrative and regional operations	202,939	218,441	225,441	+22,502	+7,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Public health programs:					
National disaster medical system	34,000	34,000	34,000	---	---
Subtotal, Public health programs	34,000	34,000	34,000	---	---
Radiological emergency preparedness program	-1,000	-1,266	-1,266	-266	---
Biodefense countermeasures:					
Advance appropriations, FY 2005 (P.L. 108-324)	2,507,776	---	---	-2,507,776	---
Subtotal, Biodefense countermeasures	2,507,776	---	---	-2,507,776	---
Disaster relief	2,042,380	2,140,000	2,023,900	-18,480	-116,100
Emergency appropriations (P.L. 108-324)	6,500,000	---	---	-6,500,000	---
Subtotal, Disaster Relief	8,542,380	2,140,000	2,023,900	-6,518,480	-116,100
Disaster assistance direct loan program account:					
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	---	---
Administrative expenses	567	567	567	---	---
Flood map modernization fund	200,000	200,068	200,000	---	-68
National flood insurance fund:					
Salaries and expenses	33,336	36,496	36,496	+3,160	---
Severe reptitive loss mitigation	---	---	40,000	+40,000	+40,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Repetitive loss mitigation	---	---	10,000	+10,000	+10,000
Flood mitigation	79,257	87,358	99,358	+20,101	+12,000
Offsetting fee collections	-112,593	-123,854	-185,854	-73,261	-62,000
(Transfer to National flood mitigation fund)	(-20,000)	(-28,000)	(-40,000)	(-20,000)	(-12,000)
National flood mitigation fund (by transfer)	(20,000)	(28,000)	(40,000)	(+20,000)	(+12,000)
National pre-disaster mitigation fund	100,000	150,062	150,000	+50,000	-62
Emergency food and shelter	153,000	153,000	153,000	---	---
Total, Emergency Preparedness and Response (net)	11,978,372	3,134,677	3,037,447	-8,940,925	-97,230
Appropriations	(2,975,596)	(3,134,677)	(3,037,447)	(+61,851)	(-97,230)
Rescission	(-5,000)	---	---	(+5,000)	---
Emergency appropriations	(6,500,000)	---	---	(-6,500,000)	---
Advance appropriations	(2,507,776)	---	---	(-2,507,776)	---
Total, title III, Preparedness and Recovery:					
New budget (obligational) authority	15,971,218	6,709,433	6,612,293	-9,358,925	-97,140
Appropriations	(6,968,442)	(6,709,433)	(6,612,293)	(-356,149)	(-97,140)
Advance appropriations	(2,507,776)	---	---	(-2,507,776)	---
Emergency appropriations	(6,500,000)	---	---	(-6,500,000)	---
Rescissions	(-5,000)	---	---	(+5,000)	---
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	---	---
(Transfer out)	(-20,000)	(-28,000)	(-40,000)	(-20,000)	(-12,000)
(By transfer)	(20,000)	(28,000)	(40,000)	(+20,000)	(+12,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - RESEARCH AND DEVELOPMENT, TRAINING, ASSESSMENTS, AND SERVICES					
Citizenship and Immigration Services					
Backlog reduction initiative:					
Contracting services	120,000	70,000	70,000	-50,000	---
Other	20,000	10,000	10,000	-10,000	---
Digitization	20,000	---	40,000	+20,000	+40,000
Subtotal, Backlog reduction initiative	160,000	80,000	120,000	-40,000	+40,000
Adjudication services (fee account):					
Pay and benefits	(580,000)	(607,000)	(607,000)	(+27,000)	---
Operating expenses:					
District operations	(293,000)	(389,000)	(389,000)	(+96,000)	---
Service center operations	(233,000)	(260,000)	(260,000)	(+27,000)	---
Asylum, refugee and international operations	(73,000)	(74,000)	(74,000)	(+1,000)	---
Records operations	(65,000)	(66,000)	(66,000)	(+1,000)	---
Subtotal, Adjudication services	(1,244,000)	(1,396,000)	(1,396,000)	(+152,000)	---
Information and customer services (fee account):					
Pay and benefits	(78,000)	(80,000)	(80,000)	(+2,000)	---
Operating expenses:					
National Customer Service Center	(46,000)	(47,000)	(47,000)	(+1,000)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Information services	(14,000)	(14,000)	(14,000)	---	---
Subtotal, Information and customer services	(138,000)	(141,000)	(141,000)	(+3,000)	---
Administration (fee account):					
Pay and benefits	(43,000)	(44,000)	(44,000)	(+1,000)	---
Operating expenses	(190,000)	(193,000)	(193,000)	(+3,000)	---
Subtotal, Administration	(233,000)	(237,000)	(237,000)	(+4,000)	---
Total, Citizenship and Immigration Services	(1,775,000)	(1,854,000)	(1,894,000)	(+119,000)	(+40,000)
Appropriations	(160,000)	(80,000)	(120,000)	(-40,000)	(+40,000)
(Immigration Examination Fee Account)	(1,571,000)	(1,730,000)	(1,730,000)	(+159,000)	---
(H-1B and L Fraud Prevention and Detection Fee Account)	(31,000)	(31,000)	(31,000)	---	---
(H-1B Non-Immigrant Petitioner Fee Account)	(13,000)	(13,000)	(13,000)	---	---
Federal Law Enforcement Training Center					
Salaries and expenses:					
Salaries and expenses	177,440	183,362	194,000	+16,560	+10,638
Subtotal, Salaries and expenses	177,440	183,362	194,000	+16,560	+10,638
Acquisition, Construction, Improvements and Related expenses:					
Direct appropriation	44,917	40,636	64,743	+19,826	+24,107

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Subtotal, Acquisition, Construction and Related Expenses	44,917	40,636	64,743	+19,826	+24,107
Total, Federal Law Enforcement Training Center	222,357	223,998	258,743	+36,386	+34,745
Information Analysis and Infrastructure Protection					
Management and administration:					
Office of the Under Secretary for Information Analysis and Infrastructure Protection	5,864	6,878	6,878	+1,014	---
Other salaries and expenses	126,200	197,127	191,322	+65,122	-5,805
Subtotal, Management and administration	132,064	204,005	198,200	+66,136	-5,805
Assessments and evaluations:					
Critical infrastructure outreach and partnerships	106,592	67,177	62,177	-44,415	-5,000
Critical infrastructure identification and evaluation	77,861	72,173	77,173	-688	+5,000
National Infrastructure Simulation and Analysis Center (NISAC)	20,000	16,000	16,000	-4,000	---
Protective actions	191,647	91,399	91,399	-100,248	---
Biosurveillance	11,000	11,147	10,147	-853	-1,000
Cyber security	67,380	73,349	73,349	+5,969	---
NS-EP Telecommunications	140,754	142,632	142,632	+1,878	---
Competitive analysis and evaluation	4,000	---	---	-4,000	---
Threat determination and assessment	21,943	19,900	19,900	-2,043	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Infrastructure vulnerability and risk assessment..	71,080	74,347	74,347	+3,267	---
Evaluation and studies.....	14,387	34,526	34,526	+20,139	---
Homeland Security Operations Center (HSOC).....	35,000	61,108	56,108	+21,108	-5,000
Information Sharing and Collaboration.....	---	5,482	5,482	+5,482	---
Subtotal, Assessments and evaluations.....	761,644	669,240	663,240	-98,404	-6,000
Total, Information Analysis and Infrastructure Protection.....	893,708	873,245	861,440	-32,268	-11,805
Science and Technology					
Management and administration:					
Office of the Under Secretary for Science and Technology.....	6,315	---	---	-6,315	---
Other salaries and expenses.....	62,271	81,399	81,399	+19,128	---
Subtotal, Management and administration.....	68,586	81,399	81,399	+12,813	---
Research, development, acquisition, and operations:					
Biological countermeasures:					
Operating expenses.....	362,650	23,300	21,000	-341,650	-2,300
Defense function.....	---	339,000	339,000	+339,000	---
Subtotal, Biological countermeasures.....	362,650	362,300	360,000	-2,650	-2,300
Chemical countermeasures.....	53,000	102,000	90,000	+37,000	-12,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
High explosives countermeasures	19,700	14,700	54,700	+35,000	+40,000
Threat and vulnerability, testing and assessment	65,800	47,000	47,000	-18,800	---
Conventional missions in support of DHS	54,650	93,650	80,000	+25,350	-13,650
Technology development and transfer	---	---	10,000	+10,000	+10,000
Rapid prototyping program	76,000	20,900	30,000	-46,000	+9,100
Standards	39,700	35,500	35,500	-4,200	---
Emerging threats	10,750	10,500	10,500	-250	---
Critical infrastructure protection	27,000	20,800	35,800	+8,800	+15,000
University programs/homeland security fellowship	70,000	63,600	63,600	-6,400	---
National Biodefense Analysis and Countermeasures Center construction	35,000	---	---	-35,000	---
Counter MANPADs	61,000	110,000	110,000	+49,000	---
Safety act	10,000	5,600	10,000	---	+4,400
Cyber security	18,000	16,700	16,700	-1,300	---
Interoperability and communications	21,000	---	---	-21,000	---
Office of interoperability and compatibility	---	20,500	41,500	+41,500	+21,000
Research and development consolidation	---	116,897	116,897	+116,897	---
Radiological and nuclear countermeasures	122,614	19,086	19,086	-103,528	---
Domestic nuclear detection office	---	227,314	127,314	+127,314	-100,000
Subtotal, Research, development, acquisition, and operations	1,046,864	1,287,047	1,258,597	+211,733	-28,450
Total, Science and Technology	1,115,450	1,368,446	1,339,996	+224,546	-28,450

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Total, title IV, Research and Development, Training Assessments, and Services:					
New budget (obligational) authority.....	2,391,515	2,545,689	2,580,179	+188,664	+34,490
TITLE V - GENERAL PROVISIONS					
Sec. 526:					
Rescission, 110-to-123 Conversions (P.L.108-90 and P.L. 108-334).....	---	---	-84,000	-84,000	-84,000
110ft Island Class Patrol Boat procurement or refurbishment.....	---	---	84,000	+84,000	+84,000
Sec. 531:					
Rescission, Working Capital Fund.....	---	---	-7,000	-7,000	-7,000
Total, title V, General Provisions:					
New budget (obligational) authority.....	---	---	-7,000	-7,000	-7,000
Grand total, Department of Homeland Security:					
New budget (obligational) authority.....	39,598,603	30,568,748	31,860,080	-7,738,523	+1,291,332
Appropriations.....	(30,642,220)	(30,568,748)	(31,951,080)	(+1,308,860)	(+1,382,332)
Advance appropriations.....	(2,507,776)	---	---	(-2,507,776)	---
Emergency appropriations.....	(6,533,367)	---	---	(-6,533,367)	---
Rescissions.....	(-84,760)	---	(-91,000)	(-6,240)	(-91,000)
Fee funded programs.....	(2,894,004)	(3,325,579)	(3,325,579)	(+431,575)	---
(Limitation on direct loans).....	(25,000)	(25,000)	(25,000)	---	---
(Transfer out).....	(-20,000)	(-28,000)	(-40,000)	(-20,000)	(-12,000)
(By transfer).....	(20,000)	(28,000)	(40,000)	(+20,000)	(+12,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Less emergency appropriations	-6,533,367	---	---	+6,533,367	---
Total, scorekeeping adjustments	-6,533,367	---	---	+6,533,367	---
Total (including adjustments)	33,065,236	30,568,748	31,860,080	-1,205,156	+1,291,332
Amount in this bill	(39,598,603)	(30,568,748)	(31,860,080)	(-7,738,523)	(+1,291,332)
Scorekeeping adjustments	(-6,533,367)	---	---	(+6,533,367)	---
Total mandatory and discretionary	33,065,236	30,568,748	31,860,080	-1,205,156	+1,291,332
Mandatory	(1,085,460)	(1,014,080)	(1,014,080)	(-71,380)	---
Discretionary	(31,979,776)	(29,554,668)	(30,846,000)	(-1,133,776)	(+1,291,332)
Discretionary Function Recap:					
Non-defense	30,775,776	28,827,668	29,259,000	-1,516,776	+431,332
Defense	1,204,000	727,000	1,587,000	+383,000	+860,000
Total	31,979,776	29,554,668	30,846,000	-1,133,776	+1,291,332

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
DEPARTMENT OF HOMELAND SECURITY SUMMARY					
TITLE I - DEPARTMENTAL MANAGEMENT AND OPERATIONS					
Departmental operations	524,457	664,672	601,528	+77,071	-63,144
Office of Inspector General	82,317	83,017	83,017	+700	---
Total, title I	606,774	747,689	684,545	+77,771	-63,144
TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
Office of the Under Secretary for Border and Transportation Security	9,617	10,617	10,617	+1,000	---
U.S. Visitor and Immigrant Status Indication Techology	340,000	---	---	-340,000	---
Automation Modernization	---	---	411,232	+411,232	+411,232
Office of Screening Coordination Operations	---	525,526	---	---	-525,526
Customs and border protection	6,349,275	6,716,897	6,926,897	+577,622	+210,000
Direct appropriations	(5,333,281)	(5,574,751)	(5,784,751)	(+451,470)	(+210,000)
Fee accounts	(1,079,004)	(1,142,146)	(1,142,146)	(+63,142)	---
Immigration and customs enforcement	3,367,178	3,877,270	4,059,070	+691,892	+181,800
Direct appropriations	(3,645,178)	(4,134,837)	(4,316,637)	(+671,459)	(+181,800)
Offsetting fee collections	(-478,000)	(-487,000)	(-487,000)	(-9,000)	---
Fee accounts	(200,000)	(229,433)	(229,433)	(+29,433)	---
Transportation Security Administration	3,260,375	1,641,792	3,262,914	+2,539	+1,621,122
Direct appropriations	(5,083,375)	(5,311,792)	(5,432,914)	(+349,539)	(+121,122)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Offsetting fee collections	(-1,890,000)	(-3,670,000)	(-1,990,000)	(-100,000)	(+1,680,000)
United States Coast Guard	7,406,647	7,961,632	7,458,232	+51,585	-503,400
United States Secret Service	1,175,008	1,203,782	1,232,680	+57,672	+28,898
TOTAL, title II, direct appropriations	20,629,096	20,565,937	21,990,063	+1,360,967	+1,424,126
TITLE III - PREPAREDNESS AND RECOVERY					
Office of State and Local Government Coordination and Preparedness	3,984,846	3,564,756	3,564,846	-420,000	+90
Counterterrorism fund	8,000	10,000	10,000	+2,000	---
Emergency preparedness and response	11,978,372	3,134,677	3,037,447	-8,940,925	-97,230
Direct appropriations	(2,975,596)	(3,134,677)	(3,037,447)	(+61,851)	(-97,230)
Emergency appropriations	(6,500,000)	---	---	(-6,500,000)	---
Offsetting fee collections	(-112,593)	(-123,854)	(-185,854)	(-73,261)	(-62,000)
Biodefense countermeasures advance appropriations	(2,507,776)	---	---	(-2,507,776)	---
Total, title III	15,971,218	6,709,433	6,612,293	-9,358,925	-97,140
TITLE IV - RESEARCH AND DEVELOPMENT, TRAINING, ASSESSMENTS, AND SERVICES					
Citizenship and immigration services	1,775,000	1,854,000	1,894,000	+119,000	+40,000
Direct appropriations	(160,000)	(80,000)	(120,000)	(-40,000)	(+40,000)
Fee accounts	(1,615,000)	(1,774,000)	(1,774,000)	(+159,000)	---
Federal law enforcement training center	222,357	223,998	258,743	+36,386	+34,745

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AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
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	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Information analysis and infrastructure protection....	893,708	873,245	861,440	-32,268	-11,805
Science and technology.....	1,115,450	1,368,446	1,339,996	+224,546	-28,450
Total, title IV, direct appropriations.....	2,391,515	2,545,689	2,580,179	+188,664	+34,490
TITLE V - GENERAL PROVISIONS					
General provisions.....	---	---	-7,000	-7,000	-7,000
Total, title V, General provisions.....	---	---	-7,000	-7,000	-7,000
Scorekeeping adjustments.....	-6,533,367	---	---	+6,533,367	---
TOTAL, DEPARTMENT OF HOMELAND SECURITY.....	33,065,236	30,568,748	31,860,080	-1,205,156	+1,291,332

ADDITIONAL VIEWS OF DAVID OBEY AND MARTIN OLAV SABO

Four and a half years after September 11th, Americans should have tangible proof that our nation is safer; that for the billions of dollars spent, we are well prepared against terrorist attack. We must honestly ask ourselves: What progress have we made? What critical gaps still exist? What actions should we be taking to close those gaps?

Public concern over a lack of progress on these critical questions led to the creation of the Department of Homeland Security more than two years ago. Yet, since then, the Department has been fractured and bureaucratic—far more focused on internal organization than in achieving results in some of our greatest security vulnerabilities. We can afford that no longer.

The difficult task of our nation's homeland defense requires vision and leadership and planning and pragmatism. We believe these qualities are more lacking today than money, but responsibility does not rest at the feet of the Administration alone. Time and again, the Congress has enacted new requirements without providing the appropriate funding or oversight to ensure that their implementation is a success.

In these views we will lay out some of the homeland security gaps that continue to exist and some of the actions that our nation has taken since September 11th. The 2006 appropriations bill incrementally addresses some of these gaps. It does not, however, provide for the full-scale solution that is needed. Nor does it provide the resources required for the Department of Homeland Security to meet specific goals contained in numerous pieces of legislation passed by the Congress and signed into law by the President.

BORDER SECURITY

It should be obvious to every American that to improve border security, we need more border agents and surveillance equipment. In legislation enacted by wide voting margins, Congress has repeatedly called for border security to be improved. The Patriot Act of 2001, called for the tripling of border agents and customs and immigration inspectors on our northern border. The Intelligence Reform Act, enacted in December 2004, called for 2,000 additional border agents, 800 additional immigration investigators, and 8,000 additional detention beds per year 2006 through 2010.

The fact is that since September 11th, only 965 new border patrol agents have been hired. In four years, this is less than a 10% increase. Nine out of ten border patrol agents are assigned to guard the southern border.

To help meet the northern border hiring and equipment goals in the Patriot Act, Congress provided $308 million to beef up security on our northern border with more agents, inspectors and equip-

ment. The Bush Administration requested only one-third of this funding, and had to be reminded by the Appropriations Committee to use the remaining $36 million in northern border funds in the most recently enacted supplemental.

This legislation, when combined with the recent supplemental, is the first opportunity the Congress has had to address the mandates of the Intelligence Reform Act. Unfortunately, only five months since enactment of that legislation, this bill falls far short of its border enforcement directives—by 500 border patrol agents (25% short), by 600 immigration investigators (75% short), and by 4,000 detention beds (50% short).

We note that the border increases included in this bill are substantially more than those requested by the President. The President requested only 362 new personnel and few additional detention beds. The President's budget did not request the resources necessary to back up his statement that Congress "took an important step in strengthening our immigration laws, by, among other items, increasing the number of border patrol agents and detention beds" in the Intelligence Reform Act.

However, when Congress passes legislation dictating new homeland security mandates, and then does not follow up to provide the resources to fully meet them, we should expect questions about our credibility. Some might call this hypocrisy.

We would also like to point out that there are some important border and port programs that are not funded adequately in the President's budget or in this legislation. One is the radiation portal monitor program. The Department's plan would result in these monitors, which screen for nuclear material and weapons of mass destruction, to be installed in all ports by 2009. Their sole reason for taking so long to implement this critical equipment is a lack of resources. We believe it is a misguided decision.

LOCAL POLICE, FIRE AND EMERGENCY RESPONDER PREPAREDNESS

Increased funding to improve the ability of our local police, firefighters and emergency personnel to respond to terrorist acts or disasters has been called for numerous times. A 2003 Council of Foreign Relations report found that responders were "Drastically Underfunded, Dangerously Unprepared," and that "America will fall approximately $98 billion short of meeting critical emergency responder needs over the next five years if current funding levels are maintained."

In 2003, funding for state homeland security grants (not including fire grants or port grants which were funded elsewhere in 2003) and emergency management performance grants totaled $3.3 billion. This legislation includes only $2.4 billion for these same programs in 2006, a reduction of 27%.

A recent report by the "Task Force on A Unified Security Budget for the United States, 2006" found that funding reductions for preparedness and response programs "translate into dangerous vulnerabilities, given the scope and character of the terrorist threat."

The Administration and those in charge of the Congress are willing to wait too long for these preparedness vulnerabilities to be addressed. They argue that less than 30 percent of the funding pro-

vided to date to states and localities to improve preparedness has been spent and that additional funding cannot be absorbed. It is true that due to Department of Homeland Security staff shortfalls and equipment backlogs, funding is not being spent quickly. However, we believe that the Department should address these issues, rather than use them as an excuse to cut funding. In addition, funding can only be spent when it is made available.

Fire grants are probably the most successful grant program in the Department of Homeland Security. Local fire departments submit grants requests, which are independently evaluated. The needs of our fire departments are great. The number of firefighters has dropped by 32,000 during the past two decades. Only 13% of fire departments are prepared to respond to a hazardous material incident. An estimated 57,000 firefighters lack personal protective clothing for a chemical or biological attack. One-third of all firefighters per shift are not equipped with self-contained breathing apparatus. The fire grant program helps local fire departments deal with these and other problems.

Yet, the Administration's response to these firefighting needs is to cut funding more deeply. The Bush budget would reduce funding for this program by $215 million, or 30%. This bill makes up roughly half of the President's proposed reductions. We believe that this program should be fully funded at last year's level of $715 million.

CRITICAL INFRASTRUCTURE PROTECTION

The Administration's approach to protecting critical infrastructure, such as ports, transit and railroad facilities, and chemical plants continues to frustrate us. Critical infrastructure is not evaluated objectively or with consistent expertise. A cynical person might wonder whether federal support for infrastructure protection is directly related to the amount of influence the particular industry or entity has with the White House.

With great fanfare, the President signed legislation requiring ports to assess their vulnerabilities and develop security plans. The requirements in this legislation were good first steps to minimize port vulnerabilities. The Coast Guard estimated in 2002 that $7 billion in infrastructure improvements and operating costs would be needed to improve port security. Congress has provided $737 million to improve port security since 2001. In that time, the Administration requested only $46 million, or six percent of this funding. No separate funding for port security was requested in the President's 2006 budget. We are pleased that $150 million for port security is contained in this legislation.

Despite terrorist attacks on transit systems in Japan and Spain, less than $550 million has been provided to improve rail and transit security since September 11th. The transit industry estimates that $6 billion is needed for security training, radio communications systems, security cameras, and limiting access to sensitive facilities. Again, the President's 2006 budget requested no separate funding for transit security. We are pleased that $150 million is contained in this legislation to improve transit security.

Last year the Department said that more transit security funds were not needed until the problem is better defined. How long must the American public wait for the Department to define the prob-

lem? The Department's main accomplishment in rail and transit security is a directive to transit operators and railroads to continue their current security practices.

The Department of Homeland Security is the lead federal agency on chemical facility security. Yet, to our great frustration, the Department has set no deadlines to assess security vulnerabilities and implement security measures in these facilities.

The Government Accountability Office recommended in 2003 that the Administration develop a comprehensive national chemical security strategy. We still do not have one. The American taxpayer is paying for DHS staff and contractors to assess the vulnerabilities of the highest risk chemical facilities. We question why these private, profit-making companies cannot do their own assessments. In fact, many of them do have risk and vulnerability assessments because it makes good business sense, but they have not shared this information with the Department. While this legislation directs the Department to establish a national chemical security strategy, we remain concerned that the chemical sector is not getting the attention it deserves from this Administration and therefore, the American public remains subject to unnecessary risk.

AVIATION SECURITY

We are disappointed that the Administration continues to leave aviation security vulnerabilities unaddressed. The recent evacuation of the Capitol and the White House indicates that gaps remain in our aviation security system, despite having spent over $22 billion since September 11th on aviation security. The perimeters of passenger airports are not fully secured; it is not known how many of the general aviation security improvements suggested by TSA have been implemented; and most of air cargo is still not screened.

The cargo carried on passenger aircraft is not inspected like either the passengers or their baggage. Last October, Congress directed TSA to increase threefold the percentage of cargo carried on passenger aircraft that is screened. It is now seven months after this legislative requirement and TSA still has not acted to implement the law. We fully support provisions of this legislation that impose penalties to the TSA Administrator if this requirement is not implemented before the end of this fiscal year. We are also pleased that this legislation requires TSA to utilize downtime in their checked baggage screening operations to screen air cargo. Last, we are encouraged by the $30 million included for three air cargo-screening pilot projects, two at passenger airports and one at an all cargo airport.

The Administration is willing to give short shrift to the 9/11 Commission recommendations to screen all passengers and carry-on bags for explosives and to speed up the installation of in-line explosive detection systems. The Administration's 2006 budget does not fund any additional in-line screening systems beyond the current eight approved airports. This legislation includes $101 million more for explosive detection system purchase and installation. This legislation also includes a provision mandating that recovered or deobligated TSA funds be used solely for additional explosive detection improvements.

Finally, we continue to be concerned that the air marshal program is not given a high enough funding priority by this Administration. The number of air marshals has decreased, and they still cannot communicate independently while they are in the air.

REAL ID

In the most recent supplemental legislation to fund the war in Iraq, which was signed into law by the President on May 11th, the majority saw fit to include the REAL ID Act, which among other things requires states, if their driver's licenses are to be accepted as identification to board aircraft, to: retain paper or digital copies of source documents (such as birth certificates); verify source documents; capture digital images; subject their personnel to security clearances; and develop electronic access to all states motor vehicle databases. The Congressional Budget Office estimates the costs of these requirements to be $100 million.

A Democratic amendment was offered in Committee to provide $100 million to pay for the requirements of the newly created REAL ID grant program, which was defeated on a party line vote. We lament that this vote is further proof of the uncanny ability of the majority party to say one thing and do another.

CONCLUSION

Despite its rhetoric, the White House has not given homeland security the top priority it deserves. This failure is reflected in the Department of Homeland Security budget request. It is also reflected in the fact that in its two short years, the Department has had two Secretaries and three Deputy Secretaries. Today, six high level political positions, 42% of the total, are vacant or staffed by people who have already announced their departures. Homeland security leadership is woefully lacking today, and critical decisions have been pushed off until the new political appointees are in place.

This legislation is much improved over the budget request of the Bush Administration in many respects, including border enforcement, port security, transit security, and aviation security. But, due to the nation's fiscal mess exacerbated by the costs of war and tax cuts to millionaires, critical homeland security vulnerabilities will continue to go unaddressed. We sincerely hope that the people of our great country will not suffer for it.

DAVID OBEY.
MARTIN OLAV SABO.

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