

**Calendar No. 204**

110TH CONGRESS }  
1st Session }

SENATE

{ REPORT  
{ 110-84

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS  
BILL, 2008

JUNE 18, 2007.—Ordered to be printed

Mr. BYRD, from the Committee on Appropriations,  
submitted the following

**REPORT**

[To accompany S. 1644]

The Committee on Appropriations reports the bill (S. 1644) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes, reports favorably thereon and recommends that the bill do pass.

*Total obligational authority, fiscal year 2008*

Total of bill as reported to the Senate <sup>1 2</sup> .....	\$37,623,424,000
Amount of 2007 appropriations <sup>3</sup> .....	34,797,323,000
Amount of 2008 budget estimate <sup>2</sup> .....	35,373,333,000
Bill as recommended to Senate compared to—	
2007 appropriations .....	+ 2,826,101,000
2008 budget estimate .....	+ 2,250,091,000

<sup>1</sup> Includes \$101,787,000 in rescissions.

<sup>2</sup> Includes \$272,111,000 a permanent indefinite appropriation for the Coast Guard health care fund contribution and \$48,787,000 in rescissions.

<sup>3</sup> Excludes \$5,510,000,000 of emergency appropriations contained in the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110-28). Includes \$1,829,000,000 of emergency appropriations contained in Public Law 109-295 for border security and the United States Coast Guard; includes \$278,704,000 as a permanent indefinite appropriation for United States Coast Guard health care fund contributions; and includes \$313,005,000 of rescissions. Excludes a rescission of \$30,900,000 pursuant to Public Law 110-28.

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## OVERVIEW AND SUMMARY OF THE BILL

	Fiscal year 2008 re- quest	Fiscal year 2008 Committee rec- ommendation
Title I—Departmental Management and Operations .....	\$1,096,981,000	\$1,103,770,000
Title II—Security, Enforcement, and Investigations .....	26,415,592,000	26,914,220,000
Title III—Protection, Preparedness, Response, and Recovery .....	6,206,704,000	7,946,369,000
Title IV—Research and Development, Training, and Services .....	1,654,056,000	1,704,065,000
Title V—General Provisions .....	.....	- 45,000,000
Total, new budget (obligational authority) .....	35,373,333,000	37,623,424,000

The Committee recommends total appropriations of \$37,623,424,000 for the Department of Homeland Security (the Department) for fiscal year 2007, \$2,250,091,000 more than the budget request. Of this amount, \$36,438,704,000 is for discretionary programs.

### ENHANCED SECURITY FOR AMERICANS

In every State of the Union Address since the attacks on 9/11, the President has raised the specter of another attack. In January 2007, he said, “Every success against the terrorists is a reminder of the shoreless ambitions of this enemy . . . In the sixth year since our Nation was attacked, I wish I could report to you that the dangers had ended. They have not.”

Regrettably, the President’s budget does not commit significant resources to address known vulnerabilities in this country. Moreover, it appears this Department has been far too reliant on what could be called “paper security”, instead of enhanced security. The Department is reliant on standards that are not enforced and on reports prepared by contractors that are never executed.

The administration claims the budget request for the Department of Homeland Security it submitted in February 2007, represented an 8 percent increase over the previous fiscal year. That claim can only be found on paper. When you dig through the details of the President’s budget, and truly understand its consequences, the increase that is proposed for homeland security is only 1.7 percent. A 1.7 percent increase does not provide enhanced security for Americans. This bill provides a real 8 percent increase.

The Committee bill for fiscal year 2008 adds funds to address known shortfalls and provides enhanced security for Americans.

*Border Security.*—Two years ago, on a bipartisan basis, the Senate began the process of hiring and training a significant number of Border Patrol agents and immigration investigators. Despite opposition from the administration to the Senate amendment, the funds for enhanced border security were enacted into law. Since 2004, on a bipartisan basis, Congress increased the number of Border Patrol agents by 4,000, the number of immigration enforcement personnel by 1,373, and the number of detention beds by 9,150.

The President's budget for fiscal year 2008 includes additional resources for improving security at our borders. It includes an increase of \$569,800,000 to hire 3,000 new Border Patrol agents and support staff, \$197,348,000 to annualize the hiring of prior-year Border Patrol agents, plus over \$100,000,000 for Border Patrol-related construction. The budget request also includes \$1,000,000,000 for border fencing, infrastructure, and technology. With regard to immigration enforcement, the President's budget includes an increase of nearly \$118,000,000 over the previous fiscal year, for enforcement activities such as the Criminal Alien Program, Border Enforcement Security Task Forces, gang enforcement, and removal management operations. It also includes an increase of 950 new detention beds. The Committee bill for fiscal year 2008, fully funds these requests.

While the President commits significant resources to border security, the proposal is neither comprehensive nor coordinated. It makes no sense to hire 3,000 additional Border Patrol agents without purchasing detention space to hold individuals arrested by those agents. The Committee adds \$146,451,000 for 3,050 additional detention beds. With the 4,000 new beds, the Committee's bill supports funding a total of 31,500 beds in fiscal year 2008. The Committee adds \$10,500,000 above the President's request to expand the number of Criminal Alien Program teams from 22 in the request to 30; the number of Fugitive Operations Teams from 75 in the request to 81; and increases the number of worksite enforcement positions from 256 to 419. In total, the Committee adds \$239,643,000 and more than 700 positions above the request for immigration enforcement and detention and removals.

*Aviation Security.*—In August 2006, after the arrests in Britain of potential terrorists who plotted to blow up commercial airliners over the Atlantic Ocean, the Department elevated the threat risk level in the aviation sector to orange, or high. It remains there today. Yet, the President's budget for aviation security fails to address known vulnerabilities and shortfalls. In fact, the President's budget proposed to cut funding for purchasing and installing explosives detection equipment at airports by 17 percent, despite a \$3,690,000,000 need.

The 9/11 Commission Chairman concluded that explosives detections systems in-line installation, "will promote greater security because: screening machines will not be exposed to the public; screeners will be able to focus on screening bags rather than moving them; and fewer people will be congregating around machines in the public area. The Committee provides \$89,400,000 above the request and a total of \$529,400,000 to purchase and install explosives detection equipment at airports. This amount builds on the \$285,000,000 included in the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) for this purpose.

Five years since 9/11, the majority of cargo loaded onto passenger aircraft is not inspected. The Department relies on a paper process for determining the threat potential of 12,800 facilities where air cargo is consolidated or stored before being placed onboard aircraft for transport. The U.S. air cargo supply chain handles more than 50,000 tons of cargo each day, of which 7,500 tons is carried on do-

mestic passenger aircraft. The majority of that cargo is not inspected and virtually none is screened for radiation. To address this vulnerability gap, the Committee recommendation includes \$10,000,000 above the request to deploy 70 additional canine teams and screening technology at airports nationwide. When combined with the \$80,000,000 included in Public Law 110–28, these funds will put DHS on a path to screen all cargo placed on passenger aircraft. In addition, \$20,000,000 above the request is provided to establish and maintain 20 radiation screening teams at key U.S. international airports to screen aircraft and cargo.

The majority of the 800,000 airport employees nationwide are not screened before entering secure areas of the airport. Recent airport security breaches have highlighted the ongoing need for stricter screening standards for airport employees. To address this issue, the Committee recommendation includes \$15,000,000 for TSA to test various screening methods, such as physical inspection, behavioral recognition, biometric access control, and deployment of additional technology including cameras and body imaging.

Other aviation security initiatives above the President's request include an additional: (1) \$4,000,000 to pilot test improvements in perimeter security at airports; (2) \$3,000,000 to develop portable detection systems to screen general aviation aircraft for radiation; and (3) \$10,000,000 to install radiation portal monitors at five U.S. international airports to detect radioactive materials carried by passengers on their persons and carry-on baggage—another unguarded path for radioactive material to enter our Nation.

*Preparing for and Responding to Emergencies and Disasters.*—According to the Department's Nationwide Plan Review, 61 percent of States and 69 percent of urban areas do not have adequate plans to respond to a catastrophic event as the Nation saw in the wake of Hurricane Katrina. Yet, the President's budget proposes to cut homeland security grants by \$1,190,000,000, including a freeze in funding for Emergency Management Performance Grants [EMPG]. To provide enhanced security for Americans, the Committee provides an increase of \$644,000,000 above fiscal year 2007 and \$1,834,500,000 above the President's request for State and local programs. The Committee approves an increase of \$100,000,000 for EMPG and \$50,000,000 for Regional Catastrophic Preparedness Grants to promote coordinated catastrophic event and mass evacuation planning.

The President proposes a 45 percent reduction in grants to fire departments. The President also proposes to eliminate the program for increasing the number of firefighting personnel. The Department's own 2006 fire service needs assessment shows that: 28 percent of firefighters per shift are not equipped with a self-contained breathing apparatus; fire departments do not have enough portable radios to equip an estimated 36 percent of emergency responders on a shift; and only 12 percent of fire departments can handle even a small hazmat/EMS incident involving chemical or biological agents. The Committee provides \$400,000,000 above the President's request for a total of \$700,000,000 in grants to firefighters.

In recent years, there have been deadly attacks on trains in London, Madrid, Moscow, Tokyo, and Mumbai, India. Hundreds of innocent people have lost their lives. The Department has responded

with unenforced paper security policy directives, small pilot projects, the results of which have not been applied nationally, and a budget that proposes to fund the mass transit and rail security program at the original, inadequate 2007 level of \$175,000,000. The Committee provides \$400,000,000 for mass transit and rail security, more than double the President's request.

*Port Security Enhancements.*—With great fanfare, the President signed the SAFE Port Act of 2006 (Public Law 109–347). Yet, four months later, the budget request for fiscal year 2008 included no additional funding to implement its new requirements. The Committee includes additional funds to implement SAFE Port Act requirements. For instance, port security grants are fully funded at \$400,000,000, as authorized. This is an increase of \$190,000,000 over the President's request. Grants will protect citizens and commerce by funding improvements such as perimeter fencing, underwater detection capability, and enhanced video surveillance systems needed to make ports more secure.

To provide enhanced security for Americans, the Committee provides \$6,750,000 above the request to hire an additional 50 supply chain security specialists, as authorized in the SAFE Port Act. We cannot inspect, on an aggressive and regular basis, more than 6,100 trading partners in nearly 60 countries who ship cargo into this country with only 157 supply chain security specialists. The President did not seek additional security specialists for fiscal year 2008.

Further enhancing port security, the bill provides \$15,000,000 for the Coast Guard to: (1) double the frequency of spot checks at 3,200 regulated port facilities nationwide; (2) conduct vulnerability assessments and studies at high risk ports; and (3) develop a long-range vessel tracking system.

An additional \$15,000,000 above the request is included to address a shortage of Coast Guard boats and qualified personnel to secure vessels and waterside facilities that contain hazardous substances. This funding will allow the Coast Guard to enforce security zones, protect critical infrastructure, and provide high interest vessel escorts and boardings. These funds will help secure vessels carrying dangerous cargo, such as those carrying liquefied natural gas.

An additional \$60,000,000 is provided to fund the establishment of Coast Guard interagency maritime operational centers. These centers, authorized by the SAFE Port Act, and endorsed by the Coast Guard, will improve collection and coordination of intelligence, increase information sharing, and unify efforts among participating Federal, State, and local agencies.

The Transportation Security Administration [TSA] and the United States Coast Guard are the lead agencies in charge of issuing transportation worker identification credentials, known as "TWIC" cards, to approximately 750,000 port workers. The SAFE Port Act required TSA to begin pilot testing card reader technology at five ports by April 2007, to assess the business process, technology, and operational impacts required to deploy transportation security card readers nationwide. No funding was included in the budget request to implement the pilot program. An increase of

\$15,000,000 is provided for ports to begin deploying TWIC card readers as authorized.

*Weapons of Mass Destruction.*—The administration and Congress alike have focused on making sure shipping containers entering the country are scanned for radiation. DHS estimates by the end of 2008, 98 percent of containerized cargo will be scanned. Public Law 110–28 provides an additional \$100,000,000 for further deployment of radiation detectors. Unfortunately, container traffic makes up only 25 percent of overall cargo entering the country. The remaining 75 percent, which is comprised of commercial or general aviation, railroad or other modes of transportation, is largely ignored.

The Department must be proactive in addressing the evolving threat. At Congress' initiative, Public Law 110–28 contained \$35,000,000 to begin development and deployment of deterrents to these other pathways. This bill provides an additional \$6,000,000 above the request to fund detector development for containers that are loaded directly onto trains from ships and provides guidance to the Domestic Nuclear Detection Office to press forward efforts to guard the highest risk pathways into the country. An additional \$6,500,000 is provided for deployment of portable radiation detection devices. In combination with amounts mentioned above under aviation security, a total of \$45,500,000 is provided for this radiation detection initiative.

Public Law 110–28 also contained \$8,000,000 for the Office of Health Affairs [OHA] to begin planning efforts for better nuclear preparedness—an area that has been largely ignored. This bill contains sufficient funds for OHA to continue its efforts to determine the state of planning activities to prepare the Nation for potential weapons of mass destruction attacks.

Last year, this Committee included a provision directing the Department to quickly develop and release regulations to guard this country's chemical sites from potential terrorists bent on turning chemical plants into weapons of mass destruction. To its credit, the Department has issued those regulations, but the requested \$25,000,000 for implementation of the rule is not sufficient to initiate a robust program. An additional \$15,000,000 has been included in this bill for chemical site security implementation.

Finally, many experts believe it is only a matter of time before the techniques of the terrorist trade practiced in the Middle East are exported by extremists to America. An additional \$20,000,000 has been included to aid the development of standoff detection and other technologies to combat improvised explosive devices. The time to develop the ability to find bombs and disarm them from afar is now.

*Conclusion.*—The mission of the Department of Homeland Security is critical to the security of our Nation. The potential threats are endless. Yet, the Committee must address these threats with limited resources and in recognition of the limits of technology. In making careful decisions, the Committee strives to strike a balance that protects our cherished freedoms and our need for enhanced security.

## TRANSPARENCY IN CONGRESSIONAL DIRECTIVES

On January 18, 2007, the Senate passed S. 1, The Legislative Transparency and Accountability Act of 2007, by a vote of 96–2. While the Committee awaits final action on this legislation, the chairman and ranking member of the Committee issued interim requirements to ensure that the goals of S. 1 are in place for the appropriations bills for fiscal year 2008.

The Constitution vests in the Congress the power of the purse. The Committee believes strongly that Congress should make the decisions on how to allocate the people’s money. In order to improve transparency and accountability in the process of approving earmarks (as defined in S. 1) in appropriations measures, each Committee report includes, for each earmark:

- (1) the name of the Member(s) making the request, and where appropriate, the President;
- (2) the name and location of the intended recipient or, if there is no specifically intended recipient, the intended location of the activity; and
- (3) the purpose of such earmark.

The term “congressional earmark” means a provision or report language included primarily at the request of a Senator, providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific state, locality or congressional district, other than through a statutory or administrative, formula-driven, or competitive award process.

For each earmark, a Member is required to provide a certification that neither the Member (nor his or her spouse) has a pecuniary interest in such earmark, consistent with Senate Rule XXXVII(4). Such certifications are available to the public at <http://appropriations.senate.gov/senators.cfm> or go to [appropriations.senate.gov](http://appropriations.senate.gov) and click on “Members”.

DEPARTMENT OF HOMELAND SECURITY

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

Appropriations, 2007 <sup>1 2</sup> .....	\$94,170,000
Budget estimate, 2008 .....	107,939,000
Committee recommendation .....	100,000,000

<sup>1</sup> Includes a transfer of \$300,000 to the Transportation Security Administration pursuant to Public Law 110-5.

<sup>2</sup> Excludes a rescission of \$1,200,962 pursuant to Public Law 110-28.

The Office of the Secretary and Executive Management supports the Department by providing direction, management, and policy guidance to operating components within the organization. The specific activities funded by this account include: the Immediate Office of the Secretary; the Immediate Office of the Deputy Secretary; the Chief of Staff; the Office of Counternarcotics Enforcement; the Executive Secretary; the Office of Policy; the Secure Border Coordination Office; the Office of Public Affairs; the Office of Legislative and Intergovernmental Affairs; the Office of General Counsel; the Office of Civil Rights and Civil Liberties; the Citizenship and Immigration Services Ombudsman; and the Privacy Officer.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$100,000,000 for the Office of the Secretary and Executive Management [OSEM]. The fiscal year 2008 request includes a 15 percent increase for the OSEM, compared to a 1.7 percent increase requested for the entire Department. As of March 31, 2007, nearly \$58,000,000 remained in unobligated balances. The Department is also 14 percent below authorized staffing levels for fiscal year 2007. Given the high unobligated balances, the Department's inability to meet authorized staffing levels, and the need to provide front line components with resources to address known gaps in homeland security, the Committee provides an increase of \$5,830,000 instead of \$13,769,000, as requested.

The specific levels recommended by the Committee as compared to the fiscal year 2007 and budget request levels are as follows:

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations
Immediate Office of the Secretary .....	2,540	2,650	2,650
Immediate Office of the Deputy Secretary .....	1,185	1,222	1,122

## OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations
Chief of Staff .....	2,560	2,639	2,639
Office of Counternarcotics Enforcement .....	2,360	3,155	2,360
Executive Secretary .....	4,450	5,127	4,855
Office of Policy .....	29,305	35,300	31,310
Secure Border Coordination Office .....	4,500	4,500	4,500
Office of Public Affairs .....	6,000	7,686	7,400
Office of Legislative and Intergovernmental Affairs .....	5,449	5,618	5,518
Office of General Counsel .....	12,759	15,155	12,759
Office of Civil Rights and Civil Liberties .....	13,000	13,722	13,722
Citizenship and Immigration Services Ombudsman .....	5,927	6,054	6,054
Privacy Officer .....	4,435	5,111	5,111
Transfer to the Transportation Security Administration (Public Law 110-5) .....	- 300	.....	.....
Total, Office of the Secretary and Executive Management ...	94,170	107,939	100,000

<sup>1</sup> Excludes a rescission of \$1,200,962 pursuant to Public Law 110-28.

## IMMEDIATE OFFICE OF THE SECRETARY

The Committee provides \$2,650,000 for the Immediate Office of the Secretary, an increase of \$110,000 above the fiscal year 2007 level and the same level proposed in the budget.

## IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

The Committee provides \$1,122,000 for the Immediate Office of the Deputy Secretary, a decrease of \$63,000 from the fiscal year 2007 level and a decrease of \$100,000 from the level proposed in the budget.

The Committee continues to be concerned that the Department of Homeland Security is neither nimble nor coordinated. It is essential that such qualities emanate from the leadership of the Department. Examples of core departmental initiatives that are essential to mission achievement that are languishing, include: (1) the National Preparedness Goal; (2) the National Response Plan; (3) a US VISIT exit strategy; (4) a transportation worker identification deployment plan; (5) a strategic plan for deploying checkpoint technology at airports; and (6) a commitment to expedite the award of first responder awards to State and local governments.

## CHIEF OF STAFF

The Committee provides \$2,639,000 for the Office of the Chief of Staff, an increase of \$79,000 from the fiscal year 2007 level and the same level proposed in the budget.

## OFFICE OF COUNTERNARCOTICS ENFORCEMENT

The Committee provides funding at the fiscal year 2007 level for the Office of Counternarcotics Enforcement. The Committee notes that this Office has provided no information, as directed in the fiscal year 2007 statement of managers, on its annual productivity and performance. The Committee is also concerned with the proposed programmatic expansion of this Office, as its core purpose is executed by component agencies through long-standing relation-

ships with the Office of National Drug Control Policy. The Committee directs the Secretary to submit a report to the Committee no later than 45 days after the date of enactment of this act, containing: (1) fiscal year 2007 achievements including tracking and severing connections between illegal drug trafficking and terrorism; (2) counternarcotics strategy for the Southwest, Northern, and maritime borders, to include objectives, coordination, outreach, and intended resources devoted to stem the flow of illegal drugs; and (3) Office performance goals for fiscal year 2008.

#### EXECUTIVE SECRETARY

The Committee provides \$4,855,000 for the Office of the Executive Secretary, an increase of \$405,000 from the fiscal year 2007 level and \$272,000 below the level proposed in the budget. The Committee does not continue the requirement contained in the joint explanatory statement of managers accompanying the fiscal year 2007 conference report (Report 109–699) to report quarterly on the Executive Secretary’s responsiveness. Although the report is no longer required, the Committee expects to see continued improvement in responsiveness to the Congress.

#### OFFICE OF POLICY

The Committee provides \$31,310,000 for the Office of Policy, an increase of \$2,005,000 from the fiscal year 2007 level and \$3,990,000 below the level proposed in the budget. The request included a 20 percent increase in funding for fiscal year 2008, mostly for additional staffing. The Committee notes that the Office of Policy is 17 percent below authorized staffing levels for fiscal year 2007. Therefore, the full request is not provided. The Committee is also concerned with the Office of Policy’s inability to provide base budget information for its sub-offices. Within 45 days of the date of enactment of this act, the Office of Policy shall submit an expenditure plan for the activities funded under this heading, including funding levels for each sub-office compared to fiscal years 2006 and 2007.

#### OFFICE OF PUBLIC AFFAIRS

The Committee provides \$7,400,000 for the Office of Public Affairs, an increase of \$1,400,000 from the fiscal year 2007 level and \$286,000 below the level proposed in the budget, due to a number of vacancies within this office. Pursuant to the reorganization notification of January 18, 2007, funding is included to retain the “Ready.gov” program within the Office of Public Affairs. The Committee challenges the office to implement a robust campaign to ensure readiness and national preparedness information are disseminated to the American public.

#### OFFICE OF LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS

The Committee provides \$5,518,000 for the Office of Legislative and Intergovernmental Affairs, an increase of \$69,000 from the fiscal year 2007 level and a decrease of \$100,000 from the level proposed in the budget.

## OFFICE OF GENERAL COUNSEL

The Committee provides funding at the fiscal year 2007 level. The Committee is dismayed with the Office of General Counsel's [OGC] decisions and opinions relating to legal constraints and flexibilities attendant to Federal appropriations. Time and time again, the Department has violated the spirit, if not the letter, of the laws which provide funds for the Department. The Government Accountability Office [GAO] is currently reviewing apparent violations of section 503 of Public Laws 109-90 and 109-295. Earlier this year, the Committee learned through a press release that the Secret Service acquired a new facility for which funds were not appropriated. To date, the OGC has not responded to requests for a legal opinion providing the legal basis for this decision. The OGC's responsibilities to ensure that departmental activities fully comply with appropriations law are not being met. The Committee is also frustrated with the OGC's unwillingness to provide GAO with information necessary to complete mandated assessments of departmental programs and decisions. Therefore, the Committee denies additional funding requested for this Office and strongly encourages the Office to take actions necessary to ameliorate these concerns.

## OFFICE OF CIVIL RIGHTS AND CIVIL LIBERTIES

The Committee provides \$13,722,000 for the Office of Civil Rights and Civil Liberties, an increase of \$722,000 above the fiscal year 2007 level and the same as the level proposed in the budget.

## CITIZENSHIP AND IMMIGRATION SERVICES OMBUDSMAN

The Committee provides \$6,054,000 for the Citizenship and Immigration Services Ombudsman, an increase of \$127,000 from the fiscal year 2007 level and the same level proposed in the budget.

## PRIVACY OFFICER

The Committee provides \$5,111,000 for the Privacy Officer, an increase of \$676,000 from the fiscal year 2007 level as proposed in the budget. The Committee supports the Privacy Officer's request for additional staffing to support Freedom of Information Act [FOIA] compliance. The 2006 DHS Annual FOIA Report to the Attorney General of the United States documented staffing shortages and several other inhibitors to success. The Committee directs the Office of the Inspector General to evaluate the Department's FOIA program, staffing levels, and the adequacy of resources to determine if the program can be operated in a more efficient and cost-effective manner at the department and component level.

RESPONSIVENESS TO GOVERNMENT ACCOUNTABILITY OFFICE  
REQUESTS FOR INFORMATION

The Committee notes with concern the testimony earlier this year by the Comptroller General about delays in obtaining needed information from the Department. The Committee is also concerned that the Department has not been responsive to requests by the Committee for specific information and reports from the Department. Although the Committee is encouraged by recent testimony from the Department on its intention to improve the speed with

which information and documents are produced, concrete results must be demonstrated over an extended period of time. The Committee notes that GAO has a broad statutory right of access to agency records in order to facilitate informed decisions by Congress. Therefore, the Committee withholds \$15,000,000 from the Office of the Secretary and Executive Management until the Secretary certifies and reports to the Committees on Appropriations that the Department has revised its guidance with respect to responding to GAO requests for records and interviews. The Committee directs the Secretary to: (1) provide an expedited time frame to respond to GAO requests for access to records and in no instance shall the Department's response to such requests exceed 20 days from the date of request; (2) establish an expedited time frame to arrange GAO interviews of program officials after reasonable notice has been furnished to the Department; and (3) streamline the extensive review of document and interview requests that the Department conducts in what are largely routine requests for information by GAO. Although the Committee acknowledges that the Department is entitled to review requests for records before they are released, delays caused by multiple levels of review are unnecessary for routine requests for information.

#### REORGANIZATION AUTHORITY

The Committee includes a general provision that precludes the Department from using funds in this act to carry out section 872 of Public Law 107-296 during fiscal year 2008. Section 872 provides the Secretary of Homeland Security with extraordinary authority to reorganize functions and organizational units of the Department without congressional approval. Since the creation of the Department in March 2003, the Secretary has exercised section 872 nine times. The Committee believes continuous reorganizations impede the ability of the Department to operate effectively and contributes to low morale. A recent Office of Personnel Management survey of Federal employees ranked the Department last in job satisfaction, last on results-oriented performance, and next to last on leadership and knowledge management.

#### CONTRACTORS FILLING FEDERAL POSITIONS

The Committee remains concerned about the Department's reliance on contractors to perform inherently governmental work. For instance, 60 percent of the Department's intelligence office is staffed by contractors. In most cases, contractor rates far exceed the cost of Federal full-time equivalent [FTE] employees. The joint explanatory statement of managers accompanying fiscal year 2007 conference report (Report 109-699) included a requirement for the Government Accountability Office [GAO] to review DHS compliance during fiscal years 2005-2006 with section 503(a)(5) of Public Law 108-334 and Public Law 109-90, which prohibits DHS from using funds appropriated for Federal FTEs to hire contractors unless the Committee is notified. Unfortunately, the Department chose to stonewall GAO on this issue by refusing to provide the necessary information to adequately assess compliance with the law. The Committee expects all information requested by GAO to be provided expeditiously.

## QUARTERLY DETAILEE REPORT

The Committee continues and expands reporting requirements set forth in the joint explanatory statement of managers accompanying the fiscal year 2005 conference report (Report 108-774). The following reporting provisions are added: (1) a summary table which annotates, by component agency and office, the number of employees detailed “in” and “out”; (2) an explanation for detailee “indefinite” assignments; and (3) an explanation for detailee positions that are deemed to be “reimbursable”.

## SLOW PACE FOR GRANT AWARDS

The Committee remains discouraged with the Department’s lethargic pace for awarding homeland security grants. Pursuant to a legal requirement, the Homeland Security Grant Program [HSGP] grant awards have been awarded in a timely manner. Unfortunately, other fiscal year 2006 grants were not managed with the same expediency. For example, port security, mass transit and rail security, bus security, truck security, and buffer zone grants were not awarded until September 29, 2006, the last work day of the fiscal year. The Committee is frustrated that, absent legislated timeframes, the Department will opt to release funds at the last possible moment. The Committee notes that Americans are not made safer by having homeland security funds sitting in the Treasury for 11 months. Therefore, in fiscal year 2007, legislated timeframes were retained for HSGP and were added for infrastructure protection grants.

The Committee notes that the Staffing for Adequate Fire and Emergency Response [SAFER] grant program is another example of the slow pace of grant awards. Funds for these programs, which were appropriated in October 2005, only began to be awarded in September 2006, and are still being awarded 20 months later. Therefore, the Committee includes bill language requiring the Federal Emergency Management Agency to award all SAFER grants no later than the end of the fiscal year for which they are appropriated.

Finally, the Committee is pleased that infrastructure grants are due for award in July 2007, 3 months earlier than the previous year when the date was left to the discretion of the Department. However, what appears on the surface to be an improvement is in fact still a delay caused by the Department’s disregard for statutory requirements. The law required Infrastructure Protection Grant guidance to be issued by December 18, 2006; that statutory deadline was missed. Further, the law provided applicants 45 days to submit applications, yet the Department issued grant guidance allowing applicants 56 days. The Department does not stand above the law. It cannot choose which portions of the statute it wishes to adhere to. Therefore, bill language is included in title III in this act requiring that failure to comply with the timeline for grant programs will result in a daily reduction of \$1,000 from the Immediate Office of the Deputy Secretary until the Department issues guidance and awards grants.

## QUADRENNIAL HOMELAND SECURITY REVIEW

The Committee fully expects that the September 30, 2008, deadline for the Quadrennial Homeland Security Review will be met and requires the Office of Policy to brief the Committee no later than 45 days after the date of enactment of this act on the status of the Review, including collaboration with the Chief Intelligence Officer and other Departmental components.

## CREDENTIALING

A December 2006 credentialing initiative report conducted for DHS identified several core weaknesses in DHS credentialing programs, such as: (1) insufficient information and data collection; (2) inconsistent vetting processes for like programs; (3) multiple credentials issued for the same purpose; (4) lack of security in DHS credentials; and (5) reliance on visual verification of credentials versus electronic verification. No later than 90 days after the date of enactment of this act, the Office of Policy shall brief the Committee on progress to implement the recommendations made in the report to address these weaknesses, including dates or timeframes for achieving key milestones.

## OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

Appropriations, 2007 <sup>1 2</sup> .....	\$148,640,000
Budget estimate, 2008 .....	278,350,000
Committee recommendation .....	234,883,000

<sup>1</sup> Includes a transfer of \$5,000,000 to the Transportation Security Administration pursuant to Public Law 110-5.

<sup>2</sup> Excludes a rescission of \$512,855 pursuant to Public Law 110-28.

The Under Secretary for Management oversees management and operations of the Department, including procurement and acquisition, human capital, and property management. The specific activities funded by this account include the Office of the Under Secretary for Management, the Office of Security, the Office of the Chief Procurement Officer, the Office of the Chief Human Capital Officer, and the Office of the Chief Administrative Officer.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$234,883,000 for the Office of the Under Secretary for Management.

The specific levels recommended by the Committee, as compared to the fiscal year 2007 and budget request levels, are as follows:

## OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations
Immediate Office of the Under Secretary for Management .....	1,870	2,012	2,012
Office of Security .....	52,640	53,990	53,990
Office of the Chief Procurement Officer .....	16,895	28,495	28,495
Office of the Chief Human Capital Officer:			
Salaries and Expenses .....	8,811	10,278	8,811
Human Resources System <sup>2</sup> .....	25,000	15,000	5,000
Office of the Chief Administrative Officer:			
Salaries and Expenses .....	40,218	42,575	42,575

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT—Continued  
[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations
Nebraska Avenue Complex Facilities .....	8,206	6,000	6,000
Consolidated Headquarters Project .....		120,000	88,000
Transfer to the Transportation Security Administration (Public Law 110-5) .....	- 5,000		
<b>Total, Office of the Under Secretary for Management .....</b>	<b>148,640</b>	<b>278,350</b>	<b>234,883</b>

<sup>1</sup> Excludes a rescission of \$512,855 pursuant to Public Law 110-28.

<sup>2</sup> Formerly "MAX-HR."

IMMEDIATE OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

The Committee provides \$2,012,000 for the Immediate Office of the Under Secretary, \$142,000 above the fiscal year 2007 level and the same level proposed in the budget.

OFFICE OF SECURITY

The Committee provides \$53,990,000 for the Office of Security, an increase of \$1,350,000 from the fiscal year 2007 level and the same level proposed in the budget.

OFFICE OF THE CHIEF PROCUREMENT OFFICER

The Committee fully funds the budget request of \$28,495,000 for the Office of the Chief Procurement Officer. The Committee directs the Chief Procurement Officer to use the increase of \$11,600,000 above the fiscal year 2007 level for hiring and training of qualified procurement officers and for the development of an acquisition workforce program for contract specialists. The Committee is very concerned that, despite providing a significant increase for this Office for fiscal year 2007, current onboard staffing is 18 percent below funded levels.

The Committee notes the Department remains nearly 50 percent below its desired number of contract specialists. The DHS procurement budget is currently the third largest of all Federal departments. The Government Accountability Office [GAO] has concluded that DHS agencies have experienced ongoing cost, schedule, and performance problems with major acquisitions, such as the Coast Guard's Integrated Deepwater Systems Program. Without adequate staffing and rigorous oversight—waste, fraud, and abuse of taxpayer dollars will continue. The Committee includes funding to annualize acquisition positions funded in fiscal year 2007 and create an acquisition workforce intern program. The Committee is fully aware the current job market demand for acquisition staff outweighs the supply of contracting professionals and is supportive of efforts to establish a core procurement workforce by attracting younger employees interested in a Federal procurement career. However, to fully address this staffing shortage, the Committee encourages the Department to use hiring authority provided in the General Services Administration Modernization Act (Public Law 109-313), which allows agencies to hire retired Federal employees with significant Federal acquisition experience. The Committee directs the Under Secretary for Management to report to the Com-

mittee no later than October 1, 2007, on the use of this authority, the pool of eligible employees and their likely interest, appropriate incentives, and how retired annuitants will help each component meet its desired number of acquisition personnel.

The Committee also directs the Secretary to follow up on GAO's recent review of the Department's procurement oversight plan. GAO concluded that the Department's procurement oversight plan "generally incorporates basic principles of an effective and accountable acquisition function." However, GAO found many shortcomings in the Chief Procurement Officer's [CPO] ability to implement the plan, such as inadequate procurement oversight staffing and insufficient authority delegated to the CPO to enforce the plan. In line with the recommendations in GAO report (GAO-07-900), the Committee directs the Secretary to review departmental policies regarding the authority of the CPO and the adequacy of staffing to carry out the plan. The Secretary shall report no later than February 5, 2008, on the results of this review. A copy of this report shall also be provided to GAO for review. GAO shall brief the Committee within 90 days of receipt of the report from the Secretary on its assessment of the strengths and weaknesses of the report.

#### OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER

The Committee provides \$8,811,000 for salaries and expenses, the same as fiscal year 2007 level. The Committee denies funding for Federal law enforcement training accreditation within the Office of the Chief Human Capital Officer. Funding to support the accreditation process remains within the Federal Law Enforcement Training Center appropriation. The Committee recommends \$5,000,000 for human capital operational initiatives, formally known as "MAX-HR", instead of \$15,000,000 as requested. The Committee notes that the Department's efforts to institute regulations governing employee appeals rights and labor relations were struck down in Federal court last year. In light of that decision and delays in other elements of proposed personnel system changes, it is unclear why such a large investment is requested for fiscal year 2008. Therefore, the Committee reduces the amount requested by \$10,000,000.

The Secretary of Homeland Security is directed to submit an updated Human Capital Operational expenditure plan to the Committee within 90 days after the date of enactment of this act. The plan shall define all activities, milestones, and yearly costs for all initiatives and list all contract obligations, by contractor and year, along with the purpose of the contract. The plan shall also include: (1) efforts to improve the Department's dismal results in the 2006 Federal Human Capital Survey; (2) performance metrics used to measure attainment of human capital strategic goals; and (3) funds spent by the Department to support employee recruitment, retention, and training.

The plan shall also include an analysis of all Department internship programs designed to recruit young professionals. These internships appear to be good ideas; however, the programs need coordination within the Department. The Office of the Chief Human Capital Officer should review goals for the programs, milestones,

needs of the components, and the capacity to accept these employees.

#### OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

The Committee provides \$136,575,000, an increase of \$88,151,000 from the fiscal year 2007 level and \$32,000,000 below the budget request. Funding above the fiscal year 2007 level is provided to: (1) meet administrative needs at DHS headquarters and non-legacy components; (2) to continue to consolidate and integrate its headquarters operations and specific program components at the Nebraska Avenue Complex in Washington, DC; and (3) begin consolidating DHS components at the St. Elizabeths west campus. The Committee recommends \$88,000,000 for the DHS consolidated Headquarters Project. Quarterly briefings shall be provided to the Committee on this initiative, including any changes to the Department of Homeland Security National Capital Region Housing Master Plan for the fiscal year, as well as the schedule and cost for all consolidation phases.

#### MANAGEMENT AND ADMINISTRATIVE CHALLENGES

The Committee reiterates its concern that the management and administrative challenges facing the Department will increase unless it is staffed with qualified, professional personnel with expertise in their field. The Committee is concerned that, regardless of the outcome of the 2008 Presidential election, there will be a vacuum at the top of the Department in January 2009. It is critical that the Department prepare now for that transition to ensure that such a vacuum does not take place. The Department shall provide, by July 20, 2007, a report on senior staffing, as detailed in Senate Report 110-37. Further, the Government Accountability Office shall report on the strengths and weaknesses of this report within 90 days after its submission.

#### SEMI-ANNUAL NEBRASKA AVENUE COMPLEX REPORT

The Committee continues the requirement contained in the joint explanatory statement of managers accompanying the fiscal year 2006 conference report (Report 109-241) regarding updates on the physical consolidation and planned expenditures for the Nebraska Avenue Complex. As DHS continues to occupy this location, the need for the report remains valid but requires adjustment. The report is to be submitted semi-annually, rather than quarterly, and should include the following: (1) the introductory narrative should indicate what office is represented in each building and include the amount of unused office space due to ongoing or future renovations; (2) the enclosure should breakdown not only allocated funding by fiscal year but also expenditures modeled after the Department-wide Monthly Budget Execution Reports; and (3) the enclosure should identify, by building, the amount of money spent on campus-wide physical security upgrades, building security access control, the campus-wide signage project, the IT Protected Distribution System, and the campus-wide power project.

## OFFICE OF THE CHIEF FINANCIAL OFFICER

Appropriations, 2007 <sup>1</sup> .....	\$26,000,000
Budget estimate, 2008 .....	32,800,000
Committee recommendation .....	30,076,000

<sup>1</sup> Excludes a rescission of \$45,080 pursuant to Public Law 110-28.

The Office of the Chief Financial Officer is responsible for the fiscal management and financial accountability of the Department of Homeland Security. The Office of the Chief Financial Officer provides guidance and oversight of the Department's budget execution while ensuring that funds are allocated and expended in accordance with relevant laws and policies. The specific activities funded by this account include the Budget Division, Office of Performance Analysis and Evaluation, Office of Financial Management, Resource Management Transition Office, and the Office of the Government Accountability Office/Office of Inspector General Liaison.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$30,076,000 for the Office of the Chief Financial Officer [OCFO]. This includes an increase of \$4,076,000 from the fiscal year 2007 level, \$2,724,000 below the request. The Committee denies a funding increase for the Resource Management Transformation Office and directs the OCFO to continue using unobligated eMerge2 balances available to the Chief Information Officer to meet fiscal year 2008 requirements. According to the OCFO budget justification, these resources will not be exhausted until the end of fiscal year 2008.

## ANNUAL APPROPRIATIONS JUSTIFICATIONS

The Committee directs the OCFO to ensure annual appropriations justifications are prepared for each component within the Department in support of the President's budget, as submitted under section 1105(a) of title 31, United States Code. The OCFO is directed to include detailed information by appropriations account, program, project, and activity, on all reimbursable agreements and significant uses of the Economy Act for each fiscal year. Additionally, the OCFO shall ensure that the congressional justifications for the Department accompanying the President's fiscal year 2009 budget request includes a status report of overdue Committee reports, plans, and other directives. One standard format needs to be adopted by all offices and agencies and inserted in the justification reflecting overdue congressional directives from fiscal year 2006 through 2008.

## BUDGET EXECUTION AND STAFFING REPORT

The Committee includes bill language requiring the Department to continue submitting to the House and Senate Committees on Appropriations a monthly budget execution report showing the status of obligations and costs for all components of the Department and on-board staffing levels. The report should include the total obligational authority appropriated (new budget authority plus unobligated carryover), undistributed obligational authority, amount allotted, current year obligations, unobligated authority (the difference between total obligational authority and current year obli-

gations), beginning unexpended obligations, year-to-date costs, and ending unexpended obligations. To better understand the universe of contractors working at the Department, a new requirement is added directing the Department to include the number of contract employees. 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 and the Working Capital Fund. This report shall be submitted no later than 45 days after the close of each month.

OFFICE OF THE CHIEF INFORMATION OFFICER

Appropriations, 2007 <sup>1</sup> .....	\$349,013,000
Budget estimate, 2008 .....	261,100,000
Committee recommendation .....	321,100,000

<sup>1</sup> Excludes a rescission of \$461,874 pursuant to Public Law 110-28.

The Office of the Chief Information Officer is responsible for the development and acquisition of information technology equipment, software, and services.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$321,100,000, of which \$82,400,000 is for salaries and expenses, and \$238,700,000 is to be available until expended for Department-wide technology investments overseen by the Office of the Chief Information Officer [CIO].

OFFICE OF THE CHIEF INFORMATION OFFICER

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations
Salaries and expenses .....	79,521	82,400	82,400
Information technology services .....	61,013	56,200	56,200
Security activities .....	89,387	89,400	149,400
Wireless Program .....	<sup>2</sup> 86,438		
Homeland secure data network .....	32,654	33,100	33,100
<b>Total, Office of the Chief Information Officer<sup>1</sup> .....</b>	<b>349,013</b>	<b>261,100</b>	<b>321,100</b>

<sup>1</sup> Excludes a rescission of \$461,874 pursuant to Public Law 110-28.

<sup>2</sup> Includes \$18,700,000 transferred to the National Protection and Programs Directorate pursuant to the reorganization of January 18, 2007.

SALARIES AND EXPENSES

Included in the amount recommended by the Committee is \$82,400,000, the same as the budget request, to support the ongoing maintenance and operations of infrastructure capabilities to ensure continuous communication and continuity of operations.

ENTERPRISE ARCHITECTURE

The Committee understands the Department's Enterprise Architecture, though markedly improved from prior years, still lacks reforms recommended by the Government Accountability Office [GAO] 3 years ago. An Enterprise Architecture [EA] that remains incomplete and inconsistent will aid the Department little as it tries to guide and constrain information technology investments that promote interoperability, reduce duplication, and enhance performance. It is incumbent on the Department's CIO to show leader-

ship in this area by dedicating a level of resources to the EA that will provide actual improvements to the product and process. The Committee directs the CIO to report to the Committee within 90 days after the date of enactment of this act on the steps taken within the CIO's office and across the Department on improvements being put in place to address GAO recommended reforms.

#### FEDERAL INFORMATION SECURITY AND MANAGEMENT ACT

The Committee is concerned the House Oversight and Government Reform Committee has given the Department a "D" for computer security, up from an "F" for the prior 3 years, for compliance with the Federal Information Security Management Act [FISMA]. The historical results of the Federal Computer Security Report Card reflect minimal progress made during the Department's existence; hardly befitting an agency that is supposed to defend the homeland against cyber-threats and makes extensive use of classified and law enforcement sensitive information. The Department needs to quickly define and implement measures to address internal and external vulnerabilities. The Committee directs the Department to report on the specific status of the Department as a whole and each component individually with their compliance with FISMA, by February 5, 2008, resource requirements needed to achieve full compliance, and any further steps necessary to protect the information it manages.

#### INFORMATION TECHNOLOGY SERVICES

Included in the amount recommended by the Committee is \$56,200,000, as proposed in the budget.

#### SECURITY ACTIVITIES

The Committee recommends \$149,400,000 for Security Activities, an increase of \$60,000,000 from the budget request. The Security Activities include Federal terrorist watch list integration, information security activities, and data center development.

#### NATIONAL CENTER FOR CRITICAL INFORMATION PROCESSING AND STORAGE

The Committee recommends \$97,300,000 within security activities for the National Center for Critical Information Processing and Storage [NCCIPS] data center in Mississippi, an increase of \$60,000,000 from the budget request level, to be used only to acquire services from NCCIPS to expedite the transition of multiple Department of Homeland Security [DHS] data centers to NCCIPS and to continue the construction of data center space at the primary data center for DHS. DHS is encouraged to work with other Federal entities to leverage the resulting infrastructure from this and previous years funds to maximize the utilization of this investment (Requested by: Cochran).

The CIO is directed to submit to the Committee no later than 30 days after the date of enactment of this act a report on the full costs to transition data center operations to the Department of Homeland Security's primary data center. This report is to include, by departmental component: (1) a schedule for data transition; (2)

costs for each fiscal year required to complete the transition; (3) identification of items associated with the transition required to be procured and related procurement schedule; and (4) identification of any transition costs provided in fiscal year 2007 or in fiscal year 2008. A report on the same elements for the secondary data center shall be submitted to the Committees on Appropriations no later than 30 days after a final selection has been made.

Consistent with section 888 of Public Law 107-296, the Committee instructs the Department to implement the consolidation plan in a manner that shall not result in a reduction to the Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels. A general provision is included for this purpose.

HOMELAND SECURE DATA NETWORK

Included in the amount recommended by the Committee is \$33,100,000, as requested in the budget, for the Homeland Secure Data Network.

ANALYSIS AND OPERATIONS

Appropriations, 2007 <sup>1</sup> .....	\$299,663,000
Budget estimate, 2008 .....	314,681,000
Committee recommendation .....	306,000,000

<sup>1</sup> Excludes \$8,000,000 in emergency appropriations pursuant to Public Law 110-28.

The account supports activities to improve the analysis and sharing of threat information, including activities of the Office of Intelligence and Analysis and the Office of Operations Coordination.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$306,000,000 for Analysis and Operations. The details of these recommendations are included in a classified annex accompanying this report.

NATIONAL OPERATIONS CENTER

The Committee understands the Department plans to relocate the National Operations Center [NOC], currently located at the Department's headquarters at the Nebraska Avenue Complex, to the Transportation Security Operations Center [TSOC] facility in Herndon, Virginia. Minimal information has been submitted to the Committee to justify the move. The Department has future plans to co-locate the NOC with other DHS operations centers at the St. Elizabeths west campus. It is unclear what benefits an interim, short-term relocation to the TSOC will provide. Therefore, prior to implementing this interim move, the Committee directs the Office of Operations Coordination to provide a briefing to the Committee justifying this relocation, including: (1) a detailed description of the problem the Department is attempting to remedy; (2) all costs associated with the move, including associated build-out and operational costs at the TSOC, as well as all costs associated with the planned move to the St. Elizabeths campus; and (3) how the move will enhance the Department's ability to meet mission requirements.

DHS INTELLIGENCE EXPENDITURE PLAN

No later than 60 days after the enactment of this act, the Secretary shall submit a fiscal year 2008 expenditure plan for the Office of Intelligence and Analysis [I&A], including balances carried forward from prior years, that includes the following: (1) fiscal year 2008 expenditures and staffing allotted for each program, as identified in the February 2007 expenditure plan submitted to the Committee, as compared to each of years 2006 and 2007; (2) all funded versus on-board positions, including Federal full-time equivalents [FTEs], contractors, and reimbursable and non-reimbursable detailees; (3) an explanation for maintaining contract staff in lieu of government FTE; (4) a plan, including dates or timeframes for achieving key milestones, to reduce the office’s reliance on contract staff in lieu of Federal FTE; (5) funding, by object classification, including a comparison to fiscal years 2006 and 2007; and (6) the number of I&A funded employees supporting organizations outside I&A and the Department of Homeland Security.

STATE AND LOCAL FUSION CENTERS

The Committee directs the Department’s Chief Intelligence Officer to continue quarterly updates to the Committees on Appropriations, starting on October 1, 2007, that detail progress in placing DHS homeland security intelligence professionals in State and local fusion centers. These reports shall include: the qualification criteria used by DHS to decide where and how to place DHS intelligence analysts and related technology; total Federal expenditures to support each center to date and during the most recent quarter of the current fiscal year, in the same categorization as materials submitted to the Committees on Appropriations on March 23, 2007; the location of each fusion center, including identification of those with DHS personnel, both operational and planned; the schedule for operational stand-up of planned fusion centers; the number of DHS-funded employees located at each fusion center, including details on whether the employees are contract or government staff; the privacy protection policies of each center, including the number of facility personnel trained in Federal privacy, civil rights, and civil liberties laws and standards; and the number of local law enforcement agents at each center approved or pending approval to receive and review classified intelligence information.

OFFICE OF THE FEDERAL COORDINATOR FOR GULF COAST  
REBUILDING

Appropriations, 2007 .....	\$3,000,000
Budget estimate, 2008 .....	3,000,000
Committee Recommendation .....	3,000,000

The Committee provides \$3,000,000 for the Office of the Federal Coordinator for Gulf Coast Rebuilding. Within the funding provided \$1,000,000 is unavailable for obligation until the Committees on Appropriations of the Senate and the House of Representatives receive an expenditure plan for fiscal year 2008. Any funding above the amount provided must be reprogrammed or transferred in accordance with section 503 of this act. The expenditure plan should clearly articulate how the Office will proactively help the gulf coast,

including supporting Federal agency cooperation, and promoting expedited housing solutions.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2007 <sup>1</sup> .....	\$85,185,000
Budget estimate, 2008 .....	99,111,000
Committee recommendation <sup>2</sup> .....	95,211,000

<sup>1</sup>Excludes \$13,500,000 made available from FEMA Disaster Relief in Public Law 109-295.

<sup>2</sup>Excludes \$13,500,000 made available from FEMA Disaster Relief.

This account finances the Office of Inspector General’s activities, including audits, inspections, investigations and other reviews of programs and operations of the Department of Homeland Security to promote economy, efficiency, and effectiveness and to prevent and detect fraud, waste, and abuse.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$95,211,000 for the Office of Inspector General [OIG] for fiscal year 2008. In addition, the Committee includes bill language transferring \$13,500,000 needed by the OIG for audits and investigations related to natural disasters from the Disaster Relief Fund [DRF]. The OIG is required to notify the Committee no less than 15 days prior to all transfers from the DRF.

In fiscal year 2007, the Committee received a Government Accountability Office [GAO] Report (GAO-07-529) which reviewed U.S. Customs and Border Protection [CBP] revenue oversight. The Committee learned CBP needs to improve workforce planning and accountability. The Committee includes \$1,200,000 for the Inspector General to conduct CBP revenue oversight.

TITLE II  
SECURITY, ENFORCEMENT, AND INVESTIGATIONS  
U.S. CUSTOMS AND BORDER PROTECTION

SUMMARY

U.S. Customs and Border Protection is responsible for enforcing laws regarding admission of foreign-born persons into the United States, and ensuring that all goods and persons entering and exiting the United States do so legally.

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$10,226,402,000, including direct appropriations of \$8,841,477,000 and estimated fee collections of \$1,384,925,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

U.S. CUSTOMS AND BORDER PROTECTION—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations <sup>6</sup>
<b>Appropriations:</b>			
Salaries and expenses <sup>2</sup> .....	5,562,186	6,579,733	6,601,058
Automation modernization .....	451,440	476,609	476,609
Broder Security Fencing Infrastructure, and Technology [BSFIT] <sup>3</sup> .....	1,187,565	1,000,000	1,000,000
Air and Marine Interdiction, Operations, Maintenance, and Procurement <sup>4</sup> .....	602,187	477,287	488,947
Construction <sup>5</sup> .....	232,978	249,663	274,863
<b>Total, Appropriations .....</b>	<b>8,036,356</b>	<b>8,783,292</b>	<b>8,841,477</b>
<b>Estimated fee collections:</b>			
Immigration inspection user fees .....	529,300	535,291	535,291
Immigration enforcement fines .....	1,724	3,440	3,440
Land border inspection fees .....	28,071	30,121	30,121
COBRA fees .....	387,804	392,180	392,180
APHIS inspection fees .....	214,287	299,622	299,622
Puerto Rico Trust Fund .....	97,815	117,214	117,214

## U.S. CUSTOMS AND BORDER PROTECTION—FUNDING SUMMARY—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations <sup>6</sup>
Small airport user fee .....	6,230	7,057	7,057
Total, Estimated fee collections .....	1,265,231	1,384,925	1,384,925
Total, U.S. Customs and Border Protection, Available Funding .....	9,301,587	10,168,217	10,226,402

<sup>1</sup>Includes \$1,601,200,000 in emergency appropriations pursuant to section 520 of Public Law 109–295 and excludes \$150,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>2</sup>Includes \$100,000,000 in emergency appropriations pursuant to section 520 of Public Law 109–295 and excludes \$75,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>3</sup>Includes \$1,159,200,000 in emergency appropriations pursuant to section 520 of Public Law 109–295.

<sup>4</sup>Includes \$232,000,000 in emergency appropriations pursuant to section 520 of Public Law 109–295 and excludes \$75,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>5</sup>Includes \$110,000,000 in emergency appropriations pursuant to section 520 of Public Law 109–295.

<sup>6</sup>Reflects permanent realignment of base resources pursuant to a reprogramming approved by the Senate on April 24, 2007.

## SALARIES AND EXPENSES

Appropriations, 2007 <sup>1</sup> .....	\$5,562,186,000
Budget estimate, 2008 .....	6,579,733,000
Committee recommendation <sup>2</sup> .....	6,601,058,000

<sup>1</sup>Includes \$100,000,000 in emergency appropriations pursuant to section 520 of Public Law 109–295 and excludes \$75,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>2</sup>Reflects permanent realignment of base resources pursuant to a reprogramming approved by the Senate on April 24, 2007.

The U.S. Customs and Border Protection [CBP] Salaries and Expenses appropriation provides funds for border security, immigration, customs, agricultural inspections, regulating and facilitating international trade, collecting import duties, and enforcing U.S. trade laws. In addition to directly appropriated resources, fee collections are available for the operations of CBP from the following sources:

*Immigration Inspection User Fees.*—CBP collects user fees to fund the costs of international inspections activities at airports and seaports, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

*Enforcement Fines.*—CBP collects fines from owners of transportation lines and persons for unauthorized landing of aliens, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

*Land Border Inspections Fees.*—CBP collects fees for processing applications for the Dedicated Commuter Lanes program, the Automated Permit Ports program, the Canadian Border Boat Landing program, and both Canadian and Mexican Non-Resident Alien Border Crossing Cards, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

*Consolidated Omnibus Budget Reconciliation Act [COBRA] Fees.*—CBP collects fees for inspection services involving customs related functions. The COBRA user fee statutory authority (19 U.S.C. 58c) specifies the types of expenses to be reimbursed and the order for the reimbursement of these types of expenses.

*Animal and Plant Health Inspection Service Inspection Fees.*—CBP receives as a transfer a distribution of agriculture inspection fees collected by the United States Department of Agriculture. The user fees, as authorized by the Food, Agriculture, Conservation,

and Trade Act of 1990 (21 U.S.C. 136), are charged to offset costs for the services related to the importation, entry, or exportation of animals and animal products.

*Puerto Rico Trust Fund.*—Customs duties, taxes, and fees collected in Puerto Rico by CBP are deposited in the Puerto Rico Trust Fund. After providing for the expenses of administering CBP activities in Puerto Rico, the remaining amounts are transferred to the Treasurer of Puerto Rico pursuant to 48 U.S.C. sections 740 and 795.

*Small Airport User Fee.*—The User Fee Airports Program authorized under 19 U.S.C. 58b and administered under 19 U.S.C. 58c(b)(9)(A)(i), authorizes inspection services to be provided to participating small airports on a fully reimbursable basis. The fees charged under this program are set forth in a Memorandum of Agreement between the small airport facility and the agency, and may be adjusted annually as costs and requirements change.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$6,601,058,000 for salaries and expenses of U.S. Customs and Border Protection [CBP] for fiscal year 2008, including \$3,093,000 from the Harbor Maintenance Trust Fund. Included in this amount is a decrease of \$271,310,000 in termination of one-time costs, and an increase of \$252,189,000 in annualizations for fiscal year 2006 supplemental and fiscal year 2007 program increases. The Committee includes bill language making available up to \$150,000 for payment for rental space for preclearance operations; and \$1,000,000 for payments to informants. The Committee includes bill language placing a \$35,000 annual limit on overtime paid to any employee.

#### INCREASED BORDER PATROL AGENTS

Congress took the lead in focusing the Nation's attention on the need to aggressively begin to secure the borders when it provided funds to hire an additional 500 new Border Patrol agents in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13). Since then, on a bipartisan basis, a total of 4,000 new agents, and attendant support positions, have been funded through fiscal year 2007. The President requests the hiring of an additional 3,000 new Border Patrol agents in fiscal year 2008. The Committee continues its strong support for the Border Patrol and its mission of preventing entry into the United States of illegal aliens, terrorists, weapons of mass destruction, and other illicit goods or individuals.

Included in the amount recommended by the Committee is an increase of \$569,800,000; 3,688 positions; and 1,844 full-time equivalents [FTEs], as requested in the budget, for 3,000 additional Border Patrol agents and 688 operational mission support positions, training, relocation, and transportation costs, as well as \$197,348,000 for annualization of prior year positions. These funds will bring the total strength of the Border Patrol to 17,819 by the end of fiscal year 2008, as compared with the 12,319 agents onboard at the beginning of fiscal year 2007.

Also included in the amount recommended is \$50,000,000, as requested in the budget, for transportation and delivery of appre-

hended illegal aliens to detention facilities or to the Mexican border.

The Committee directs the Secretary to assign to the Northern Border a number of agents equal to not less than 20 percent of the net increase in agents during fiscal year 2008, as authorized in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458).

#### OPERATION JUMP START

Last year, the President committed to deploying up to 6,000 National Guard personnel to the Southwest border to perform certain administrative, non-law enforcement functions, thus freeing Border Patrol agents from these tasks and allowing them to actually patrol the border. The understanding was that this was a limited, 2-year commitment while more Border Patrol agents were hired and trained. The Committee supports this activity and applauds the National Guard for stepping up and assisting in protecting the border. The Committee is aware that the number of Guard personnel deployed to the border may drop by as much as half starting in mid-July 2007, and requests a briefing no later than September 15, 2007, to be conducted jointly by CBP and the National Guard, on the impact of these reductions on Border Patrol operations as well as ongoing efforts to patrol and secure the border.

#### RADIATION PORTAL MONITOR STAFFING

Included in the amount recommended by the Committee is \$135,979,000, 232 positions, and 205 FTEs, for inspection and detection technology, an increase of \$6,000,000, 55 positions, and 28 full-time equivalents, as proposed in the budget, to expand the number of inspectors at ports to staff radiation portal monitors.

#### SECURE FREIGHT INITIATIVE

Included in the total amount recommended for the Container Security Initiative is \$156,130,000, 172 positions, and 164 full-time equivalents [FTEs]. Of this amount, \$15,000,000, 17 positions, and 9 FTEs, are recommended, as proposed in the budget, for staffing and support to the Secure Freight Initiative.

#### WESTERN HEMISPHERE TRAVEL INITIATIVE

Included in the amount recommended by the Committee is \$252,450,000, 205 positions, and 103 full-time equivalents, as proposed in the budget, to support implementation of the Western Hemisphere Travel Initiative at ports-of-entry.

#### CONDUCT AND INTEGRITY OVERSIGHT

Included in the amount recommended by the Committee is an increase of \$10,000,000, 58 positions, and 29 full-time equivalents, as proposed in the budget, to enhance CBP's internal affairs investigative capability.

#### CUSTOMS—TRADE PARTNERSHIP AGAINST TERRORISM

The Committee notes that the Government Accountability Office and other experts have pointed out that one of the vulnerabilities

in the Customs-Trade Partnership Against Terrorism [C-TPAT] program is the relative lack of regular security inspections and validations of C-TPAT members. The SAFE Port Act of 2006 (Public Law 109-347) recognized this vulnerability and authorized an increase in the number of Supply Chain Security Specialists [SCSS]. As of March 1, 2007, there were 157 SCSSs on board at CBP. Hiring additional SCSSs will allow CBP to send more teams of specialists around the globe, to visit members, their vendors, and vendors' plants to validate that supply chain security meets C-TPAT security criteria and ensure that C-TPAT participants receive validations and re-validations on a regular basis. The Committee recommends an additional \$6,750,000 to C-TPAT for hiring 50 additional SCSSs, for a total of \$62,310,000 and 207 FTE.

#### AIR AND MARINE STAFFING

Included in the amount recommended by the Committee is \$226,740,000; 1,595 positions; and 1,479 full-time equivalents [FTE], an increase of \$14,000,000; 82 positions; and 41 FTEs. These additional positions will support one-half of the needed staffing for the 11 new marine enforcement units funded in "Air and Marine Interdiction, Operations, Maintenance, and Procurement".

#### CBP—VEHICLE REPLACEMENT

The Committee was pleased to finally receive the updated Vehicle Fleet Management Plan called for in Conference Report 109-699. Of all of the component agencies within the Department, CBP is by far the most punishing on its vehicles given the extreme terrains in which it must operate. The need for a robust replacement plan is evident. In order to begin a regularized and affordable multi-year replacement effort, the Committee directs the Department to include in the fiscal year 2009 budget submission a plan to replace, at a minimum, 25 percent of the vehicle fleet on an annual basis.

#### TUCSON SECTOR CHECKPOINTS

The Committee notes that a January 2006 DHS Inspector General report stated that non-permanent Border Patrol checkpoints are inefficient. "Permanent checkpoints permit safer, more efficient law enforcement. . . . It is not necessary to prohibit permanent checkpoints in order to encourage the use of alternative tactics and mobile interior operations." In response to questions for the record, CBP stated that moving Border Patrol checkpoints, "give the smugglers a clear advantage. . . . The moment a checkpoint is closed, scouts notify smugglers immediately to transport their illegal cargo further north into the United States. . . . Smugglers also take advantage of Border Patrol movements by exploiting the lack of flanking infrastructure, which would otherwise be present at a permanent site." The Committee supports these conclusions and requests a briefing no later than September 15, 2007, on the Border Patrol's plans to construct permanent checkpoints in the Tucson sector to support the Border Patrol's mission of staunching the flow of illegal aliens into the United States.

## BORDER TUNNEL REMEDIATION

The Committee is concerned about reports that many of the largest border tunnels under the United States-Mexico border remain unfilled. These tunnels pose a serious national security risk and provide a means for smugglers to move drugs, guns, and people under the border. The Committee therefore directs the Department to provide semiannual briefings to the Senate Committees on Appropriations, the Judiciary, and Homeland Security and Governmental Affairs on all activities undertaken to fill in these tunnels, the timeline for completion of this task, the funding used for these purposes, and the detection methods used to discover new tunnels. The first briefing should occur no later than October 1, 2007.

## METHAMPHETAMINE FROM MEXICO

The Committee is particularly concerned about reports of serious law enforcement challenges at our Southwest border, such as the rise in Mexican manufacture and distribution of methamphetamine into the United States, the unauthorized export of assault weapons, and other firearms from the United States into Mexico, and the unprecedented levels of brutality reported among Mexican drug gangs. The Committee urges the Department, in securing our borders, to work cooperatively with the Mexican Government and its law enforcement agencies, as well as U.S. law enforcement agencies, to provide aid and intelligence sharing as necessary to slow methamphetamine (and precursor chemical) trafficking into and out of Mexico, as well as the southward flow of weapons into Mexico, and the northern migration of Mexican drug gang violence into the United States. The Committee requests a status report on these efforts within 180 days after the date of enactment of this act.

## GEOGRAPHICAL LIMIT ON BORDER CROSSING CARDS

The Committee notes that there are varying distances into the United States along the Southwest border which Mexicans can travel for limited periods of time using the border crossing card. The Committee directs CBP to submit a report within 180 days after the date of enactment of this act on the legal, legislative, and administrative history of how these distances were determined, the rationale for retaining them, and the impact on CBP's enforcement of our immigration and trade laws should these distances be expanded and/or standardized across the border.

## TEXTILE TRANSSHIPMENT ENFORCEMENT

Included in the amount recommended by the Committee is \$4,750,000 for textile transshipment enforcement, as authorized by section 352 of the Trade Act of 2002. The Trade Act of 2002 authorizes appropriations for the hiring of 72 positions between CBP and Immigration and Customs Enforcement, including import specialists, auditors, and analytic staff, and funding has been provided for these positions.

## INTERPOL TRAVEL DOCUMENT DATABASE

The Committee notes that the International Criminal Police Organization, Interpol, maintains the largest law enforcement database of stolen and lost travel documents containing information on more than 6.6 million documents, such as passports and visas. Access to this database by homeland security officials could result in major enhancements in preventing terrorists or others from entering the United States. In recent meetings in Washington, DC, between Department officials and representatives from Interpol, discussions centered on placing DHS representatives from either U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement at a new passport security unit at Interpol headquarters. The Committee supports this activity and requests a briefing on actions taken in this regard no later than November 15, 2007.

## ADVANCED TRAINING CENTER

Included in the amount recommended by the Committee is \$11,200,000, as proposed in the budget, to operate and equip the Advanced Training Center.

Pursuant to Public Law 106–246, the training to be conducted at the Center shall be configured in a manner so as to not duplicate or displace any Federal law enforcement program of the Federal Law Enforcement Training Center [FLETC]. Training currently being conducted at a FLETC facility shall not be moved to the Center.

## ANTI-DUMPING ENFORCEMENT

The Committee has ensured that, within the amounts provided for in this account, there will be sufficient funds to administer the ongoing requirements of section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c), referenced in subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154).

The Committee directs CBP to continue to work with the Departments of Commerce and Treasury, and the Office of the United States Trade Representative (and all other relevant agencies) to increase collections, and to provide an annual report, within 30 days of each year's distributions under the law, summarizing CBP's efforts to collect past due amounts and increase current collections, particularly with respect to cases involving unfairly traded U.S. imports from China.

The Committee further directs CBP to update its January 2007 report to the Committee, and the 2007 annual report referenced above, by breaking out the non-collected amounts for each of the fiscal years 2004, 2005, 2006, and 2007, by order, country, and claimant, along with a description of each of the specific reasons for the non-collection with respect to each order. CBP is once again directed, as it failed to do last year, to provide the amounts of anti-dumping and countervailing duties held by CBP in its Clearing Account for unliquidated entries as of October 1, 2006 (or, now, as of October 1, 2007), segregated by case number and Department of Commerce period of review. In that same report, CBP should ex-

plain, with particularity, what other enforcement actions it is taking to collect unpaid duties owed the U.S. Government.

The Committee also directs the Government Accountability Office [GAO] to undertake a thorough investigation of the problem of non-collection of antidumping [AD] and countervailing duties [CVD] by the U.S. Government. The GAO should report when the problem was first detected; determine the extent of non-collection of AD/CVD duties, by year, since discovery of the problem (or at least the year 2001), and examine how prior, current, and proposed recommendations advanced by either the GAO or the U.S. Government would address the problem with any measure of success. The GAO report should examine those factors which affect the ability of CBP to collect AD/CVD duties, as well as any actions the U.S. Government should take to solve the problem. GAO is directed to examine the interplay of existing domestic and international law enforcement mechanisms, to determine how U.S. laws and international treaties to which the United States is a party could be strengthened to exert greater legal control over those entities which refuse to pay U.S. duties. In this connection, the GAO should examine: (1) how the United States first determines and later identifies who is an importer of record; and (2) whether U.S. laws covering such importers of record should be revised to ensure solvency and availability, perhaps through a security clearance, background check, or other mechanism, such that U.S. Government authorities could recoup duties owed should the importer choose to evade paying U.S. antidumping and countervailing duties. GAO should deliver its report to the Committee by June 1, 2008.

#### CUSTOMS REVENUE FUNCTIONS

The Committee is concerned that since the customs revenue functions of the Federal Government were transferred from the Department of the Treasury to the Department of Homeland Security on March 1, 2003, focus on this critical Federal Government function has become blurred and staffing in key specialties has atrophied. The volume of imported goods has risen 33 percent since fiscal year 2002 and the number of importing entities has grown approximately 18 percent in the same time period. However, the number of import specialists, entry specialists, and drawback specialists, among others, has remained essentially static. In fact, after experiencing attrition in each of those positions since the creation of the Department, it is only in recent months that staffing levels in these areas have returned to their March 2003 levels. The Committee expects to be briefed semi-annually on the progress in hiring for these positions beginning 30 days after enactment of this act.

#### COLLECTION OF DUTIES

The Committee notes that the workload associated with administering antidumping orders issued by the Department of Commerce has increased, especially for CBP Import Specialists. According to Government Accountability Office report GAO-07-529, as of February 2007, "CBP was responsible for implementing more than 240 antidumping orders, some of which affect hundreds of millions of dollars in trade annually. . . . According to CBP officials, col-

lecting antidumping duties involves significantly more work than collecting normal duties because the amount of antidumping duties that importers owed are often revised (up to 18 months after the products have entered the country) as a result of additional reviews conducted by the Department of Commerce. In cases where Commerce determines that additional duties are owed, CBP must identify the affected importers, issue supplemental duty bills, and take steps to collect the supplemental duties.” Because of the challenges involved, CBP has been unable to collect more than \$500,000,000 in antidumping duties over the past 5 years. The Committee recommends an additional \$575,000 for eight positions to enhance the collection of duties.

#### AGRICULTURAL PESTS

The Committee notes Hawaii’s globally significant natural environment, as well as the State’s important diversified agricultural industry, are uniquely vulnerable to the introduction of invasive weeds, animals, insects, and diseases. The Committee expects the Department to work with the United States Department of Agriculture and the Hawaii Department of Agriculture to share information and expertise to ensure their respective inspection and quarantine activities provide coordinated and collaborative biosecurity protection for the State.

Included in the amount recommended by the Committee is continued funding at the fiscal year 2006 level for part-time and temporary positions in Honolulu, Hawaii (Requested by: Inouye).

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2007 and budget request levels:

#### U.S. CUSTOMS AND BORDER PROTECTION—SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations <sup>2</sup>
<b>Salaries and Expenses:</b>			
<b>Headquarters management and administration:</b>			
Management and administration, border security inspections and trade facilitation .....	658,943	675,391	639,373
Management and administration, border security and control between port of entry .....	589,446	602,016	597,016
Subtotal, Headquarters management and administra- tion .....	1,248,389	1,277,407	1,236,389
<b>Border security inspections and trade facilitation at ports of   entry:</b>			
Inspections, trade and travel facilitation at ports of entry ...	1,326,665	1,610,202	1,675,685
Harbor maintenance fee collections (trust fund) .....	3,026	3,026	3,093
Container Security Initiative .....	139,312	156,130	156,130
Other international programs .....	8,701	8,871	10,866
Customs Trade Partnership Against Terrorism .....	54,730	55,560	62,310
Free and Secure Trade (FAST)/NEXUS/SENTRI .....	11,243	11,243	11,243
Inspection and detection technology investments .....	241,317	135,979	105,027
Automated targeting systems .....	27,298	27,580	27,580
National Targeting Center .....	23,635	23,950	23,950
Training .....	24,564	24,813	24,813

## U.S. CUSTOMS AND BORDER PROTECTION—SALARIES AND EXPENSES—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations <sup>2</sup>
Subtotal, border security inspections and trade facilitation at ports of entry .....	1,860,491	2,057,354	2,100,697
Border security and control between ports of entry:			
Border security and control between ports of entry .....	2,239,586	2,984,443	2,984,443
Training .....	37,924	52,789	52,789
Subtotal, border security and control between ports of entry .....	2,277,510	3,037,232	3,037,232
Air and Marine operations, personnel compensation and benefits .....	175,796	207,740	226,740
Total, Salaries and expenses .....	5,562,186	6,579,733	6,601,058

<sup>1</sup> Includes \$100,000,000 in emergency appropriations pursuant to section 520 of Public Law 109-295 and excludes \$75,000,000 in emergency appropriations pursuant to Public Law 110-28.

<sup>2</sup> Reflects permanent realignment of base resources pursuant to a reprogramming approved by the Senate on April 24, 2007.

## AUTOMATION MODERNIZATION

Appropriations, 2007 .....	\$451,440,000
Budget estimate, 2008 .....	476,609,000
Committee recommendation .....	476,609,000

The automation modernization account includes funds for major information technology systems and services for U.S. Customs and Border Protection [CBP], including the Automated Commercial Environment [ACE] and the International Trade and Data System [ITDS] projects, and connectivity of and integration of existing systems.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$476,609,000, to be available until expended, as proposed in the budget, for automation modernization.

## TREASURY ENFORCEMENT COMMUNICATIONS SYSTEM

Included in the amount recommended by the Committee is \$25,000,000 and one position, as requested in the budget, to replace the mainframe components of the Treasury Enforcement Communications System [TECS]. Modernization of TECS is a critical component to ensure that CBP employees have the appropriate tools to perform their mission. The Committee directs CBP to submit a report on the TECS modernization program, within 90 days of the date of enactment of this act, which includes: (1) a description of each project in the modernization program; (2) cost estimates for the complete modernization program; and (3) timelines and milestones for the development and implementation of each project.

## INTERNATIONAL TRADE DATA SYSTEMS

Included in the amount recommended is \$16,000,000 for the ITDS.

AUTOMATED COMMERCIAL ENVIRONMENT QUARTERLY REPORTS

The Committee has required quarterly reports on progress on the ACE program for the past few years. The Committee was frustrated to receive the reports on the third and fourth quarter of fiscal year 2006 on February 8, 2007, well into the second quarter of fiscal year 2007. These reports consist of factual, aggregate data on the progress ACE has achieved in a given quarter. It should not take half a year to receive a non-controversial report transmitting this data. The delay in receiving the reports hinders Congress from performing its oversight function. The Committee directs the Department to submit this report no later than 45 days after the close of each quarter.

GRADUATION FROM GAO REVIEW

The Committee has required certain agencies to develop and submit expenditure plans for a number of complex, high-risk information technology and other construction and development plans. In most cases, a portion of the funds appropriated for these activities has been withheld from obligation pending review of the plan by the GAO and affirmative approval by the Committee. In many cases, this process has added rigor to the agencies' development and deployment process and resulted in development of a better product. The Committee believes that U.S. Customs and Border Protection's "Automation Modernization" program, known as ACE, has benefited from these GAO reviews over the years. As a result, the Committee's level of confidence in the maturity of this program has increased to the point that GAO review is no longer required. The Committee will still require submission of expenditure plans for this program, but funds will be released upon the submission to the Committee of the plan. The Committee will continue to follow closely further development of all of these programs, but expect that the rigor currently being focused on these programs will continue.

EXPENDITURE PLAN

The Committee is pleased with the level of detail and discipline which has been displayed in recent ACE expenditure plans. The Committee includes bill language making not less than \$216,969,000 available for development of ACE upon the submission of a comprehensive expenditure plan for the program.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

AUTOMATION MODERNIZATION

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee recommendations
Automated Commercial Environment/International Trade Data System (ITDS) .....	316,800	316,969	316,969
Automated commercial system and legacy IT cost .....	134,640	159,640	159,640
Total, Automation modernization .....	451,440	476,609	476,609

## BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

Appropriations, 2007 <sup>1</sup> .....	\$1,187,565,000
Budget estimate, 2008 .....	1,000,000,000
Committee recommendation .....	1,000,000,000

<sup>1</sup>Includes \$1,159,200,000 emergency appropriations pursuant to section 520 of Public Law 109–295.

The Border Security, Fencing, Infrastructure, and Technology account funds the capital procurement and total operations and maintenance costs associated with fencing, infrastructure, sensors, surveillance, and other technology.

## COMMITTEE RECOMMENDATIONS

The Committee strongly supports the Strategic Border Initiative [SBI] and the approach of securing the border via a web of fencing, tactical infrastructure, sensor, and optical technology, in addition to more Border Patrol agents and increased enforcement of our immigration laws. By fully funding the President’s request for fiscal year 2008, when combined with the \$1,187,565,000 appropriated to this account for fiscal year 2007 in Public Law 109–295, the Committee will have provided over \$2,187,000,000 for this activity. Additionally, the Committee provides the Secretary with the flexibility requested to determine the best mix and location of these border security activities along all of the Nation’s borders—Northern, Southwest, and maritime.

However, the Committee is also concerned that this is an extremely high risk program. The Department’s track record on major development programs is spotty at best. For instance, the failures in the Coast Guard’s Integrated Deepwater Systems Program have raised many red flags and require the Congress to approach similarly large programs with an extra degree of caution. It is imperative that a Government program of this magnitude be managed and overseen by qualified Federal Government employees, not contractors out to make a buck off the American taxpayer. The Secretary’s testimony before the Senate Homeland Security Subcommittee on March 8, 2007, gives cause for concern. The Secretary said, “Ironically, sometimes you almost find yourself . . . in the position of having to hire contractors to write contracts for other contractors.” As of May 1, 2007, this program was being managed by 110 Federal Government employees and 119 contract employees. The Committee supports this program but will be closely watching to ensure that SBInet meets performance objectives, is delivered on time, and on budget.

## EXPENDITURE PLAN

The Committee includes bill language making \$500,000,000 available for technology modernization upon approval of a comprehensive expenditure plan.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2007 and budget request levels:

**BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY**  
[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee rec- ommendation
Border security, fencing, infrastructure, and technology [BSFIT] .....	1,187,565	.....	.....
Development and deployment .....	.....	936,000	863,000
Operations and maintenance .....	.....	.....	73,000
Program management .....	.....	64,000	64,000
<b>Total, BSFIT .....</b>	<b>1,187,565</b>	<b>1,000,000</b>	<b>1,000,000</b>

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

Appropriations, 2007 <sup>1</sup> .....	\$602,187,000
Budget estimate, 2008 .....	477,287,000
Committee recommendation <sup>2</sup> .....	488,947,000

<sup>1</sup>Includes \$232,000,000 in emergency appropriations pursuant to section 520 of Public Law 109–295 and excludes \$75,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>2</sup>Reflects permanent realignment of base resources pursuant to a reprogramming approved by the Senate on April 24, 2007.

The U.S. Customs and Border Protection [CBP] Air and Marine Interdiction, Operations, Maintenance, and Procurement [AMO] account funds the capital procurement and total operations and maintenance costs of the CBP air and marine program and provides support to other Federal, State, and local agencies.

**COMMITTEE RECOMMENDATIONS**

The Committee recommends \$488,947,000, to remain available until expended, for air and marine interdiction, operations, maintenance, and procurement. Included in this amount is \$80,800,000 for recurring maintenance, as proposed in the budget.

**NATIONAL SUPPORT OF ASSETS**

Included in the amount recommended by the Committee is \$36,700,000, as requested in the budget, for the National Support of Assets maintenance contract to ensure that CBP aircraft meet Federal aviation regulations and Department of Defense standards while maintaining a readiness rate of 80 percent or higher.

**NORTHERN BORDER AIR WING**

The Committee notes that \$75,000,000 was included in the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) for air and marine activities, including establishment of the fifth northern border air wing in Michigan. The Committee is pleased to note that with the completion of this air wing, U.S. Customs and Border Protection will have finally provided a series of “eyes in the sky” stretching from Maine to Washington State, giving the United States a higher level of situational awareness of activities along, and crossings of, its 4,000 mile long border with Canada. Now that these air wings have been established, it is imperative that they be given the resources and personnel for 24/7 operation. The Com-

mittee expects the President's fiscal year 2009 budget will include funding to expand the hours of operation at these air wings.

#### P-3 SERVICE LIFE EXTENSION PROGRAM

Included in the amount recommended by the Committee is \$47,000,000, as requested in the budget, for the ongoing service life extension program of the P-3 surveillance fleet.

#### MARINE FACILITIES AND ASSET ACQUISITION

The Committee is pleased that a major effort has been undertaken to close known gaps in U.S. border air surveillance capabilities, especially along our Northern border. However, similar gaps in coverage remain in the marine and coastal environment; again especially along the Northern border. To address these gaps, included in the amount recommended by the Committee is an increase of \$12,540,000 above the level requested in the budget to provide the facilities and equipment for 11 additional Marine Enforcement Units. Funding for initial staffing at these sites is provided in the "Salaries and Expenses" appropriation. The Committee directs the submission of an expenditure plan prior to the obligation of these funds.

#### UNMANNED AERIAL SYSTEMS SUPPORT

Included in the amount recommended by the Committee is an increase of \$4,120,000 from the amount requested in the budget for operations and maintenance support, including spares and component repairs, antenna and satellite time, software, and engineers, for the six unmanned aerial systems, which are either in stock or expected to be delivered shortly. These funds will ensure that these systems will operate at the highest anticipated levels.

#### SUPPORT TO INVESTIGATIONS

The Committee is concerned that the reorganization of the legacy Customs Service and Border Patrol air missions into CBP Air, with the attendant strategic and tactical control of air assets, may have the unintended result of a decrease in support to investigations conducted by U.S. Immigration and Customs Enforcement [ICE]. The Committee requests a briefing, conducted jointly by CBP and ICE, no later than 90 days after the date of enactment of this act, on how air support to investigations is adjudicated.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

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

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations <sup>2</sup>
Operations and maintenance .....	236,454	353,954	365,614
Procurement .....	365,773	123,333	123,333
Total, Air and Marine Interdiction, Operations, Maintenance, and Procurement .....	602,187	477,287	488,947

<sup>1</sup> Includes \$232,000,000 in emergency appropriations pursuant to section 520 of Public Law 109-295 and excludes \$75,000,000 in emergency appropriations pursuant to Public Law 110-28.

<sup>2</sup> Reflects permanent realignment of base resources pursuant to a reprogramming approved by the Senate on April 24, 2007.

## CONSTRUCTION

Appropriations, 2007 <sup>1</sup> .....	\$232,978,000
Budget estimate, 2008 .....	249,663,000
Committee recommendation .....	274,863,000

<sup>1</sup> Includes \$110,000,000 in emergency appropriations pursuant to section 520 of Public Law 109-295.

This appropriation provides funding to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, customs, and alien registration.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$274,863,000 for construction activities of U.S. Customs and Border Protection [CBP], to be available until expended.

## CONSTRUCTION ASSOCIATED WITH NEW BORDER PATROL AGENTS

Included in the amount recommended by the Committee is \$100,000,000, as proposed in the budget, for construction requirements associated with new Border Patrol Agents.

## AIR AND MARINE FACILITIES

Included in the amount recommended by the Committee is \$30,000,000, as proposed in the budget, for repair and renovation of air and marine facilities.

## ADVANCED TRAINING CENTER

The Committee provides \$40,200,000 for Phase IV of the Advanced Training Center [ATC] Master Plan which was submitted to the Committee on April 4, 2007, by the Department of Homeland Security Under Secretary for Management. The ATC, located in West Virginia, opened in September 2005. It provides advanced training to over 2,000 CBP law enforcement personnel, managers, and supervisors per year and will train approximately 5,200 per year by the end of 2009 (Requested by: Byrd).

## LACK OF BORDER PATROL CONSTRUCTION PROJECT OVERSIGHT

This Committee has been a strong proponent, on a bipartisan basis, of ensuring that newly hired Border Patrol agents and CBP officers are provided with the tools they need to perform their critical national security duties. This includes ensuring that they re-

ceive proper training as well as vehicles and equipment. A critical component of this comprehensive approach is ensuring that these agents and officers also have appropriately-sized facilities, such as Border Patrol stations, to accommodate the major increases in hiring. Congress has tried to provide CBP with the resources to get ahead of the curve. Between fiscal years 2005 and 2007, the Congress appropriated approximately \$450,000,000 above the President's requests to try and achieve an appropriate balance between people, support, and facilities, which included funding an additional 3,500 new Border Patrol agents.

This Committee has worked hard to provide CBP with the construction resources necessary to match the growth in Border Patrol personnel. Unfortunately, CBP did not bring the planning and management skills to oversee the construction program to the table. A prime example of the lack of planning, and more seriously, the lapse in oversight of the leadership of CBP, is that a comprehensive survey of current facilities was not initiated until almost 2 years after the surge in agent hiring began. The belated realization of the disconnect between facilities and staffing planning may lead to as much as \$125,000,000 in appropriated construction funds being diverted to temporary trailers or other short-term housing. Further, the timeline for completing all of the needed projects may be extended for several years. It is incomprehensible to the Committee how CBP allowed this situation to occur.

The Committee has reduced the Headquarters Management request by \$5,000,000, to be taken from programs other than facilities management, to make clear its strong concern about the loss of time and planning. Further, the Committee is aware of discussions to move the oversight and responsibility of port-of-entry facility construction from the General Services Administration [GSA] to CBP. It is clear that CBP is in no way prepared for such an expansion of its responsibilities in this arena.

Finally, absent the official submission of a revised budget for this account, it is difficult to appropriate any funds for currently unknown construction activities for fiscal year 2008. The Committee makes an unspecified reduction of \$15,000,000 to the amount requested in the budget and directs the submission of a revised construction account request for fiscal year 2008 no later than July 16, 2007, to include a project-by-project breakdown.

The Committee directs the Department to continue to work with the GSA on its nationwide strategy to prioritize and address the infrastructure needs at land border ports-of-entry and to comply with the requirements of the Public Buildings Act of 1959 (40 U.S.C. 3301) to seek necessary funding.

## U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

### SUMMARY

U.S. Immigration and Customs Enforcement is responsible for enforcing immigration and customs laws, detaining and removing deportable or inadmissible aliens, and providing security of Federal buildings and property.

## COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$5,279,393,000, including direct appropriations of \$4,432,893,000, and estimated fee collections of \$846,500,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

## U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee recommendations
<b>Appropriations:</b>			
Salaries and expenses <sup>1 2</sup> .....	3,877,000	4,162,000	4,401,643
Automation modernization .....	15,000	.....	15,000
Construction .....	56,281	6,000	16,250
<b>Total, Appropriations .....</b>	<b>3,958,281</b>	<b>4,168,000</b>	<b>4,432,893</b>
<b>Estimated Fee Collections:</b>			
Immigration inspection user fees .....	108,000	113,500	113,500
Student exchange visitor program fees .....	54,349	56,200	56,200
Immigration breached bond/detention fund .....	90,000	63,800	63,800
Federal Protective Service <sup>3</sup> .....	516,011	613,000	613,000
<b>Total, Estimated fee collections .....</b>	<b>768,360</b>	<b>846,500</b>	<b>846,500</b>
<b>Total, Available funding .....</b>	<b>4,726,641</b>	<b>5,014,500</b>	<b>5,279,393</b>

<sup>1</sup> Excludes \$6,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>2</sup> Reflects a permanent realignment of \$523,000 to USCIS for various parole programs pursuant to section 872.

<sup>3</sup> Fully funded by offsetting collections paid by General Services Administration tenants and credited directly to this appropriation.

## SALARIES AND EXPENSES

Appropriations, 2007 <sup>1</sup> .....	\$3,887,000,000
Budget estimate, 2008 .....	4,162,000,000
Committee recommendation <sup>2</sup> .....	4,401,643,000

<sup>1</sup> Excludes \$6,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>2</sup> Reflects a permanent realignment of \$523,000 to USCIS for various parole programs pursuant to section 872.

The U.S. Immigration and Customs Enforcement [ICE] Salaries and Expenses account provides funds for the enforcement of immigration and customs laws, intelligence, and detention and removals. In addition to directly appropriated resources, funding is derived from the following offsetting collections:

*Immigration Inspection User Fees.*—ICE derives funds from user fees to support the costs of detention and removals in connection with international inspections activities at airports and seaports, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

*Student Exchange Visitor Program Fees.*—ICE collects fees from foreign students, exchange visitors, and schools and universities to certify and monitor participating schools, and to conduct compliance audits.

*Immigration Breached Bond/Detention Fund.*—ICE derives funds from the recovery of breached cash and surety bonds in excess of \$8,000,000 as authorized by the Immigration and Nationality Act (8 U.S.C. 1356); and from a portion of fees charged under

section 245(i) of the Immigration and Nationality Act to support the cost of the detention of aliens.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$4,401,643,000, for salaries and expenses of U.S. Immigration and Customs Enforcement [ICE] for fiscal year 2008. This includes decreases from the fiscal year 2007 level of \$13,770,000; increases from the fiscal year 2007 level of \$45,371,000 for pay and other inflationary adjustments; and \$99,199,000 in annualizations, as proposed in the budget.

The Committee includes bill language placing a \$35,000 limit on overtime paid to any employee; making up to \$7,500,000 available for special operations; making up to \$1,000,000 available for the payment of informants; making up to \$11,216,000 available to reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens; making not less than \$102,000 available for promotion of public awareness of the child pornography tipline, as requested by the President; making not less than \$203,000 available for Project Alert, as requested by the President; making not less than \$5,400,000 available to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act; limiting the use of funds for facilitating agreements consistent with section 287(g) of the Immigration and Nationality Act to the same activities funded in fiscal year 2005; and making \$15,770,000 available for activities to enforce laws against forced child labor, of which \$6,000,000 shall remain available until expended.

#### IMPROVED FISCAL MANAGEMENT

In fiscal year 2001, there were only 19 criminal arrests and 735 administrative arrests related to worksite enforcement. The fact that in fiscal year 2006, ICE initiated 1,201 worksite enforcement investigative cases resulting in 716 criminal arrests and 3,667 administrative arrests is but one example that the administration has correctly begun to take seriously immigration enforcement actions such as worksite enforcement. This level of achievement could not have taken place absent congressional initiative and the improved fiscal management at ICE.

The Committee notes that ICE has made significant progress in getting its fiscal house in order. The days of hiring freezes and inability to perform certain parts of the ICE mission appear to be over. The Committee is pleased to see that ICE is aggressively hiring agents and investigators and expects these robust efforts will continue. Much work needs to be done to ensure ICE continues to progress in meeting its dual missions of immigration enforcement and customs enforcement, but the Committee is pleased with its efforts thus far.

#### ICE-WIDE MANAGEMENT

Included in the amount recommended by the Committee is an additional \$2,500,000 and four positions above the budget request for development of a consolidated ICE-wide training program for new and mid-career managers. These funds will allow ICE to de-

sign and implement a mandatory program to familiarize its managers with their responsibilities in finance, procurement, labor-relations, civil rights, and other areas.

MANAGEMENT AND ADMINISTRATION—IMPROVED INTEGRITY  
OVERSIGHT

Included in the amount recommended by the Committee is \$47,778,000, an increase of \$7,000,000, 37 positions, and 19 full-time equivalents, as requested in the budget, for improved integrity oversight at the Office of Professional Responsibility to handle the increased workload resulting from expansion of U.S. Customs and Border Protection and ICE personnel.

INVESTIGATIONS—BORDER ENFORCEMENT SECURITY TASK FORCES

Included in the amount recommended by the Committee is \$13,473,000, 83 positions, and 42 full-time equivalents [FTEs]. This is \$2,773,000, 20 positions, and 10 FTEs above the budget request, to establish additional task forces at key locations along the border, including Tier II locations along the Northern border. These task forces will address, in a multi-agency fashion, the threat to communities posed by cross-border crime and violence associated with the smuggling of illegal drugs and humans.

INVESTIGATIONS—ICE MUTUAL AGREEMENT BETWEEN GOVERNMENT  
AND EMPLOYERS

Included in the amount recommended by the Committee is \$5,000,000, 29 positions, and 15 full-time equivalents, as requested in the budget. ICE Mutual Agreement between Government and Employers is a joint Government and private sector initiative to achieve compliance with immigration laws by training employers in detecting and identifying fraudulent documents, while submitting to regular audits of the I-9 employment verification forms.

INVESTIGATIONS—GANG ENFORCEMENT

Included in the amount recommended by the Committee is \$15,200,000 and 98 positions, an increase of \$10,200,000 and 63 positions, above the levels requested in the budget. The growth of transnational gangs over the past 10 year period has been unprecedented. Since its inception in February 2005, Operation Community Shield has resulted in the arrests of more than 4,200 gang members. Half of those arrested have violent criminal histories. These funds will expand the number of anti-gang teams to 5 Special Agent in Charge offices facing the highest-threat from gangs.

INVESTIGATIONS—WORKSITE ENFORCEMENT

Included in the amount recommended by the Committee is an increase of \$15,000,000, 100 positions, and 50 full-time equivalents, above the levels requested in the budget to enhance resources devoted to worksite enforcement efforts. The Committee is pleased that ICE has begun to aggressively conduct worksite enforcement actions and notes that in fiscal year 2006, ICE had 716 criminal arrests and 3,667 administrative arrests compared with 25 crimi-

nal and 485 administrative arrests in fiscal year 2002. These funds will be used to hire 65 Special Agents and 35 support positions.

INVESTIGATIONS—DOCUMENT AND BENEFIT FRAUD TASK FORCES

Included in the amount recommended by the Committee is \$10,800,000 and 63 positions above the levels requested in the budget to fully staff the Document and Benefit Fraud Task Forces at 17 Special Agent in Charge offices. Identity and benefit fraud present worksite vulnerabilities by which illegal aliens, possibly including terrorists and other persons who pose a risk to public safety, are able to gain entry into the United States and remain here under a guise of legitimacy. Fully staffing these task forces will greatly enhance investigators tracking fraudulent documents and conducting worksite and other investigations.

STATE AND LOCAL LAW ENFORCEMENT SUPPORT, SECTION 287(g)  
AGREEMENTS

Included in the amount recommended by the Committee is \$51,460,000, an increase of \$25,496,000, as proposed in the budget, for training to support implementation of the provisions of section 287(g) of the Immigration and Nationality Act to delegate authority to enforce limited immigration functions to State and local law enforcement officers.

LAW ENFORCEMENT SUPPORT CENTER

Included in the amount recommended by the Committee is \$26,951,000, an increase of \$904,000, 17 positions, and 9 full-time equivalents, as proposed in the budget, to assist in responding to increased requests for assistance from State and local law enforcement officers.

IMMIGRATION ENFORCEMENT AND ACCESS TO SOCIAL SECURITY  
INFORMATION

The Committee is pleased that the administration has significantly increased its interior enforcement activities. A number of these investigations are the result of concerns about identity theft and of people using Social Security numbers and falsely posing as a different individual in order to get a job. The Committee believes it is crucial that Federal law enforcement have appropriate access to Social Security information on a timely basis in order to perform legitimate worksite and other immigration enforcement actions and encourages the Department to work with the Social Security Administration, the Department of Justice, and other Federal entities towards this end.

SUPPORT TO INVESTIGATIONS

The Committee is concerned that the reorganization of the legacy Customs Service and Border Patrol [CBP] air missions into CBP Air, with the attendant strategic and tactical control of air assets, may have the unintended result of a decrease in support to investigations conducted by ICE. The Committee requests a briefing, conducted jointly by CBP and ICE, no later than 90 days after the

date of enactment of this act, on how air support to investigations is adjudicated.

#### TEXTILE TRANSSHIPMENT ENFORCEMENT

Included in the amount recommended by the Committee is \$4,750,000 for textile transshipment enforcement, as authorized by section 352 of the Trade Act of 2002. The Trade Act of 2002 authorizes appropriations for the hiring of 72 positions between CBP and ICE, including investigators.

#### INTERPOL TRAVEL DOCUMENT DATABASE

The Committee notes that the International Criminal Police Organization, Interpol, maintains the largest law enforcement database of stolen and lost travel documents containing information on more than 6.6 million documents such as passports and visas. Access to this database by Homeland Security officials could result in major enhancements in preventing terrorists or others from entering the United States. In recent meetings in Washington, DC, between Department officials and representatives from Interpol, discussions centered on placing DHS representatives from either U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement at a new passport security unit at Interpol headquarters. The Committee supports this activity and requests a briefing on actions taken in this regard no later than November 15, 2007.

#### DETENTION AND REMOVALS—CUSTODY MANAGEMENT (BEDS)

The Committee is disappointed that the President's budget request does not maintain the linkage between requested increases for Border Patrol agents with a similar increase in detention beds. Over the past 2 years, there has been a bipartisan consensus that hiring more Border Patrol agents and increasing interior enforcement activities, such as adding new Fugitive Operations teams and sharply increasing worksite enforcement efforts, will inevitably lead to the apprehension of significantly more illegal aliens. In September 2006, the administration appropriately ended the policy of "catch and release" (apprehending illegal aliens but, as a result of a lack of detention bed space, releasing them into the community with an order to appear at a later date before an immigration judge who would order their removal). Yet, the President's budget only requests funds for 950 new beds. The Department must ensure that there is sufficient detention bed space to accommodate the increased apprehension efforts expected of the 3,000 new Border Patrol agents requested in the budget, as well as the appropriately more aggressive interior enforcement actions taken against those who knowingly hire illegal aliens.

Therefore, the Committee provides an additional \$146,451,000, for a total of \$236,843,596, for 4,000 new detention beds, (of which \$44,242,423 is associated with the costs of removal of illegal aliens). This is an increase of 3,050 beds and 284 positions above the request and ensures funding of a total of 31,500 beds and 2,949 positions.

## DETENTION AND REMOVALS—TRANSPORTATION AND REMOVAL

Included in the amount recommended by the Committee is \$282,526,000, an increase of \$33,442,000 above the budget request, for all ICE-related transportation and removal activities.

## DETENTION AND REMOVALS—RESOURCES FOR POLICY AND PLANNING

Included in the amount recommended by the Committee is an increase of \$1,750,000, seven positions, and four full-time equivalents above the budget request levels to establish an “Office of Policy and Planning” within the Detention and Removals Office [DRO]. The DRO Office of Policy and Planning will identify existing policy across all DRO programs, assess existing policy for suitability given the tremendous growth in detention, ensure adherence to all established detention standards, and be responsible for development or modification of new policies as they relate to DRO-wide programs and in conjunction with the ICE Office of Investigations and ICE policy.

## DETENTION AND REMOVALS—FUGITIVE OPERATIONS

Included in the amount recommended by the Committee is an increase of \$8,500,000, 42 positions, and 21 full-time equivalents, above the levels requested in the budget. This will increase the number of Fugitive Operations teams nationwide from the current 75 teams to a total of 81 teams. These teams locate and apprehend fugitive aliens in the United States. Between fiscal year 2003 and December 1, 2006, enforcement activities resulted in the removal of 32,106 fugitive aliens. With this increase, these teams are anticipated to apprehend well in excess of 50,000 alien absconders in fiscal year 2008.

## DETENTION AND REMOVALS—CRIMINAL ALIEN PROGRAM

Included in the amount recommended by the Committee is \$178,829,000 and 991 positions, an increase of \$10,500,000 and 146 positions above the levels requested in the budget and \$41,335,000 and 366 positions above the fiscal year 2007 enacted levels. This will allow ICE to field 30 new Criminal Alien Program [CAP] teams above the fiscal year 2007 enacted level for a total of 138 teams. It is estimated that the foreign-born criminal intake at Federal, State, and local detention facilities in fiscal year 2007 is 630,000. Identifying illegal aliens for removal while they are incarcerated for other crimes ensures that these criminal aliens will not be released into society upon completion of their sentence. As ICE estimates, each CAP team will identify and have removed 1,800 aliens annually; these 30 new teams will remove at least 54,000 aliens.

## DETENTION AND REMOVALS REPORTING

The Committee continues to request ICE to submit a quarterly report to the Committee which compares the number of deportation, exclusion, and removal orders sought and obtained by ICE. The report should be broken down by district in which the removal order was issued; by type of order (deportation, exclusion, removal, expedited removal, and others); by agency issuing the order; by the

number of cases in each category in which ICE has successfully removed the alien; and by the number of cases in each category in which ICE has not removed the alien. The first fiscal year 2008 quarterly report is to be submitted no later than January 31, 2008.

#### DETENTION OF UNACCOMPANIED MINORS

The Committee is disappointed it has not yet received the report on unaccompanied alien minors which, according to Conference Report 109–699, was due to the Committees on Appropriations of the Senate and House of Representatives on February 8, 2007. Updating and coordinating policies in regard to unaccompanied alien minors, who are often exploited by alien smugglers, between DHS and the Office of Refugee Resettlement should be a key priority for the Department. The Committee directs the submission of the report immediately.

#### SEPARATION OF FAMILIES

The Committee continues to be concerned about separation of families detained by the Border Patrol. The Committee received the report on the Hutto Family Center in Williamson, Texas as required by Senate Report 109–273. The report provides an excellent description of the facility and the steps ICE has taken to ensure compliance with national detention standards. However, the report lacks updated forecasts of family detention space needs for the next 2 years, as requested. The Committee directs ICE to provide quarterly briefings to the Committee on family detention space needs and additional steps ICE is taking to ensure the highest level of compliance with national detention standards, including training of ICE detention personnel on adherence to standards. The first quarterly briefing should occur no later than July 31, 2007.

#### LOCATION OF ICE OFFICES

In April of 2007, the Department of Homeland Security submitted a report on the cost and need for establishing ICE offices in Colorado Springs and Greeley, Colorado, as required by Senate Report 109–273. ICE determined that there is a sufficient need to locate some operations in both locations. The Committee believes that establishing an ICE office in each of these two cities may be the most efficient way of ensuring that our immigration laws are effectively enforced in the State of Colorado and urges the Department to expedite their ongoing efforts to do so.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

#### U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations
Headquarters Management and Administration:			
Personnel Compensation and Benefits, services and other costs .....	140,000	162,137	164,637
Headquarters Managed IT investment .....	134,013	152,306	152,306

## U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—SALARIES AND EXPENSES—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations
Subtotal, Headquarters Management and Administration ....	274,013	314,443	316,943
Legal Proceedings .....	187,353	207,850	207,850
Investigations:			
Domestic .....	1,285,229	1,372,328	1,411,101
International <sup>2</sup> .....	104,681	108,074	107,551
Subtotal, Investigations .....	1,389,910	1,480,402	1,518,652
Intelligence .....	51,379	52,146	52,146
Detention and Removal Operations:			
Custody Operations .....	1,381,767	1,459,712	1,606,163
Fugitive Operations .....	183,200	186,145	194,645
Criminal Alien Program .....	137,494	168,329	178,829
Alternatives to Detention .....	43,600	43,889	43,889
Transportation and Removal Program .....	238,284	249,084	282,526
Subtotal, Detention and Removal Operations .....	1,984,345	2,107,159	2,306,052
Total, U.S. Immigration and Customs Enforcement .....	3,887,000	4,162,000	4,401,643

<sup>1</sup> Excludes \$6,000,000 in emergency appropriations pursuant to Public Law 110–28.<sup>2</sup> Reflects a transfer of \$523,000 to United States Citizenship and Immigration Services pursuant to section 872 of Public Law 107–296.

## FEDERAL PROTECTIVE SERVICE

Appropriations, 2007 <sup>1</sup> .....	\$516,011,000
Budget estimate, 2008 <sup>1</sup> .....	613,000,000
Committee recommendation <sup>1</sup> .....	613,000,000

<sup>1</sup> Fully funded by offsetting collections paid by General Services Administration tenants and credited directly to this appropriation.

The Federal Protective Service [FPS] is responsible for the security and protection of Federal property under the control of the General Services Administration [GSA]; and for the enforcement of laws for the protection of persons and property, the prevention of breaches of peace, and enforcement of any rules and regulations made and promulgated by the GSA Administrator. The FPS authority can also be extended by agreement to any area with a significant Federal interest. The FPS account provides funds for the salaries, benefits, travel, training, and other expenses of the program, offset by collections paid by GSA tenants and credited to the account.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$613,000,000 for salaries and expenses of the Federal Protective Service for fiscal year 2008; this amount is fully offset by collections of security fees. This is the same as proposed in the budget and includes an increase of \$9,855,000 for pay and other inflationary adjustments.

## FINANCIAL MANAGEMENT

The Federal Protective Service [FPS] mission is to guard over 8,800 Federal buildings and the tens of thousands of Americans

who work or have business in these buildings. The explosion of the Murrah Federal Building in Oklahoma City in 1995 and the first attack on the World Trade Center in 1993 demonstrate how critical the need is for a force to protect Federal facilities and respond to incidents therein. Since its transfer to the Department of Homeland Security from the General Services Administration [GSA] in 2003, FPS has been left to slowly twist in the wind, its funding requirements ignored by an agency that until recently was deeply mired in its own fiscal problems. Prior to 2003, any FPS funding shortfalls were easily made up by GSA's Federal Buildings Fund. However, since that time, this fee-funded security activity has been prevented by the Office of Management and Budget [OMB] from charging sufficient fees to maintain its critical homeland security and law enforcement missions. Rather than raising fees for services FPS officers and agents provide, the administration has chosen instead to "transform" FPS and make major reductions in its mission and its law enforcement personnel. To meet its artificially low budget fee estimate for fiscal year 2008, FPS has been forced to reduce agent staffing through transfer and attrition from 1,196 commanders, police officers, and inspectors to 950. The increased level of risk resulting from these reductions is unacceptable.

The Committee directs the Director of OMB and the Secretary of Homeland Security, no later than November 1, 2007, to certify in writing that the operations of the Federal Protective Service will be fully funded in fiscal year 2008 through revenues and collection of security fee collections. By fully funded, the Committee means that the FPS shall be staffed at a level by which it meets its missions requirements, including timely law enforcement response to incidents at Federal buildings. Additionally, a similar certification shall be provided no later than February 10, 2008, for fiscal year 2009.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

#### FEDERAL PROTECTIVE SERVICE

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee recommendations
Basic security .....	123,310	186,673	186,673
Building specific security .....	392,701	426,327	426,327
Total, Federal Protective Service <sup>1</sup> .....	516,011	613,000	613,000

<sup>1</sup> Fully funded by offsetting collections paid by General Services Administration tenants and credited directly to this appropriation.

#### AUTOMATION MODERNIZATION

Appropriations, 2007 .....	\$15,000,000
Budget estimate, 2008 .....	
Committee recommendation .....	15,000,000

The Automation Modernization account provides funds for major information technology projects for Immigration and Customs Enforcement, including the Atlas Program comprised of seven inter-related project areas for the modernization of the information technology infrastructure.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$15,000,000, to remain available until expended, for Automation Modernization for fiscal year 2008.

The Committee is once again frustrated that the administration would eliminate the single source of funding for upgrading and replacing the aging information technology platforms in use at ICE. It is not possible to expect the frontline investigators, detention officers, and lawyers of ICE to perform their jobs without adequate tools.

EXPENDITURE PLAN

The Committee includes bill language making not less than \$5,000,000 available for the development of Atlas upon the submission of a comprehensive plan for the program.

CONSTRUCTION

Appropriations, 2007 <sup>1</sup> .....	\$56,281,000
Budget estimate, 2008 .....	6,000,000
Committee recommendation .....	16,250,000

<sup>1</sup>Includes \$30,000,000 in emergency appropriations pursuant to section 520 of Public Law 109-295.

This appropriation provides funding to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, detention, and alien registration.

COMMITTEE RECOMMENDATIONS

Included in the amount recommended by the Committee is \$16,250,000, to be available until expended, an increase of \$10,250,000 above the amount requested in the budget. This level of resources ensures funding for repairs and alterations and program management.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

CONSTRUCTION

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations
Krome, Florida, 250-bed secure dorm .....	6,409	.....	.....
Krome, Florida, maintenance .....	5,000	.....	.....
Port Isabel, Texas, Infrastructure .....	9,000	.....	.....
Infrastructure improvement project .....	30,000	.....	.....
Facility repair and alterations .....	5,872	6,000	16,250
<b>Total, Construction .....</b>	<b>56,281</b>	<b>6,000</b>	<b>16,250</b>

<sup>1</sup>Includes \$30,000,000 in emergency appropriations pursuant to section 520 of Public Law 109-295.

TRANSPORTATION SECURITY ADMINISTRATION

The Transportation Security Administration [TSA] is charged with ensuring security across U.S. transportation systems, including aviation, railways, highways, pipelines, and waterways, and safeguarding the freedom of movement of people and commerce.

Separate appropriations are provided for the following activities within TSA: aviation security; surface transportation security; transportation threat assessment and credentialing; transportation security support; and Federal Air Marshals.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$6,477,578,000 and a net of \$3,684,752,000 for the activities of the Transportation Security Administration for fiscal year 2008.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

#### TRANSPORTATION SECURITY ADMINISTRATION—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee rec- ommendations
Aviation Security .....	<sup>1</sup> <sup>2</sup> 4,739,114	4,953,159	5,039,559
Aviation Security Capital Fund <sup>3</sup> .....	250,000	.....	.....
Surface Transportation Security .....	37,200	41,413	41,413
Transportation Threat Assessment and Credentialing (direct ap- propriations) .....	<sup>4</sup> 37,700	77,490	67,490
Transportation Threat Assessment and Credentialing (fee fund- ed) .....	76,101	82,601	82,601
Transportation Security Support .....	525,283	524,515	524,515
Federal Air Marshals .....	<sup>5</sup> 714,294	722,000	722,000
Rescission .....	-66,712	.....	.....
<b>Total, Transportation Security Administrations (gross) ...</b>	<b>6,312,980</b>	<b>6,401,178</b>	<b>6,477,578</b>
Offsetting fee collections .....	-2,420,000	-2,710,225	-2,710,225
Aviation security capital fund .....	-250,000	.....	.....
Fee accounts .....	-76,101	-82,601	-82,601
<b>Total, Transportation Security Administration (net) (in- cluding transfers) .....</b>	<b>3,566,879</b>	<b>3,608,352</b>	<b>3,684,752</b>

<sup>1</sup> Includes transfers from the Office of the Secretary and Executive Management (\$300,000), the Office of the Under Secretary for Management (\$5,000,000), and Secure Flight (\$2,000,000) pursuant to Public Law 110-5.

<sup>2</sup> Excludes \$390,000,000 in emergency appropriations pursuant to Public Law 110-28.

<sup>3</sup> The Aviation Security Capital Fund provides \$250,000,000 in direct funding from fee collections pursuant to section 605 of Public Law 108-76, the authorization for the Aviation Security Capital Fund expires September 30, 2007.

<sup>4</sup> Includes a transfer of \$2,000,000 to Aviation Security pursuant to Public Law 110-5.

<sup>5</sup> Excludes \$5,000,000 in emergency appropriations pursuant to Public Law 110-28.

#### AVIATION SECURITY

Appropriations, 2007 <sup>1</sup> <sup>2</sup> .....	\$4,739,114,000
Budget estimate, 2008 .....	4,953,159,000
Committee recommendation .....	5,039,559,000

<sup>1</sup> Includes transfers from the Office of the Secretary and Executive Management (\$300,000), the Office of the Under Secretary for Management (\$5,000,000), and Secure Flight (\$2,000,000) pursuant to Public Law 110-5.

<sup>2</sup> Excludes \$390,000,000 in emergency appropriations pursuant to Public Law 110-28.

The Transportation Security Administration [TSA] aviation security account provides for Federal aviation security, including screening of all passengers and baggage, deployment of on-site law enforcement, continuation of a uniform set of background requirements for airport and airline personnel, and deployment of explosives detection technology.

The aviation security activities include funding for: Federal transportation security officers [TSOs] and private contract screeners; air cargo security; procurement, installation, and maintenance

of explosives detection systems; checkpoint support; and other aviation regulation and enforcement activities.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$5,039,559,000 for aviation security, \$86,400,000 above the amount requested and \$300,445,000 above the fiscal year 2007 level. Consistent with the budget request, the Committee provides for the consolidation of maintenance funds for checkpoint support and explosives detection systems [EDS]/explosives trace detection [ETD] into one program, project and activity [PPA] called screening technology maintenance and utilities. The Committee believes combining the maintenance of all equipment under one PPA provides a more complete picture of all maintenance costs for equipment deployed throughout the Nation's airports. The Committee also consolidates EDS procurement and installation funding into one PPA. The Committee expects the fiscal year 2008 expenditure plan for EDS/ETD activities to include details on procurements, installations, maintenance, and operational integration on an airport-by-airport basis. The Committee does not consolidate the aviation regulation and enforcement PPA with the air cargo PPA, as requested. The Committee believes merging these PPA's would dilute efforts underway to screen all air cargo carried on passenger aircraft.

The Committee continues a statutory requirement concerning screening of Federal Government officials. Further, the Committee does not continue a statutory requirement capping full-time equivalent Transportation Security Officers [TSOs] at 45,000. As the number of air passengers continues to grow, TSA needs flexibility to staff TSOs accordingly.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

#### AVIATION SECURITY [In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations
Screening operations .....	3,768,266	3,992,489	4,074,889
Aviation direction and enforcement .....	963,548	960,445	964,445
Aviation Security Capital Fund <sup>2</sup> .....	(250,000)	.....	.....
Transfer pursuant to Public Law 110-5 .....	7,300	.....	.....
Air Cargo/DCA General Aviation Fees .....	.....	225	225
<b>Total, Aviation Security .....</b>	<b>4,739,114</b>	<b>4,953,159</b>	<b>5,039,559</b>

<sup>1</sup> Excludes \$390,000,000 in emergency appropriations pursuant to Public Law 110-28.

<sup>2</sup> The Aviation Security Capital Fund provides \$250,000,000 in direct funding from fee collections pursuant to Section 605 of Public Law 108-176. The authorization for the Aviation Security Capital Fund expires September 30, 2007.

#### AVIATION SECURITY FEES

The Congressional Budget Office, in its analysis of the President's budget, has reestimated collections from existing aviation security fees to be \$2,710,000,000. For the first time in 3 years, the administration has not submitted a budget "gimmick" to artificially increase the Department's budget through a legislative proposal to raise passenger aviation security fees. The Committee applauds this decision and reminds the Department that any future pro-

posals should be channeled through the appropriate legislative committees.

#### SCREENING OPERATIONS

The Committee recommends \$4,074,889,000 for TSA screening operations.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

#### SCREENING OPERATIONS

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations
Privatized screening airports .....	148,600	143,385	143,385
Passenger and baggage screener personnel, compensation and benefits .....	2,470,200	2,601,404	2,601,404
Screener training and other .....	244,466	200,466	200,466
Human resource services .....	207,234	182,234	182,234
Checkpoint support .....	173,366	136,000	136,000
<b>EDS/ETD systems:</b>			
EDS/ETD purchase and installation .....	<sup>2</sup> 279,400	440,000	529,400
EDS/ETD maintenance .....	222,000		
Operation integration .....	23,000	25,000	25,000
Screening technology maintenance and utilities <sup>3</sup> .....		264,000	257,000
Subtotal, EDS/ETD systems .....	524,400	729,000	811,400
<b>Total, screening operations .....</b>	<b>3,768,266</b>	<b>3,992,489</b>	<b>4,074,889</b>

<sup>1</sup> Excludes \$310,000,000 in emergency appropriations pursuant to Public Law 110-28.

<sup>2</sup> Excludes \$250,000,000 provided pursuant to section 605 of Public Law 108-476.

<sup>3</sup> Consolidates all screening technology maintenance activities, including checkpoint technology maintenance.

#### PRIVATIZED SCREENING AIRPORTS

The Committee recommends \$143,385,000 for contract screening airports for fiscal year 2008. This amount is \$5,215,000 less than the fiscal year 2007 level and the same as the level proposed in the budget.

The Committee is aware of minimal interest in the privatized screening program, thus far. To date, only two airports beyond the five originally mandated have opted for privatized screening. If additional airports "opt out," the Committee encourages TSA to seek a reprogramming of necessary funds pursuant to section 503 of this act.

#### PASSENGER AND BAGGAGE SCREENER PERSONNEL, COMPENSATION AND BENEFITS

The Committee recommends \$2,601,404,000 for passenger and baggage screener personnel, compensation and benefits. This funding supports the Transportation Security Officer [TSO] workforce. This amount is \$131,204,000 above the fiscal year 2007 level and the same as proposed in the budget.

#### TRAVEL DOCUMENT CHECKERS

The Committee includes \$45,000,000 for the travel document checker initiative instead of \$60,000,000 as requested. The Com-

mittee believes sufficient funding is available through the amount provided in this bill, as well as projected under-burn of current year staffing and prior year carryover balances, to fully staff the 40 highest risk airports, as requested. The Committee directs TSA to explore alternative staffing approaches used at smaller airports, which could alleviate some of the costs for the initiative. Further, the Committee directs TSA to brief the Committee on the indirect costs, such as training and equipment, as well as milestones, expected benefits, and measures that will be used to evaluate the success of this new program. This briefing should also include an update on integration of this program with the US VISIT air exit solution.

#### SCREENING AIRPORT EMPLOYEES

Recent airport security breaches have highlighted the ongoing need for stricter screening standards for airport employees. The Committee provides \$15,000,000 to pilot various methods to evaluate screening of airport employees, such as physical inspection, behavioral recognition, biometric access control, and technology deployment including cameras and body imaging. Within 90 days after the date of enactment of this act, TSA shall provide a briefing on how it will utilize the \$15,000,000 to harden and bolster employee screening. The Committee directs TSA to provide a briefing on each pilot, 2 months after each pilot is completed, and interim briefings on progress and results no later than March 31, 2008. Because the pilots require staffing and technology solutions, these funds are eligible for activities funded by this PPA and the checkpoint support PPA.

The Committee is also aware of legislative proposals to screen 100 percent of airport employees at the same level of screening as passengers. If such legislation is enacted, TSA is permitted to use these funds to comply with those requirements.

#### WORKER'S COMPENSATION PAYMENTS

The Committee has also included \$58,700,000 for worker's compensation payments, an increase of \$3,500,000 from fiscal year 2007 and the same as requested. The budget justification indicates that TSA continues to aggressively reduce the Office of Worker's Compensation Program costs through various strategies. No later than 90 days after the enactment of this act, TSA shall provide the Committee with a briefing that shows how the strategies detailed in the budget justification will mitigate the number of injuries and reduce outyear costs, including estimates for each of fiscal years 2009 through 2013.

#### BEHAVIOR DETECTION

Over the past 3 years, TSA has expanded the mission of Transportation Security Officers by deploying Behavior Detection Officers [BDO] at airports nationwide. BDOs are part of a program called "Screening Passengers by Observational Techniques" or "SPOT". The Committee notes that TSA plans to aggressively expand this program to all major airports by the end of fiscal year 2007. This program is designed to provide added value to a layered

security system; however, information contained in TSA's fiscal years 2007 and 2008 budget requests about the SPOT program is limited at best. TSA's strategic information contained in the congressional justification simply states the increased use of BDOs will, "greatly enhance security and deterrence efforts." The Committee therefore directs TSA to submit a report on the SPOT program by February 5, 2008, to include: program goals; performance measures; successes to date; key milestones; a deployment schedule; and training requirements for BDOs, including personnel trained in Federal privacy, civil rights, and civil liberties standards.

#### SCREENER TRAINING AND OTHER

The Committee provides \$200,466,000 for screener training and other, a decrease of \$44,000,000 from the fiscal year 2007 level and the same level proposed in the budget. The reduction from the fiscal year 2007 level is the result of program efficiencies and the discontinuation of the baggage sticker program.

#### HUMAN RESOURCE SERVICES

The Committee provides \$182,234,000 for human resource services. This amount is \$25,000,000 below the fiscal year 2007 level and the same amount proposed in the budget. Funding is provided to manage human resources, payroll, personnel policies, programs and systems, maintain oversight of all human resources contractual activities, and provide advice and counsel to senior managers on personnel issues.

#### CHECKPOINT SUPPORT

The Committee recommends \$136,000,000 for checkpoint support, \$37,366,000 below the fiscal year 2007 level and the same as the amount proposed in the budget. Funds are provided to field test and deploy passenger screening, carry-on baggage screening, checkpoint reconfiguration, and electronic surveillance of checkpoints. Funds for checkpoint equipment maintenance have been consolidated into a new PPA line called screening technology maintenance and utilities. Funds provided under the passenger and baggage screener personnel, compensation and benefits PPA for airport employee screening pilots are eligible for activities funded by this PPA.

The August 2006 plot to blow up commercial airliners over the Atlantic Ocean proved that new technologies are necessary to detect threats such as liquid explosives at airport checkpoints. The Committee supports funding for emerging checkpoint technologies, but is deeply concerned that TSA has failed to meet a direction in the joint explanatory statement of managers accompanying the fiscal year 2007 conference report (Report 109-699) to submit a strategic plan for deployment of checkpoint technologies. TSA has also moved slowly to deploy emerging checkpoint technology at airports. As of March 31, 2007, over \$176,000,000 remains unobligated, over 75 percent of TSA's total obligational authority for checkpoint support for fiscal year 2007. The Committee withholds \$20,000,000 from TSA Headquarters Administration until the strategic plan re-

quired by the joint explanatory statement of managers accompanying the fiscal year 2007 conference report (Report 109–699) is submitted to the Committee.

#### EXPLOSIVES DETECTION SYSTEMS

The Committee recommends \$529,400,000, \$89,400,000 above the request level for explosives detection system [EDS] and explosives trace detection [ETD] procurement and installation. The Committee remains concerned with the administration's commitment to this program. The request for fiscal year 2008 reduced funding for procurement and installation by 17 percent. A recent baggage screening investment study by the Aviation Security Advisory Committee concluded that, "without expedited capital investments, the life-cycle replacement requirements for initially deployed screening systems will impede investments in new optimal systems, slowing deployment of additional EDS equipment to additional airports and increasing costs."

Within the funds provided, up to \$75,000,000 may be available to procure and deploy next generation explosive detection systems. Next generation EDS are potentially more efficient than the current generation of screening units and may demonstrate a significant improvement in installation, integration, and life-cycle costs when compared to existing systems. The Department should explore multiple technologies in this area. Within the context of the TSA Strategic Planning Framework, the Committee further directs TSA to give thorough consideration to the needs of medium and small airports that do not have certified EDS equipment.

The Committee directs TSA to submit an expenditure plan no later than 60 days after the enactment of this act detailing procurements, installations, maintenance, and operational integration on an airport-by-airport basis for fiscal year 2008.

The Committee notes that funding made available through the Aviation Security Capital Fund as authorized by the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176) expires September 30, 2007.

The Committee is aware that while most airports completed installation of in-line EDS screening solutions either within or below the funding levels provided for under an existing Letter of Intent [LOI], there were also some airports where the current estimated final project costs significantly exceed the original project estimates. The Committee encourages TSA to use its existing authority to amend any such LOI to reflect the revised estimated costs that subsequently were validated as reimbursable prior to the date of enactment of this act.

#### OPERATION INTEGRATION

The Committee recommends \$25,000,000, an increase of \$2,000,000 from the fiscal year 2007 level and the same amount proposed in the budget, for operation integration.

#### SCREENING TECHNOLOGY MAINTENANCE AND UTILITIES

The Committee recommends \$257,000,000, an increase of \$35,000,000 from the fiscal year 2007 level and a decrease of

\$7,000,000 from the level proposed in the budget, for screening technology maintenance and utilities.

Consistent with the request, the Committee provides for the consolidation of maintenance funds for checkpoint support and explosives detection equipment into one PPA. The Committee believes combining the maintenance of all equipment under one PPA provides a more complete picture of all maintenance costs for equipment deployed throughout the Nation's airports.

As of March 31, 2007, over \$176,000,000 remained unobligated for deployment of emerging passenger screening equipment and related maintenance. Because TSA has been slow to make procurement decisions for checkpoint technology, the Committee recommends \$30,000,000 for checkpoint technology maintenance funding, \$7,000,000 below the request.

AVIATION SECURITY DIRECTION AND ENFORCEMENT

The Committee recommends \$964,445,000 for aviation direction and enforcement, an increase of \$4,000,000 from the fiscal year 2007 level and the request.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

AVIATION SECURITY DIRECTION AND ENFORCEMENT

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations
Aviation regulation and other enforcement .....	217,516	223,653	223,653
Airport management, information technology, and support .....	666,032	655,933	645,933
Federal flight deck officer and flight crew training programs .....	25,000	25,091	25,091
Air cargo security .....	55,000	55,768	65,768
Airport perimeter security .....			4,000
<b>Total, Aviation Security Direction and Enforcement .....</b>	<b>963,548</b>	<b>960,445</b>	<b>964,445</b>

<sup>1</sup> Excludes \$80,000,000 in emergency appropriations pursuant to Public Law 110-28.

AVIATION REGULATION AND OTHER ENFORCEMENT

The Committee recommends \$223,653,000, as proposed in the budget, for aviation regulation and other enforcement.

AIRPORT MANAGEMENT, INFORMATION TECHNOLOGY, AND SUPPORT

The Committee recommends \$645,933,000, a decrease of \$10,000,000 from the request. The reduction below the request is made due to high unobligated balances available for this program.

FEDERAL FLIGHT DECK OFFICER AND FLIGHT CREW TRAINING PROGRAMS

The Committee recommends \$25,091,000, as proposed in the budget, for Federal flight deck officer and flight crew training programs.

AIR CARGO SECURITY

The Committee recommends \$65,768,000, an increase of \$10,000,000 above the request, for air cargo security activities.

The additional funds shall be used to deploy additional canine teams to airports with a high volume of air cargo and for equipment, technology, and other methods to screen air cargo.

These funds build on the \$80,000,000 included in the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110-28) to hire no fewer than 150 additional air cargo inspectors, 170 additional canine teams, and screening technology to secure air cargo. The Committee fully expects the expenditure plan for those funds to be submitted, as required, no later than August 30, 2007. A portion of the emergency supplemental funding was provided to complete air cargo vulnerability assessments at all Category X airports. The Committee directs TSA, no later than March 1, 2008, to brief the Committee on the results of the vulnerability assessments. The briefing shall identify vulnerabilities facing domestic air cargo operations, plans and resources necessary to ameliorate them, and a timeline for implementation.

Based on a recent Government Accountability Office [GAO] report (GAO-07-660) on U.S. bound air cargo, several weaknesses and gaps exist to secure such cargo entering the country. By February 5, 2008, the Secretary is directed to submit to the Committee a detailed action plan for U.S. bound air cargo addressing each of the recommendations contained in the 2007 GAO report. The plan shall include resources necessary to carry out such actions as well as a timeline for implementation.

The Committee continues a general provision directing the Secretary of Homeland Security to: (1) research, develop, and procure new technology to inspect and screen air cargo carried on passenger aircraft at the earliest date possible; (2) require existing checked baggage explosives detection equipment and screeners be utilized to screen air cargo carried on passenger aircraft, to the greatest extent practicable, at each airport until such technologies are available; and (3) provide quarterly reports on air cargo inspection statistics, by airport and air carrier, including any reasons for non-compliance with the second proviso of section 513 of Public Law 108-334.

#### AIRPORT PERIMETER SECURITY

The recently foiled terrorist plot to detonate fuel storage tanks and pipelines at Kennedy International Airport highlights the wide range of threats to the aviation sector. While TSA has focused primarily on passenger and baggage screening, security of airport perimeters, such as airfield fencing, access gates, and fuel storage tanks, remain vulnerable. In fiscal year 2006, the Committee provided \$4,000,000 above the President's request for airport perimeter security pilots. Today, those funds remain unspent. The Committee expects these pilots to be competitively awarded in fiscal year 2007 and provides an additional \$4,000,000 for fiscal year 2008 for further pilot projects. TSA shall also provide a report to the Committee by February 5, 2008, on actions taken to implement recommendations made in the April 2004 Government Accountability Office report (GAO-04-728), which identified weaknesses in airport perimeter security and made several recommendations to enhance security in this area.

## SURFACE TRANSPORTATION SECURITY

Appropriations, 2007 .....	\$37,200,000
Budget estimate, 2008 .....	41,413,000
Committee recommendation .....	41,413,000

Surface transportation security provides funding for personnel and operational resources to assess the risk of a terrorist attack on non-aviation modes, standards and procedures to address those risks, and ensuring compliance with established regulations and policies.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$41,413,000, as proposed in the budget, for surface transportation security.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

## SURFACE TRANSPORTATION SECURITY

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee rec- ommendations
Staffing and Operations .....	24,000	24,485	24,485
Rail Security Inspectors and Canines .....	13,200	16,928	16,928
Total, Surface Transportation Security .....	37,200	41,413	41,413

## HAZARDOUS MATERIALS TRUCK TRACKING AND TRAINING

The Committee remains supportive of the hazardous materials truck tracking and training program. No additional funding is recommended for the program due to the availability of unobligated balances to continue these activities in fiscal year 2008.

## RAIL SECURITY

The Committee recommends \$16,928,000, as proposed in the budget, for the safety and security of the Nation's railways. The increase of \$3,728,000 from the fiscal year 2007 level will support 100 rail inspectors and full operation of 82 canine teams, an increase of 45 teams from the fiscal year 2007 level. These inspectors are to conduct on-site inspections of transit and passenger rail systems to ensure compliance with minimum standards security directives and to identify coverage gaps. The Committee expects TSA Federal compliance inspectors to leverage existing TSA, Federal Railroad Administration, and Federal Transit Administration resources. The Committee provides additional funding for rail security in the Federal Emergency Management Agency's State and Local Programs and Science and Technology appropriations.

## SURFACE TRANSPORTATION

The Committee is cognizant of the disparity of resources between surface transportation security and aviation security. The Committee encourages TSA to utilize technologies, which would have the effect of force multipliers when considering the movement of goods and commerce on our rail and inland navigation systems.

## TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

Appropriations, 2007 <sup>1</sup> .....	\$37,700,000
Budget estimate, 2008 .....	77,490,000
Committee recommendation .....	67,490,000

<sup>1</sup> Includes a \$2,000,000 transfer to Aviation Security pursuant to Public Law 110-5.

Transportation threat assessment and credentialing includes several TSA credentialing programs: Secure Flight, Crew Vetting, Screening Administration and Operations, Registered Traveler, Transportation Worker Identification Credential, Hazardous Materials Commercial Drivers License Endorsement Program, and Alien Flight School.

## COMMITTEE RECOMMENDATIONS

The Committee recommends a direct appropriation of \$67,490,000, a reduction of \$10,000,000 from the request. In addition, an estimated \$82,601,000 in fee collections are available for these activities, as proposed in the budget.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

## TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee recommendations
<b>Appropriations:</b>			
Secure Flight <sup>1</sup> .....	13,000	53,000	28,000
Crew vetting .....	14,700	14,990	14,990
Screening administration and operations .....	10,000	9,500	9,500
Transportation worker identification credential (direct appropriation) .....			15,000
<b>Total Appropriations, Threat Assessment and Credentialing .....</b>	<b>37,700</b>	<b>77,490</b>	<b>67,490</b>
<b>Fee accounts:</b>			
Registered Traveler Program fees .....	35,101	35,101	35,101
Transportation Worker Identification Credential Fees .....	20,000	26,500	26,500
HAZMAT fees .....	19,000	19,000	19,000
Alien Flight School fees <sup>2</sup> .....	2,000	2,000	2,000
<b>Total Fees, Threat Assessment and Credentialing .....</b>	<b>76,101</b>	<b>82,601</b>	<b>82,601</b>

<sup>1</sup> Includes a \$2,000,000 transfer to Aviation Security pursuant to Public Law 110-5.

<sup>2</sup> Fees transferred from the Department of Justice to the Department of Homeland Security pursuant to section 612 of Public Law 108-176.

The Committee recommends \$28,000,000 for secure flight, \$15,000,000 above the fiscal year 2007 level and \$25,000,000 below the request. Consistent with recommendations of the 9/11 Commission, the Committee supports the development of an effective screening program that prevents known terrorists from boarding airplanes, but does not invade the privacy rights of U.S. citizens. Unfortunately, after more than 18 months "rebaselining" secure flight, TSA has been unable to fully articulate the goals, objectives, and requirements for the program. The Committee notes that lifecycle cost information has been limited and spend plan estimates for the fiscal year 2008 request have varied widely. The Government Accountability Office [GAO] has previously reported, on multiple occasions, that the Secure Flight program had not final-

ized its goals, objectives, and requirements or met key milestones. Therefore, the Committee does not provide the level requested in the budget. The Committee includes a general provision granting TSA transfer authority of up to \$25,000,000 if it demonstrates significant improvement in the development of secure flight, including a review by GAO, consistent with its ongoing assessment of the program.

#### CREW VETTING

The Committee recommends \$14,990,000, as proposed in the budget, for continued evaluation and analysis of airline crew lists against watch lists and lost/stolen passport lists.

#### SCREENING ADMINISTRATION AND OPERATIONS

The Committee recommends \$9,500,000, a decrease of \$500,000 from the fiscal year 2007 level, and the same as the level proposed in the budget for screening administration and operations.

#### REGISTERED TRAVELER

The Committee assumes \$35,101,000, as proposed in the budget, in fee collections to fully integrate the international and domestic registered traveler program.

#### TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL

The Committee assumes \$26,500,000, as proposed in the budget, in fee collections for the transportation worker identification credential [TWIC]. The Committee includes a direct appropriation of \$15,000,000 for the TWIC program for card reader pilots.

The Committee is disappointed with TSA's inability to meet statutory timelines for the deployment of TWIC. Over \$99,000,000 has been appropriated for this program since fiscal year 2003. Yet, today, TSA still does not have a deployment plan, and schedules continue to slip. TSA missed the March 26, 2007, target date to start program enrollments at the first port, and it now appears TSA will miss a mandated July 1, 2007, deadline to implement TWIC at the top 10 priority ports. This delay puts in jeopardy the goal of implementing TWIC at the top 40 ports by January 1, 2008, and all other ports by January 1, 2009.

The Committee is also disappointed that the TSA request includes no funds to implement the deployment of transportation security card readers at five ports (to be determined by TSA), as mandated by section 104(k) of the Security and Accountability For Every Port Act of 2006 (Public Law 109-347). Therefore, the Committee provides \$15,000,000 to carry out that mandate. The Committee directs TSA to submit the schedule for deployment of the pilots, consistent with section 104(k) of Public Law 109-347, to the Committee on Appropriations and the Committee on Commerce, Science, and Transportation no later than 60 days after the date of enactment of this act.

#### HAZARDOUS MATERIALS DRIVER LICENSE ENDORSEMENT PROGRAM

The Committee assumes \$19,000,000, as proposed in the budget, in fee collections to conduct name and criminal background checks

on an estimated 3.5 million hazardous materials commercial drivers.

ALIEN FLIGHT SCHOOL BACKGROUND CHECKS

The Committee assumes \$2,000,000, as proposed in the budget, in fee collections to conduct background checks on aliens and other individuals determined by the Secretary who present risk to aviation and national security.

TRANSPORTATION SECURITY SUPPORT

Appropriations, 2007 .....	\$525,283,000
Budget estimate, 2008 .....	524,515,000
Committee recommendation .....	524,515,000

The transportation security support account supports the operational needs of TSA’s extensive airport/field personnel and infrastructure. Transportation security support includes headquarters’ personnel, pay, benefits and support; intelligence; mission support centers; and training and information technology support for headquarters.

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$524,515,000 for transportation security support activities for fiscal year 2008.

The following table summarizes the Committee’s recommendations compared to the fiscal year 2007 and budget request levels:

TRANSPORTATION SECURITY SUPPORT—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee rec- ommendations
Intelligence .....	21,000	21,000	21,000
Administration headquarters support and training .....	294,191	294,191	294,191
Information technology .....	210,092	209,324	209,324
Total, Transportation Security Support .....	525,283	524,515	524,515

INTELLIGENCE

The Committee recommends \$21,000,000, as proposed in the budget, to continue liaison work between intelligence and law enforcement communities.

ADMINISTRATION

The Committee recommends \$294,191,000, as proposed in the budget, for TSA administration. The Committee has included bill language withholding the obligation of \$20,000,000 of this amount until the checkpoint support strategic plan required in the joint explanatory statement of managers accompanying the fiscal year 2007 conference report (Report 109–699) is submitted to the Committees on Appropriations.

## INFORMATION TECHNOLOGY

The Committee recommends \$209,324,000, as proposed in the budget, to support information technology.

## FEDERAL AIR MARSHALS

Appropriations, 2007 <sup>1</sup> .....	\$714,294,000
Budget estimate, 2008 .....	722,000,000
Committee recommendation .....	722,000,000

<sup>1</sup> Excludes \$5,000,000 in emergency appropriations pursuant to Public Law 110-28.

The Federal Air Marshals [FAMs] protect the air transportation system against terrorist threats, sabotage, and other acts of violence. The FAMs account provides funds for the salaries, benefits, travel, training, and other expenses of the program.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$644,173,000, as proposed in the budget, for management and administration; and \$77,827,000 for travel and training of the Federal Air Marshals for fiscal year 2008.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

## FEDERAL AIR MARSHALS

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations
Management and administration .....	628,494	644,173	644,173
Travel and training .....	85,800	77,827	77,827
Total, Federal Air Marshals .....	714,294	722,000	722,000

<sup>1</sup> Excludes \$5,000,000 in emergency appropriations pursuant to Public Law 110-28.

## UNITED STATES COAST GUARD

## SUMMARY

The United States Coast Guard's primary responsibilities are the enforcement of all applicable Federal laws on the high seas and waters subject to the jurisdiction of the United States; promotion of safety of life and property at sea; assistance to navigation; protection of the marine environment; and maintenance of a state of readiness to function as a specialized service in the Navy in time of war, as authorized by sections 1 and 2 of title 14, United States Code.

The Commandant of the Coast Guard reports directly to the Secretary of the Department of Homeland Security.

## COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$8,559,202,000 for the activities of the Coast Guard for fiscal year 2008. In stark contrast to the President's "current services" budget for the Coast Guard, the Committee recommendation includes a significant increase above the request to address known vulnerabilities and shortfalls. Funding is recommended for addi-

tional port security inspectors, port security vulnerability assessments, long-range vessel tracking capabilities, and interagency operational centers for port security. These increases are consistent with the Security and Accountability For Every Port Act of 2006 (Public Law 109–347) and the Maritime Transportation Security Act (Public Law 107–295). Further, the Committee recommendation includes an increase above the request for security of certain dangerous cargoes.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2007 and budget request levels:

UNITED STATES COAST GUARD—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee recommendations
Operating Expenses .....	<sup>1 2</sup> 5,477,657	5,894,295	5,930,545
Environmental Compliance and Restoration .....	10,880	12,079	12,079
Reserve Training .....	122,448	126,883	126,883
Acquisition, Construction, and Improvements .....	<sup>3 4</sup> 1,306,145	<sup>5</sup> 949,281	<sup>6</sup> 991,281
Alteration of Bridges .....	16,000	.....	16,000
Research, Development, Test and Evaluation .....	17,000	17,583	25,583
Health Care Fund (Permanent Indefinite Appropriations) .....	278,704	272,111	272,111
Retired Pay (mandatory) .....	<sup>7</sup> 1,063,323	1,184,720	1,184,720
<b>Total, United States Coast Guard .....</b>	<b>8,292,157</b>	<b>8,456,952</b>	<b>8,559,202</b>

<sup>1</sup> Excludes \$90,000,000 in emergency appropriations transferred to the Coast Guard pursuant to Public Law 109–289 and a rescission of \$25,595,532 pursuant to Public Law 110–28.

<sup>2</sup> Excludes \$505,000 credited to the operating expenses appropriation pursuant to Public Law 106–355 for funds received from the sale of lighthouses.

<sup>3</sup> Includes \$175,800,000 in emergency appropriations pursuant to section 520 of Public Law 109–295 and excludes \$30,000,000 in appropriations pursuant to Public Law 110–28.

<sup>4</sup> Includes rescissions of \$102,793,508 from amounts made available in Public Law 109–90.

<sup>5</sup> Includes a rescission of \$48,787,000 from amounts made available in Public Law 109–90.

<sup>6</sup> Includes rescissions of \$56,787,000 from amounts made available in Public Laws 109–90 and 109–295.

<sup>7</sup> Excludes \$30,000,000 in mandatory appropriation pursuant to Public Law 110–28.

The Coast Guard will pay an estimated \$272,111,000 in fiscal year 2008 to the Medicare-Eligible Retiree Health Care Fund for the costs of military, Medicare-eligible health benefits earned by its uniformed service members. The contribution is funded by permanent, indefinite discretionary authority pursuant to the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375).

OPERATING EXPENSES

Appropriations, 2007 <sup>1 2 3</sup> .....	\$5,477,657,000
Budget estimate, 2008 .....	5,894,295,000
Committee recommendation .....	5,930,545,000

<sup>1</sup> Excludes \$90,000,000 in emergency appropriations transferred to the Coast Guard pursuant to Public Law 109–289 and a rescission of \$25,595,532 pursuant to Public Law 110–28.

<sup>2</sup> Excludes \$505,000 credited to the operating expenses appropriation pursuant to Public Law 106–355 for funds received from the sale of lighthouses.

<sup>3</sup> Excludes \$30,000,000 appropriated to address the patrol boat operational gap pursuant to Public Law 110–28.

The Operating Expenses appropriation provides funds 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. The program activities of this appropriation fall into the following categories:

*Search and Rescue.*—As one of its earliest and most traditional missions, the Coast Guard maintains a nationwide system of boats, aircraft, cutters, and rescue coordination centers on 24-hour alert.

*Aids to Navigation.*—To help mariners determine their location and avoid accidents, the Coast Guard maintains a network of manned and unmanned aids to navigation along the Nation's coasts and on its inland waterways. In addition, the Coast Guard operates radio stations in the United States and abroad to serve the needs of the armed services and marine and air commerce.

*Marine Safety.*—The Coast Guard ensures compliance with Federal statutes and regulations designed to improve safety in the merchant marine industry and operates a recreational boating safety program.

*Marine Environmental Protection.*—The primary objectives of the marine environmental protection program are to minimize the dangers of marine pollution and to assure the safety of ports and waterways.

*Enforcement of Laws and Treaties.*—The Coast Guard is the principal maritime enforcement agency with regard to Federal laws on the navigable waters of the United States and the high seas, including fisheries, drug smuggling, illegal immigration, and hijacking of vessels.

*Ice Operations.*—In the Arctic and Antarctic, Coast Guard icebreakers escort supply ships, support research activities and Department of Defense operations, survey uncharted waters, and collect scientific data. The Coast Guard also assists commercial vessels through ice-covered waters.

*Defense Readiness.*—During peacetime, the Coast Guard maintains an effective state of military preparedness to operate as a service in the Navy in time of war or national emergency at the direction of the President. As such, the Coast Guard has primary responsibility for the security of ports, waterways, and navigable waters up to 200 miles offshore.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$5,930,545,000 for Coast Guard Operating Expenses, including \$24,500,000 from the Oil Spill Liability Trust Fund and \$340,000,000 for Coast Guard defense-related activities. The Committee recommends \$10,000 for official reception and representation expenses.

The recommended amount is \$36,250,000 above the request and \$452,888,000 above the fiscal year 2007 enacted level. The Committee denies the request to transfer a portion of the Bridge Administration program to the Department of Transportation's Maritime Administration. The Committee lacks jurisdiction to enact such a proposal. Therefore, an additional \$2,650,000 is recommended above the request to maintain this function within the Coast Guard.

The Committee recommendation includes \$12,000,000, as proposed in the budget, for the National Maritime Center consolidation.

The Committee encourages the Coast Guard to use up to \$3,600,000, subject to the approval of a prospectus, to begin planning and design of an expansion to the Coast Guard's Operations

Systems Center [OSC]. The OSC develops, fields, maintains, operates, and provides user support for Coast Guard enterprise information systems. The OSC continues to experience steady growth in both the number of systems being developed and the number of people required to support those systems. Currently, 500 government and contractor personnel work at the OSC. The existing main facility space has been at capacity for 3 years and it will not accommodate expected growth. The Coast Guard is in the process of putting employees in temporary trailers. Additional space on the existing facility will allow all employees to be located at the main campus and allow for anticipated growth. It is anticipated that the Coast Guard will work with the General Services Administration on this expansion.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

OPERATING EXPENSES

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1 2 3</sup>	Fiscal year 2008 budget request	Committee recommendations <sup>2</sup>
Military pay and related costs:			
Military pay and allowances .....	2,342,434	2,496,230	2,496,230
Military health care .....	337,324	348,960	348,960
Permanent change of stations .....	108,518	113,432	113,432
Subtotal, Military pay and related costs .....	2,788,276	2,958,622	2,958,622
Civilian pay and benefits .....	569,434	630,669	633,319
Training and recruiting:			
Training and education .....	83,556	85,593	85,593
Recruiting .....	97,320	100,955	100,955
Subtotal, Training and recruiting .....	180,876	186,548	186,548
Operating funds and unit level maintenance:			
Atlantic area command .....	188,982	199,242	199,242
Pacific area command .....	196,449	215,925	215,925
1st district .....	50,388	58,573	58,573
7th district .....	63,771	77,138	77,138
8th district .....	39,985	46,129	46,129
9th district .....	28,756	32,084	32,084
13th district .....	20,569	23,230	23,230
14th district .....	15,754	19,401	19,401
17th district .....	25,604	31,734	31,734
Headquarters offices .....	255,253	271,914	271,914
Headquarters managed units .....	125,104	131,153	131,153
Other activities .....	759	31,676	31,676
Subtotal, Operating funds and unit level maintenance ..	1,011,374	1,138,199	1,138,199
Centrally-managed accounts .....	201,968	226,215	229,815
Intermediate and depot level maintenance:			
Aircraft maintenance .....	265,979	295,950	295,950
Electronic maintenance .....	111,736	118,968	118,968
Ocean engineering and shore facility maintenance .....	176,394	171,317	171,317
Vessel maintenance .....	156,620	167,807	167,807
Subtotal, Intermediate and depot level maintenance .....	710,729	754,042	754,042

## OPERATING EXPENSES—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1,2,3</sup>	Fiscal year 2008 budget request	Committee recommendations <sup>2</sup>
Port Security Enhancements .....	15,000	.....	30,000
Total, Operating expenses .....	5,477,657	5,894,295	5,930,545

<sup>1</sup> Excludes \$90,000,000 in emergency appropriations transferred to the Coast Guard pursuant to Public Law 109-289 and a rescission of \$25,595,532 pursuant to Public Law 110-28.

<sup>2</sup> Excludes \$505,000 credited to the operating expenses appropriation pursuant to Public Law 106-355 for funds received from the sale of lighthouses.

<sup>3</sup> Excludes \$30,000,000 appropriated to address the patrol boat operational gap pursuant to Public Law 110-28.

## PORT SECURITY ENHANCEMENTS

The Committee recommendation includes \$15,000,000 for port security enhancements. Building on funds included in the fiscal year 2007 Homeland Security Appropriations Act (Public Law 109-295) and consistent with the Security and Accountability For Every Port Act of 2006 (Public Law 109-347) and the Maritime Transportation Security Act of 2002 [MTSA] (Public Law 107-295), this funding may be used to: double the frequency of spot checks at the 3,200 MTSA regulated facilities; conduct vulnerability assessments at high risk ports; conduct vulnerability studies; and develop a long-range automated vessel tracking system. Within 90 days after the date of enactment of this act, the Coast Guard shall provide an expenditure plan to the Committee for these funds.

## SECURITY OF DANGEROUS CARGOES

A key finding in a recent Government Accountability Office report revealed that the Coast Guard lacks necessary resources to meet requirements for protecting vessels and waterside facilities that contain hazardous substances. The report revealed that resource limitations include a shortage of boats and qualified personnel to carry out security requirements. The Coast Guard has warned that “water-borne improvised explosive devices could be used in a *Cole-* or *Limburg-*like attack against cruise ships, petroleum or chemical tankers, busy public waterfront areas, or maritime critical infrastructure.” Yet, the Coast Guard’s request does not include additional resources to increase its presence and response posture. Therefore, the Committee recommends an additional \$15,000,000 to enhance the Coast Guard’s ability to enforce security zones, protect critical infrastructure, and provide high interest vessel escorts and boardings, especially considering the growing demand for Liquefied Natural Gas carriers and ports. Funding may be used to purchase small boats and associated crew, hire marine inspectors, and conduct required training in support of the Coast Guard’s multi-mission responsibilities. The Coast Guard should consider the risk posed by all “Certain Dangerous Cargoes” when deciding how best to distribute this funding to ports. Within 90 days after the date of enactment of this act, the Coast Guard shall provide an expenditure plan to the Committee for these funds.

## ACQUISITION PERSONNEL

Consistent with the budget request and the need for both increased oversight and increased ability to manage multiple major acquisition projects, the Committee includes budget authority for Acquisition, Construction, and Improvements [AC&I] personnel compensation, benefits and related support within the "Operating Expenses" [OE] appropriation to address acquisition personnel shortfalls and ensure good stewardship of major systems acquisition, such as the Integrated Deepwater Systems Program. By transferring AC&I funding to the OE appropriation, personnel can be surged to and from AC&I projects where needed and provide the flexibility to match competencies to core requirements. The Committee is also aware of an effort by the Coast Guard to conduct an independent workforce assessment of current competencies and staffing levels, including the need for future staffing requirements. The Coast Guard is directed to brief the Committee on the results of this assessment no later than 45 days after the date of enactment of this act.

## LONG RANGE AIDS TO NAVIGATION-C

The Committee denies the request to terminate operations at Long Range Aids to Navigation loran-C stations nationwide and directs the Secretary to refrain from taking any steps to reduce operations at such stations. The Committee understands that a group composed of officials from the Departments of Homeland Security and Transportation, and other Federal agencies met earlier this year and unanimously agreed that the United States should maintain the loran system. Therefore, the Committee assumes the continuation of funding for the loran-C program until the requirements detailed in the joint explanatory statement of managers accompanying the fiscal year 2007 conference report (Report 109-699) have been met.

## COMMAND STRUCTURE REALIGNMENT

The Committee includes a base funding re-allocation to reflect the realignment of the Coast Guard's deployable, specialized units and teams under a single unified command. Under this unified command, deployable units, such as maritime safety and security teams, port security units, tactical law enforcement teams, national strike force teams, and the maritime security response team, will be better coordinated to fulfill existing maritime safety and security missions. The Committee notes that this reorganization is just 1 of 10 major realignment and transformation orders (i.e., Commandant Intent Action Orders) planned by the Coast Guard. No later than 90 days after the date of enactment of this act, the Commandant of the Coast Guard shall submit a report to the Committee describing and assessing each of the 10 orders. The report shall include, for each order: (1) details on the problem that the Coast Guard is attempting to remedy; (2) the projected impact on mission performance, including sector and field unit levels; (3) the impact on Coast Guard personnel; (4) an assessment of the cost of implementation, including the adequacy of resources currently available and the fiscal years when additional resources will be

needed; (5) an assessment of the Coast Guard's timeline for implementation; (6) legislative authority, if any, needed to implement each order; and (7) the potential impacts if some, but not all, of the 10 realignment action orders are implemented. No later than 120 days after the Coast Guard submits this report, the Government Accountability Office [GAO] shall submit a report to the Committee which assesses the Coast Guard's report. GAO shall review the data and analysis supporting the Coast Guard report and, where appropriate, the status of implementation.

#### POLAR ICEBREAKERS

The Committee expects all costs to operate the polar icebreakers for National Science Foundation [NSF] research, including unanticipated maintenance, will be reimbursed by NSF.

#### COAST GUARD YARD

The Committee recognizes the Coast Guard Yard at Curtis Bay, Maryland, is a critical component of the Coast Guard's core logistics capability which directly supports fleet readiness. The Committee further recognizes the Yard has been a vital part of the Coast Guard's readiness and infrastructure for more than 100 years and believes that sufficient industrial work should be assigned to the Yard to maintain this capability.

#### QUARTERLY ACQUISITION AND MISSION EMPHASIS REPORTS

The Commandant is directed to continue to submit the quarterly acquisition and mission emphasis reports to the Committee consistent with the deadlines articulated under section 360 of division I of Public Law 108-7.

#### BASE CLOSURES

No later than March 1, 2008, the Coast Guard shall brief the Committee on progress to address base realignment and closure impacts on Coast Guard facilities. The briefing shall include an analysis of operational and financial impacts on the Coast Guard and a timeline for required changes.

#### U.S. COAST GUARD ACADEMY PIER FOR USCGC EAGLE

The Coast Guard shall submit a report no later than February 5, 2008, to the Committee on the current condition and the future intentions with respect to repair/replacement of the pier used to winter-berth the USCGC *Eagle* at the U.S. Coast Guard Academy. The report shall address: (1) the current condition of the pier with respect to the weight bearing capacity, hotel services, and height with respect to the 100 year flood level; (2) available reasonable options for repair or replacement of the pier, along with necessary improvements to U.S. Coast Guard Academy facilities to accommodate the repair or replacement; and (3) the Coast Guard's intended timeline to conduct the necessary improvements to provide USCGC *Eagle* a safe and operationally adequate berthing facility.

## OCCUPATIONAL SAFETY AND HEALTH RISKS

The Committee encourages the Coast Guard to deploy a web-based management system that will provide powerful tools to the Coast Guard for managing and minimizing occupational safety risks to personnel and risks to readiness. The Committee notes funds for this purpose were authorized by section 104 of Public Law 109–241 for fiscal years 2006 and 2007; however, the Coast Guard did not request funding for the program.

## MARINE VESSEL AND COLD WATER SAFETY EDUCATION

The Committee encourages the Coast Guard to continue existing cooperative agreements and partnerships with organizations that provide marine vessel safety training and cold water immersion education and outreach programs for fishermen and children.

## TECHNOLOGICAL NEEDS ASSESSMENT

The Committee is concerned about the Coast Guard's capacity to respond to the U.S. Flag Territories and the Freely Associated States in the Pacific Ocean because of their remote and isolated locations. Therefore, the Commandant shall report to the Committee, no later than February 5, 2008, on the Coast Guard's current Maritime Domain Awareness capacity for the remote and western Pacific Ocean, including an assessment of additional remote sensing technology necessary to enhance this capacity.

## ENVIRONMENTAL COMPLIANCE AND RESTORATION

Appropriations, 2007 .....	\$10,880,000
Budget estimate, 2008 .....	12,079,000
Committee recommendation .....	12,079,000

The Environmental Compliance and Restoration account provides funds to address environmental problems at former and current Coast Guard units as required by applicable Federal, State, and local environmental laws and regulations. Planned expenditures for these funds include major upgrades to petroleum and regulated-substance storage tanks, restoration of contaminated ground water and soils, remediation efforts at hazardous substance disposal sites, and initial site surveys and actions necessary to bring Coast Guard shore facilities and vessels into compliance with environmental laws and regulations.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$12,079,000 for environmental compliance and restoration as proposed in the budget.

## RESERVE TRAINING

Appropriations, 2007 .....	\$122,448,000
Budget estimate, 2008 .....	126,883,000
Committee recommendation .....	126,883,000

The Reserve Training program provides trained units and qualified persons for active duty in the Coast Guard in time of war or national emergency, or at such other times as national security requires. Coast Guard reservists must also train for mobilization as-

signments unique to the Coast Guard in time of war, such as port security operations associated with the Coast Guard's Maritime Defense Zone mission, including deployable port security units.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$126,883,000, as proposed in the budget, for Reserve Training.

#### ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2007 <sup>1 2</sup> .....	\$1,306,145,000
Budget estimate, 2008 <sup>3</sup> .....	949,281,000
Committee recommendation <sup>4</sup> .....	991,281,000

<sup>1</sup>Includes \$175,800,000 in emergency appropriations pursuant to section 520 of Public Law 109-295 and excludes \$30,000,000 in appropriations pursuant to Public Law 110-28.

<sup>2</sup>Includes rescissions of \$102,793,508 from amounts made available in Public Law 109-90.

<sup>3</sup>Includes a rescission of \$48,787,000 from amounts made available in Public Law 109-90.

<sup>4</sup>Includes a rescission of \$48,787,000 from amounts made available in Public Law 109-90 and \$8,000,000 from amounts made available in Public Law 109-295.

Funding in this account supports Coast Guard plans for fleet expansion and improvement. This funding provides for the acquisition, construction, and improvement of vessels, aircraft, information management resources, shore facilities, and aids to navigation required to execute the Coast Guard's missions and achieve its performance goals.

*Vessels.*—The Coast Guard continues to acquire multi-mission platforms that use advanced technology to reduce life-cycle operating costs.

*Integrated Deepwater Systems (Deepwater).*—The Deepwater capability replacement project is a multi-year, performance-based acquisition that will replace or modernize the major Coast Guard cutters, offshore patrol boats, fixed wing aircraft, multi-missioned helicopters and the communications equipment, sensors, and logistics systems required to maintain and operate them.

*Other Equipment.*—The Coast Guard invests in numerous management information and decision support systems that will result in increased efficiencies, including Rescue 21, formerly the National Distress and Response System Modernization Project and the Automated Identification System.

*Shore Facilities.*—The Coast Guard invests in modern structures that are more energy-efficient, comply with regulatory codes, minimize follow-on maintenance requirements, and replace existing dilapidated structures.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$991,281,000 for acquisitions, construction, and improvements, including \$20,000,000 from the Oil Spill Liability Trust Fund. As requested in the budget, the Committee recommendation appropriates \$80,500,000 for personnel and related support to the "Operating Expenses" account instead of the "Acquisition, Construction, and Improvements" account.

The recommendation includes \$770,079,000 for the Integrated Deepwater Systems program, \$18,000,000 below the request and \$275,793,000 below the fiscal year 2007 level. Consistent with the request, the recommendation includes a rescission of \$48,787,000 from prior year balances for the Offshore Patrol Cutter. In addi-

tion, the Committee rescinds \$8,000,000 from prior year balances for the Fast Response Cutter-A, due to delays in the development of a composite hull. The Committee reduces \$5,000,000 from the request for the HC-130H conversion and sustainment program, and \$5,000,000 from the HH-60 conversion program, due to unobligated balances projected to be carried forward into fiscal year 2009. The Committee recommends: \$9,200,000 for the Response Boat—Medium; \$113,600,000 for major equipment programs, such as the Automatic Identification System, Rescue 21, and the National Capital Region Air Defense; and \$37,897,000 for shore facilities and aids to navigation. Further, the recommendation includes an additional \$60,000,000 for the establishment of interagency operational centers for port security, as authorized by the Security and Accountability For Every Port Act of 2006 (Public Law 109-347).

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations
<b>Vessels:</b>			
Response Boat—Medium .....	24,750	9,200	9,200
Special Purpose Craft—Law Enforcement .....	1,800	.....	.....
Subtotal, Vessels .....	26,550	9,200	9,200
<b>Aircraft: HH-60 replacement .....</b>			
	15,000	.....	.....
Subtotal, Aircraft .....	15,000	.....	.....
<b>Integrated Deepwater System:</b>			
<b>Aircraft:</b>			
Maritime Patrol Craft .....	148,116	170,016	170,016
Unmanned Aerial Vehicle .....	4,950	.....	.....
HH-60 conversion .....	49,302	57,300	52,300
HC-130H conversion/sustainment .....	48,955	18,900	13,900
HH-65 conversion/sustainment .....	32,373	50,800	50,800
Armed Helicopter equipment .....	55,740	24,600	24,600
HC-130J fleet introduction .....	4,950	5,800	5,800
Subtotal, Aircraft .....	344,386	327,416	317,416
<b>Surface:</b>			
National Security Cutter .....	417,780	165,700	165,700
Fast Response Cutter (FRC-A) .....	41,580	.....	.....
Replacement patrol boats (FRC-B) .....	126,693	53,600	53,600
Patrol boats sustainment .....	.....	40,500	40,500
IDS Small boats .....	1,188	2,700	2,700
Medium Endurance Cutter sustainment .....	45,318	34,500	34,500
<b>Rescissions:</b>			
Offshore Patrol Cutter .....	-20,000	-48,787	-48,787
Fast Response Cutter-A .....	-78,693	.....	-8,000
Subtotal, Surface .....	533,866	248,213	240,213
<b>Other:</b>			
Technology Obsolescence Prevention .....	.....	700	700
C4ISR .....	50,000	89,630	89,630
Logistics .....	36,000	36,500	36,500
Systems engineering and integration .....	35,145	35,145	35,145

## ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations
Government program management .....	46,475	50,475	50,475
Subtotal, Other .....	167,620	212,450	212,450
Subtotal, Integrated Deepwater System .....	1,045,872	788,079	770,079
Other Equipment:			
Nationwide Automatic Identification System .....	11,238	12,000	12,000
Rescue 21 .....	39,600	80,800	80,800
High Frequency [HF] Recapitalization .....	2,475	2,500	2,500
National Capital Region Air Defense .....	66,510	11,500	11,500
Defense Messaging System .....		5,000	5,000
Maritime Security Response Team Shore House .....		1,800	1,800
Rescission .....	-4,100		
Interagency Operational Centers .....			60,000
Subtotal, Other Equipment .....	115,723	113,600	173,600
Shore Facilities and Aids to Navigation .....	22,000		
Survey & design shore operational & support .....		1,337	1,337
Housing—Cordova, Alaska .....		7,380	7,380
Rebuild Station Marquette .....		6,000	6,000
Rescue Swimmer Training Facility .....		13,300	13,300
Rebuild Station and Waterfront at Base Galveston Phase I .....		5,200	5,200
Construct Duty Boating and Boat Maintenance at Station Washington .....		2,180	2,180
Waterways Aids to Navigation infrastructure .....		2,500	2,500
Subtotal, Shore Facilities and Aids to Navigation .....	22,000	37,897	37,897
Personnel and Related Support:			
Direct personnel costs .....	80,500	( <sup>2</sup> )	
AC&I core .....	500	505	505
Subtotal, Personnel and Related Support .....	81,000	505	505
Total, Acquisitions, Construction, and Improvements .....	1,306,145	949,281	991,281

<sup>1</sup> Includes \$175,800,000 in emergency appropriations pursuant to section 520 of Public Law 109-295 and excludes \$30,000,000 in appropriations pursuant to Public Law 110-28.

<sup>2</sup> Funding for personnel and related support is provided in the "Operating Expenses" account as requested.

## INTERAGENCY OPERATIONAL CENTERS

Maritime security depends upon unity of effort and rapid dissemination of information and intelligence. The Coast Guard has concluded that investment in information sharing capabilities, such as interagency operational centers, is critical to maritime security. Yet, only three such centers exist nationwide. According to the Coast Guard, "U.S. maritime authorities are still hampered . . . by many gaps in their awareness—in their access to, and ability to share, fuse, and analyze large amounts of information regarding maritime activities." Existing Coast Guard interagency operational centers in Charleston, South Carolina; San Diego, California; and Hampton Roads, Virginia; have demonstrated this through improved collection and coordination of intelligence, increased information sharing, and unity of effort among the participating Federal, State, and local agencies. The Security

and Accountability For Every Port Act of 2006 (Public Law 109–347) requires the Secretary to establish interagency operational centers for port security at all high-priority ports by October 2009. However, the administration’s request includes no funding for this purpose. Therefore, the Committee recommends \$60,000,000 for the establishment of interagency operational centers for port security at locations to be determined by the Coast Guard. Within 90 days after the date of enactment of this act, the Coast Guard shall submit to the Committee an expenditure plan for these funds. The expenditure plan shall include: cost and location for each center planned; the schedule for operational stand-up of the planned centers; the number and names of participating agencies envisioned for each center; the number of personnel at each center requiring security clearances; and procedures for coordinating roles and responsibilities among the various agencies.

#### ACQUISITION PERSONNEL

As noted previously under the “Operating Expenses” account in this report and consistent with the request, the Committee provides funding in the Coast Guard’s “Operating Expenses” appropriation for personnel compensation, benefits, and the related costs of personnel administration for projects funded by the “Acquisition, Construction, and Improvements” appropriation.

#### DEEPWATER ACQUISITION PROGRAM

The Committee includes a requirement for the Secretary to submit, within 60 days after the date of enactment of this act, an expenditure plan to the Committee for the Integrated Deepwater Systems Program, as specified in bill language.

The Committee directs the Government Accountability Office [GAO] to continue its oversight of the Integrated Deepwater Systems program. GAO’s review should focus on: (1) the expenditure plan requirements detailed in the bill; (2) the status of development and delivery of the major aviation and maritime assets of the program; and (3) the management and oversight of the program, specifically the Coast Guard’s transition to the role of lead systems integrator.

#### VERTICAL UNMANNED AERIAL VEHICLE

The Committee is concerned that no funding is requested for the vertical unmanned aerial vehicle [VUAV] in the President’s fiscal year 2008 budget request for the Coast Guard. The VUAV is intended to be an integral part of the enhanced capability provided by the National Security Cutter [NSC], the first of which is scheduled to be commissioned in fiscal year 2008. Launching from the NSC, the VUAV will greatly expand the surveillance coverage for the cutter.

#### RESCUE 21

The Committee recommendation includes \$80,800,000, as proposed in the budget, for Rescue 21. The Committee continues a requirement for the Coast Guard to continue briefings on a quarterly

basis as detailed in the joint explanatory statement accompanying the fiscal year 2007 conference report (Report 109–699).

#### CAPITAL INVESTMENT PLAN

The Committee expects the Coast Guard to continue to submit a comprehensive capital investment plan each year at the time the President's budget is submitted to the Congress.

The Committee directs the Commandant to provide to the Congress, at the time of the President's budget submission, a list of approved but unfunded Coast Guard priorities and the funds needed for each.

#### ALTERATION OF BRIDGES

Appropriations, 2007 .....	\$16,000,000
Budget estimate, 2008 .....	( <sup>1</sup> )
Committee recommendation .....	16,000,000

<sup>1</sup>The administration proposed transferring authority for removal or alterations of obstructionary bridges to the Maritime Administration.

Under the provisions of the Truman-Hobbs Act of June 21, 1940 (33 U.S.C. 511 et seq.), the Coast Guard, as the Federal Government's agent, is required to share with owners the cost of altering railroad and publicly-owned highway bridges which obstruct the free movement of navigation on navigable waters of the United States in accordance with the formula established in 33 U.S.C. 516. Alteration of obstructive highway bridges is eligible for funding from the Federal-Aid Highways program.

#### COMMITTEE RECOMMENDATIONS

The Committee provides \$16,000,000 for the alteration of bridges.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

#### ALTERATION OF BRIDGES

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee recommenda- tions	Requested by:
Elgin, Joliet, and Eastern Railway Company Bridge in Morris, Illinois .....	1,000	.....	2,000	Durbin
Fourteen Mile CSX Bridge in Mobile, Alabama .....	7,000	.....	4,000	Shelby
Burlington Northern Santa Fe Railroad Bridge in Burlington, Iowa .....	1,000	.....	2,000	Harkin
Chelsea Street Bridge in Chelsea, Massachusetts .....	3,000	.....	2,000	Kennedy/Kerry
Canadian Pacific Railway Bridge in LaCrosse, Wisconsin .....	2,000	.....	2,000	Kohl
Galveston Causeway Bridge in Galveston, Texas .....	2,000	.....	4,000	Hutchison
Total .....	16,000	.....	16,000	

#### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Appropriations, 2007 .....	\$17,000,000
Budget estimate, 2008 .....	17,583,000
Committee recommendation .....	25,583,000

The Coast Guard's Research and Development program develops techniques, methods, hardware, and systems that directly con-

tribute to increasing the productivity and effectiveness of the Coast Guard's operating missions. This account provides funds to operate and maintain the Coast Guard Research and Development Center.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$25,583,000 for the Coast Guard's research, development, test, and evaluation activities, \$8,000,000 above the request.

The President's budget proposes funding for Science and Technology (S&T) to support composite hull technology research. This is intended to be a joint financial venture between S&T, the Coast Guard, and industry. Within the funds appropriated for fiscal year 2008 for Coast Guard research, development, test, and evaluation activities, the Committee recommends an additional \$8,000,000 be made available specifically for the Coast Guard's contribution to this effort.

#### RETIRED PAY

Appropriations, 2007 <sup>1</sup> .....	\$1,063,323,000
Budget estimate, 2008 .....	1,184,720,000
Committee recommendation .....	1,184,720,000

<sup>1</sup> Excludes \$30,000,000 in mandatory appropriations pursuant to Public Law 110-28.

This account provides for the retired pay of military personnel of the Coast Guard and Coast Guard Reserve, members of the former Lighthouse Service, and for annuities payable to beneficiaries of retired military personnel under the retired serviceman's family protection plan (10 U.S.C. 1431-1446) and survivor benefit plan (10 U.S.C. 1447-1455); payments for career status bonuses under the National Defense Authorization Act; and payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C., ch. 55).

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,184,720,000, as proposed in the budget, for retired pay. The Committee includes new bill language making the funds available until expended. The Committee is concerned about inaccurate estimates for this mandatory program. As directed in Public Law 110-28, the Coast Guard shall continue to submit quarterly reports on the use of unobligated balances made available by that act, as well as updated estimates for fiscal year 2008.

#### UNITED STATES SECRET SERVICE

##### SALARIES AND EXPENSES

Appropriations, 2007 .....	\$1,272,933,000
Budget estimate, 2008 .....	1,395,271,000
Committee recommendation .....	1,392,171,000

<sup>1</sup> Excludes a rescission of \$450,000 pursuant to Public Law 110-28.

The United States Secret Service's salaries and expenses appropriation provides funds for the security of the President, the Vice President, and other dignitaries and designated individuals; for enforcement of laws relating to obligations and securities of the

United States and laws relating to financial crimes; and for protection of the White House and other buildings within the Washington, DC, metropolitan area.

COMMITTEE RECOMMENDATIONS

The Committee recommends a new appropriation structure for the United States Secret Service, combining funds previously appropriated in “Protection, Administration, and Training” and “Investigations and Field Operations,” into a single account: “Salaries and Expenses”.

The Committee recommends \$1,392,171,000 for Salaries and Expenses. The Committee recommendation includes an increase of \$119,238,000 from the comparable fiscal year 2007 level and a decrease of \$3,100,000 from the level proposed in the budget.

The Committee continues to be concerned with the Secret Service’s budget planning. In the past, the Secret Service has repeatedly sought additional funds for protection without fully considering reprogramming funds from other programs. With long-term projected budget shortfalls and a tight fiscal environment, the Secret Service needs to prioritize its responsibilities and allocate sufficient resources for its required missions. The Committee anticipates the Secret Service will encounter unforeseen expenses due to the presidential election in 2008 and urges the Secret Service to consider potential offsets within its budget for reprogramming should they be needed.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2007 and budget request levels:

UNITED STATES SECRET SERVICE SALARIES AND EXPENSES FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2007 <sup>1</sup>	2008 budget re- quest	Committee rec- ommendations
Headquarters, management, and administration .....	169,370	175,934	175,934
Protection:			
Protection of persons and facilities .....	651,247	696,635	693,535
Protective intelligence activities .....	55,509	57,704	57,704
National Special Security Events .....	1,000	1,000	1,000
Presidential Candidate Nominee Protection .....	18,400	85,250	85,250
White House mail screening .....	16,201	26,601	26,601
Total, Protection .....	742,357	867,190	864,090
Investigations:			
Domestic field operations .....	236,093	219,742	219,742
International field office, administration, operations, and training .....	22,616	27,520	27,520
Electronic crimes special agent program and electronic crimes task forces .....	44,079	44,565	44,565
Support for missing and exploited children .....	8,366	8,366	8,366
Total, Investigations .....	311,154	300,193	300,193
Training: Rowley training center .....	50,052	51,954	51,954
Total, Salaries and Expenses .....	1,272,933	1,395,271	1,392,171

<sup>1</sup> Excludes a rescission of \$450,000 pursuant to Public Law 110-28.

## PROTECTION OF PERSONS AND FACILITIES

The recommendation includes \$693,535,000, \$3,100,000 less than the level proposed in the budget; \$175,934,000 for Headquarters Administration; and \$85,250,000, as proposed in the budget, for candidate nominee protection for the 2008 presidential election.

## FINANCING GROWING LIST OF PROTECTEES

The United States Secret Service is authorized under section 3056(a) of title 18, United States Code, to protect a number of individuals, principally the President and his family. However, it came to the attention of the Congress last year that the Secret Service now protects several individuals not designated by section 3056(a) of title 18, United States Code. A general provision was included in the fiscal year 2007 appropriations act (section 517, Public Law 109–295) stating that beginning in fiscal year 2008 none of the funds appropriated to the Secret Service were to be used for this purpose, without reimbursement. The Committee is dismayed that the administration again proposed to fund protection of these individuals within the Secret Service’s resources. A provision has been included in the bill requiring the Secret Service to be reimbursed for protecting Federal officials not covered under section 3056(a) and the requested \$3,100,000 has not been included in the Committee’s recommendation. The Committee directs the Secret Service to seek reimbursement from the host agency of any Federal official it protects that is not covered by section 3056(a) of title 18, United States Code.

## WHITE HOUSE MAIL FACILITY

This year, the White House will spend \$16,200,000 for its mail screening activities. Given that it receives 1.2 million pieces of mail each year, the White House spends an average of \$13.50 per item. The budget proposes an increase of \$10,400,000 in fiscal year 2008 for new mail handling equipment for the facility it intends to open in the beginning of fiscal year 2010. The Committee recognizes the need to assure each item sent to the President must not contain deadly chemicals or pathogens and supports the request; however, the Committee believes that there may be more cost-effective means of carrying out this task. The Committee directs the Secret Service to explore what efficiencies can be achieved by consolidating mail security functions with other governmental agencies and to report to the Committee on its findings before obligating any of these funds.

## MISSION COORDINATION

The Committee applauds the work the Secret Service carries out every day to protect our Nation’s leaders and foreign visitors and assure the integrity of our currency. Over the years, the Secret Service has expanded its mission into other worthy law enforcement venues, such as electronic crimes, cyber forensics, and protecting non-section 3056(a) of title 18, United States Code protectees. The Committee directs the Secret Service to clearly articulate how its role compliments and is coordinated with the mis-

sions of other Federal agencies rather than to compete with them in its fiscal year 2009 budget justification.

MISSING AND EXPLOITED CHILDREN

As requested by the President, the Committee provides \$2,366,000 for the Secret Service's forensic support costs, and provides \$6,000,000, to remain available until expended, for activities related to investigations of exploited children.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriations, 2007 .....	\$3,725,000
Budget estimate, 2008 .....	3,725,000
Committee recommendation .....	3,725,000

This appropriation provides funding for security upgrades of existing facilities; to continue development of the current Master Plan; to maintain and renovate existing facilities, including the James J. Rowley Training Center [Center]; and to ensure efficient and full utilization of the Center.

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$3,725,000, as proposed in the budget, for acquisition, construction, repair, and improvement expenses of the Secret Service for fiscal year 2008.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

The Post-Katrina Reform Act of 2006, title VI of the fiscal year 2007 Homeland Security Appropriations Act (Public Law 109–295), reorganized the Federal Emergency Management Agency [FEMA], the Preparedness Directorate, and part of Science and Technology. The act created the Office of Health Affairs [OHA]—which contains the medical and biodefense activities of the former Preparedness Directorate and Science and Technology. FEMA is reorganized to contain legacy FEMA and the preparedness related activities, including State and local grants. The Department also exercised its authority under section 872 of the Homeland Security Act of 2002 (Public Law 107–296) to create the National Protection and Programs Directorate [NPPD], which contains the infrastructure related activities of the former Preparedness Directorate, communications activities from Science and Technology, and the United States Visitor and Immigrant Status Indicator Technology program. The new structure is reflected in the fiscal year 2008 President’s budget request and the Committee recommendations. Further descriptions of each component are provided in summaries that follow.

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

The National Protection and Programs Directorate aims to foster better integration of national approaches between strategic homeland security programs, facilitate infrastructure protection, ensure broad emergency communications capabilities, integrated risk management, and identity safeguards for visitors to this country.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2007 and budget request levels:

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

[In thousands of dollars]

	Fiscal year 2007 <sup>1</sup>	2008 budget request	Committee recommendations
Management and Administration .....	37,812	46,290	30,000
Infrastructure Protection and Information Security .....	<sup>2</sup> 533,995	538,277	527,099
Management and Administration .....	<sup>3</sup> 54,580	.....	.....
Infrastructure Protection .....	227,143	240,116	252,110
Cyber security .....	92,000	97,688	92,000
Office of Emergency Communications .....	17,000	35,700	45,915
National Security Emergency Preparedness Telecoms .....	143,272	164,773	137,074
US VISIT .....	362,494	462,000	362,000
<b>Total National Protection and Programs Directorate .....</b>	<b>934,301</b>	<b>1,046,567</b>	<b>919,099</b>

<sup>1</sup> Reflects transfer of resources pursuant to the reorganization notification of January 18, 2007.

<sup>2</sup> Excludes \$24,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>3</sup> Excludes a rescission of \$968,211 pursuant to Public Law 110–28.

## MANAGEMENT AND ADMINISTRATION

Appropriations, 2007 <sup>1</sup> .....	\$37,812,000
Budget estimate, 2008 .....	46,290,000
Committee Recommendation .....	30,000,000

<sup>1</sup> Reflects transfer of resources pursuant to the fiscal year 2007 reorganization.

This account funds salaries and expenses for the Office of the Under Secretary, which oversees all activities of the National Protection and Programs Directorate [NPPD]. This account also funds business operations and information technology support services, and facility expenses.

## USE OF FUNDS

The Committee is dismayed by ongoing discoveries of how the Preparedness Directorate, and now the National Protection and Programs Directorate [NPPD], have used appropriated funds. Funds for programs are requested of Congress by the administration. Congress receives and reviews information provided by the administration to justify appropriations, then decides what programs to fund and what programs not to fund. However, Congress recognizes some flexibility is needed in the appropriations law to better serve the public and has provided reprogramming authority in this and prior acts.

The former Preparedness Directorate and now NPPD have disregarded this process. The budget submission is incomprehensible, information is unattainable, budgeted numbers are suspect, authorities used to execute certain activities are unclear, and through it all, there has been a series of discoveries of funds being used for purposes other than those for which they were appropriated.

Despite specific direction from the Committees on Appropriations in Conference Report 109–699 for Infrastructure Protection and Information Security [IPIS] to align its request with operational divisions and programs, nearly the entire appropriation has been folded into a single program, project, and activity line within the request. Obfuscation rather than elucidation appears to be the goal of the justification and program structure. Therefore, the Committee recommends \$30,000,000 for Management and Administration, a reduction of \$16,290,000 from the request. Further, the Committee includes bill language withholding \$15,000,000 from obligation for Management and Administration until the Committee on Appropriations receives and approves an expenditure plan for all NPPD accounts that has been reviewed by the Government Accountability Office [GAO].

The Committee directs GAO to expand its investigation of Preparedness “shared services” that drew heavily upon IPIS resources in fiscal year 2006 to look at other potential misuse of funds, including funds redirected to the United States Secret Service to establish a cyber-crime center and use of funds to expand the work for chemical site security activities. The Committee has no prejudice toward these activities so much as the Directorate’s means of securing the resources from other activities. GAO should also provide an assessment of legal opinions the Directorate has received as part of its justification for use of funds and initiating activities.

The Committee understands that the constant reorganizations at IPIS have contributed to the difficulties of the financial managers.

A general provision has been included prohibiting the use of funds for reorganizations in fiscal year 2008 so that agencies, such as NPPD, can gain their bearings. The Committee urges the Department to work with the President to name a new Under Secretary for NPPD as quickly as possible to provide the leadership this directorate so desperately needs. Also, the Department should work to fill NPPD's budget office vacancies expeditiously with skilled staff. Without new direction from the top and robust control of resources, this directorate and the many fine individuals who work within it will never succeed in their vital mission. Finally, the Committee expects the fiscal year 2009 request to be timely, readable, and useful.

#### GENERAL REDUCTION

The Committee recommends a general reduction of 5 percent across NPPD accounts, unless otherwise noted, due to poor justification of programs and concern that the funds are not being executed properly.

#### INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

Appropriations, 2007 <sup>1 2 3</sup> .....	\$533,995,000
Budget estimate, 2008 .....	538,277,000
Committee recommendation .....	527,099,000

<sup>1</sup> Reflects transfer of resources pursuant to the reorganization notification of January 18, 2007.

<sup>2</sup> Excludes \$24,000,000 of emergency appropriations for enforcement of chemical security standards and interoperability technical assistance pursuant to Public Law 110-28.

<sup>3</sup> Excludes a rescission of \$968,211 pursuant to Public Law 110-28.

Infrastructure Protection and Information Security [IPIS] assists the entities and people responsible for securing the Nation's critical infrastructure assets. In addition, IPIS works collaboratively with public, private, and international entities to secure cyberspace and U.S. cyber assets, and reduce the vulnerability of the Nation's telecommunications and information technology infrastructures.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of \$527,099,000 for Infrastructure Protection and Information Security [IPIS] programs.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

#### INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1 2</sup>	Fiscal year 2008 budget request	Committee recommendations
Management and Administration .....	<sup>3</sup> 54,580	.....	.....
Infrastructure Protection .....	227,143	240,116	252,110
Identification and Analysis .....	69,064	68,970	74,522
Coordination and Information Sharing .....	80,772	57,821	54,930
Mitigation Programs .....	74,991	108,793	118,353
Risk Analysis .....	2,316	4,532	4,305
Cyber Security .....	92,000	97,688	92,000
Office of Emergency Communications .....	17,000	35,700	45,915
National Security Emergency Preparedness Telecoms .....	143,272	164,773	137,074
Priority Telecoms .....	105,568	82,821	78,680
Next Generation Networks .....	14,080	52,064	30,000

## INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1 2</sup>	Fiscal year 2008 budget request	Committee recommendations
Programs to Study and Enhance Telecoms .....	14,125	16,733	15,896
Critical Infrastructure Protection .....	8,341	10,905	10,360
Risk Analysis .....	1,158	2,250	2,138
Total, Infrastructure Protection and Information Security .....	533,995	538,277	527,099

<sup>1</sup> Reflects transfer of resources pursuant to the reorganization notification of January 18, 2007.<sup>2</sup> Excludes \$24,000,000 of emergency appropriations for enforcement of chemical security standards and interoperability technical assistance pursuant to Public Law 110–28.<sup>3</sup> Excludes a rescission of \$968,211 pursuant to Public Law 110–28.

## CHEMICAL SITE SECURITY

The Committee recommends \$40,000,000, an increase of \$15,000,000 from the budget request, for chemical site security programs. For years, the administration was slow to embrace the need to set standards of security for chemical facilities. In the fiscal year 2007 Department of Homeland Security Appropriations Act, Congress mandated such standards. The Committee compliments the Department for its expeditious development and release of chemical site security regulations, which will greatly aid the Nation in its efforts to prevent its chemical facilities from being used as weapons of mass destruction. Unfortunately, the requested resources for implementation of this rule will not be sufficient to initiate a robust program and have been increased accordingly. Clarification of congressional intent regarding preemption of State regulations is discussed in the general provisions section of this report.

## NATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER

The Committee recommends \$25,000,000, an increase of \$8,979,000 from the budget request, for the National Infrastructure Simulation and Analysis Center [NISAC]. The Committee expects Sandia and Los Alamos National Laboratories, located in New Mexico, to continue to develop NISAC and to be the lead entities in this initiative to secure the Nation's critical infrastructure (Requested by: Domenici).

## BOMBING PREVENTION

The Committee recommends \$6,143,000 for the Office for Bombing Prevention, as requested in the budget. The Committee believes that terrorists may export the bombing tactics they have developed in Iraq and around the world to the United States. The time to plan for and work toward preventing these attacks is now. The administration has quietly released Homeland Security Presidential Directive-19, aimed to establish and develop a national strategy and implementation plan on the prevention and detection of, protection against, and response to terrorist use of explosives in the United States. Given these facts, the Committee is surprised and disappointed that the Department has disregarded its direction to develop and submit to the Committee by February 8, 2007, a national strategy for bombing prevention (Senate Report 109–273). The Committee directs the Department to submit this report as soon as possible.

In addition, the Committee directs the Office for Bombing Prevention, within 180 days of the date of enactment of this act, to report to the Committee on the bombing prevention capabilities of all State and local bomb squads, SWAT, public safety dive teams, and explosives detection canine teams. Up to \$100,000 is provided for this purpose.

#### SUBTERRANEAN INFRASTRUCTURE

The Committee encourages the Department to make progress with regards to securing America's critical subterranean infrastructure. Much of what allows this Nation to operate goes unnoticed below ground, in the network of tunnels hidden below our streets, buildings, and parks. The pipes, wires, cables, and other infrastructure that run through these tunnels appear to rely on simple manhole covers for protection. The Committee encourages the Department to explore ways to secure this infrastructure.

#### NATIONAL INFRASTRUCTURE INSTITUTE

The Committee is aware of ongoing activities at the National Infrastructure Institute, which continues to develop and apply best practices, creative ideas, and cost effective solutions that will resolve many of the complex issues facing the Nation since 9/11. The Committee encourages the National Protection and Programs Directorate to continue support to this organization.

#### INTEROPERABLE COMMUNICATIONS

Between fiscal years 2004 and 2006, DHS awarded over \$2,700,000,000 in grants to support interoperable communications expenditures through discretionary and formula grant programs. In addition, the Department of Commerce, in partnership with DHS, will award \$958,900,000 by the end of fiscal year 2007 to acquire, deploy, and train on interoperable communications systems through the Public Safety Interoperable Communications Grant Program. The Committee is concerned that strategic planning has generally not been used to guide investments and no national plan is in place to coordinate investments across States. In its own baseline assessment and scorecard efforts, DHS has found that interoperable communications equipment is only as effective as the governance structure, planning, operating procedures, and training programs within which it is used. The Department should work expeditiously in these areas to ensure that Federal investments are maximized.

The Committee provides \$24,000,000 for Interoperable Communications Integration and Technical Assistance Services, an increase of \$12,000,000 from the budget request. The Committee recognizes that one of the most important roles NPPD may play is to provide technical assistance to State and local entities working toward emergency communications interoperability.

#### WIRELESS PRIORITY SERVICE/NEXT GENERATION NETWORK

The Committee notes the administration is seeking to nearly quadruple the resources going toward the Next Generation Networks in fiscal year 2008. The program growth is not well justified

and the Committee recommends \$30,000,000 for a reduced, but still substantial, expansion of this program.

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR  
TECHNOLOGY

Appropriations, 2007 .....	\$362,494,000
Budget estimate, 2008 .....	462,000,000
Committee recommendation .....	362,000,000

The United States Visitor and Immigrant Status Indicator Technology [US VISIT] account funds the development of a system to collect, maintain, and share appropriate information through an integrated information technology system, which determines the eligibility of aliens for admissions and benefits.

The US VISIT program office has lead responsibility within the Department of Homeland Security to work with the Federal Bureau of Investigation [FBI] on the further integration of the Automated Biometric Identification System [IDENT] and the FBI's Integrated Automated Fingerprint Identification System [IAFIS].

COMMITTEE RECOMMENDATIONS

The Committee recommends \$362,000,000, to remain available until expended, for the United States Visitor and Immigrant Status Indicator Technology [US VISIT].

UNIQUE IDENTITY (FORMERLY IDENT/IAFIS INTEGRATION AND 10-PRINT  
TRANSITION)

Since the creation of the Department, this Committee has strongly supported and encouraged real-time interoperability between the IDENT and IAFIS biometric databases and transition to capturing 10 fingerprints of all visitors. The Committee is pleased that significant and aggressive progress has been made on both of these fronts and has provided full funding of \$228,000,000 for Unique Identity, including the proposed enhancements, as requested in the budget. The Committee directs the US VISIT program office to continue aggressively pursuing this issue and to continue providing quarterly briefings on progress being made on Unique Identity.

US VISIT—DEPARTMENTAL DITHERING ON “EXIT”

The US VISIT program office has made significant progress in standing up and operating an “entry” capability at all ports of entry on time and without major interruptions in legitimate travel, as well as major movement in developing Unique Identity. However, the Committee is deeply disappointed that the Department has achieved no tangible progress on instituting an “exit” capacity in over 4 years. In May 2007, the Department ceased operating the severely limited “exit” pilots that had been running at select airports and seaports, with the promise that the airlines would be brought into the “exit” process. However, the Department has lost all credibility in this area and the Committee is skeptical that this approach will be followed through with any more commitment than has been shown to an “exit” capability so far. In the meantime, the Department has no clear idea of who is exiting the country.

It appears as though the senior leadership at the Department, especially the Deputy Secretary, is closing its eyes to the need, and legal requirements in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458), and other laws, for an “exit” capability at all ports of entry and wishing it would just go away. Absent a functioning “exit” system, there will never be true control of our borders. We will not know whether people have overstayed their time-limited visas, thus overstaying their welcome in our country. And limited law enforcement resources will continue to be expended to track down people who may already have self-deported, only we did not know it because we lacked the knowledge provided by “exit”.

Congress has appropriated over \$1,700,000,000 to US VISIT since fiscal year 2003. It has also approved all reprogramming requests. Oddly, however, it seems as though the Department does not want to spend the funds it has requested. For instance, because of the complexity of developing a major information technology program such as US VISIT, the Congress has required the submission of expenditure plans, which are reviewed both by the Office of Management and Budget as well as the independent Government Accountability Office.

The fiscal year 2006 US VISIT funds were made available in October 2005, yet the expenditure plan was not submitted to the Committee until August 2006, 11 months into the fiscal year. Similarly, the fiscal year 2007 expenditure plan was not submitted until March 20, 2007, 6 months into the fiscal year. And that plan does not meet two legislative requirements mandated in the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295), in that it does not include a comprehensive strategic plan for US VISIT nor a complete schedule for the full implementation of a biometric exit program. This Committee wants a comprehensive US VISIT program to be a success. Congress can legislate, mandate, cajole, and complain, but, to date, it has been to no avail. Therefore, given the Department’s lack of commitment to the program, and the program’s large unobligated balances, the Committee provides \$100,000,000 less than requested in the budget for US VISIT.

EXPENDITURE PLAN

The Committee includes bill language making \$100,000,000 available for obligation upon approval of a comprehensive plan from the Secretary of Homeland Security for the US VISIT program.

OFFICE OF HEALTH AFFAIRS

Appropriations, 2007 <sup>1 2</sup> .....	\$99,298,000
Budget estimate, 2008 .....	117,933,000
Committee recommendation .....	115,000,000

<sup>1</sup> Reflects transfer of resources pursuant to the reorganization notification of January 18, 2007.  
<sup>2</sup> Excludes \$8,000,000 in emergency appropriations pursuant to Public Law 110-28.

SUMMARY

The Office of Health Affairs, headed by the Chief Medical Officer who also serves as the Assistant Secretary for Health Affairs, leads

the Department on medical issues related to natural and man-made disasters; serves as the principal advisor to the Secretary on medical and public health issues; coordinates biodefense activities within the Department; and serves as the Department's primary contact with other Departments and State, local, and tribal governments on medical and public health issues.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

OFFICE OF HEALTH AFFAIRS

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee recommendations
Chief Medical Officer .....	4,980	.....	.....
Biowatch .....	78,120	79,108	79,108
National Biosurveillance Integration System .....	8,000	8,000	8,000
Rapidly Deployable Chemical Detection System .....	2,600	2,600	2,600
Planning and Coordination .....	.....	4,475	4,475
Salaries and Expenses .....	5,598	23,750	20,817
Total, Office of Health Affairs .....	99,298	117,933	115,000

SALARIES AND EXPENSES

The Committee recommends \$20,817,000 for salaries and expenses, a reduction of \$2,933,000 from the budget request. The Committee recognizes the Office of Health Affairs will quickly expand to manage its new responsibilities; however, the tripling of salaries and expenses in one fiscal year appears unwarranted and the request has been reduced accordingly.

BIOSHIELD

The Committee recognizes DHS is the lead Department responsible for protecting the homeland, though other Federal departments and agencies have certain direct responsibilities where their expertise may make them better suited to lead. However, the Committee believes DHS continues to have an overarching responsibility to assure these other departments are performing their duties to protect the homeland. Specifically, the Department of Health and Human Services [HHS] has struggled with implementation of the BioShield program, perhaps to the point of discouraging companies from participating in the program and depriving our citizens of potentially vital medications in time of crisis. The Committee repeatedly alerted DHS of concerns it had about the BioShield program and asked for action, only to be referred to HHS. The Committee directs DHS to use its full range of authorities to promote and assist other departments should they not be able to fully perform their homeland responsibilities and to bring any deficiencies to the attention of Congress.

BIOWATCH

The Committee is encouraged by the consolidation of biological detection efforts under the new Office of Health Affairs [OHA]. Early detection of pathogens, before they have infected and taken hold within people is critical to curbing any potentially catastrophic

biological attack. The current generation of biological detection systems is both slow to alert and costly to operate. The Committee directs OHA to work closely with Science and Technology to expedite the deployment of BioWatch 3.

#### HOMELAND SECURITY PRESIDENTIAL DIRECTIVE-9

The recent events of accidentally tainted food imports from China, poisoning animals and people in this country, highlight the potential dangers of terrorists intentionally tampering with food and water supplies.

According to the budget justification, the Office of Health Affairs [OHA] “leads the Department’s efforts to implement the administration’s implementation plan items found in Homeland Security Presidential Directive-9 [HSPD-9]”. Given that only \$800,000 and two full-time equivalents were requested to implement HSPD-9 responsibilities, the Committee expects the Department to leverage these resources with other activities to carry out its mission fully. The Committee urges continued cooperation between the Departments of Homeland Security, Agriculture, and Health and Human Services, and multi-state initiatives on joint preparedness and planning. The Committee requests that OHA provide a briefing before October 1, 2007, on the status of these efforts.

#### FEDERAL EMERGENCY MANAGEMENT AGENCY

##### MISSION

The primary mission of the Federal Emergency Management Agency [FEMA] is to reduce the loss of life and property and protect the Nation from all hazards, including natural disasters, acts of terrorism, and other man-made disasters, by leading and supporting the Nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.

##### COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$6,925,770,000 for activities of FEMA for fiscal year 2008.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2007 and budget request levels:

#### FEDERAL EMERGENCY MANAGEMENT AGENCY

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee rec- ommendations
Management and Administration <sup>1</sup> .....	<sup>2</sup> 535,200	667,600	678,600
State and Local Programs <sup>3</sup> .....	<sup>4</sup> 2,524,500	<sup>5</sup> 1,696,000	3,030,500
Firefighters Assistance Grants .....	662,000	300,000	700,000
Emergency Management Performance Grants .....	<sup>6</sup> 200,000	200,000	300,000
Radiological Emergency Preparedness Program .....	- 477	- 505	- 505
United States Fire Administration .....	41,349	43,300	43,300
Public Health Programs .....	33,885	( <sup>7</sup> )	( <sup>7</sup> )
Disaster Relief Fund .....	<sup>8</sup> 1,500,000	1,700,000	1,700,000
Disaster Assistance Direct Loan Program Account .....	<sup>9</sup> 569	875	875
Flood Map Modernization Fund .....	198,980	194,881	200,000
National Flood Insurance Fund .....	(128,588)	(145,000)	(145,000)

## FEDERAL EMERGENCY MANAGEMENT AGENCY—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee rec- ommendations
National Flood Mitigation Fund .....	(31,000)	(34,000)	(34,000)
National Pre-disaster Mitigation Fund .....	100,000	100,053	120,000
Emergency Food and Shelter .....	151,470	140,000	153,000
<b>Total .....</b>	<b>5,947,476</b>	<b>5,042,204</b>	<b>6,925,770</b>

<sup>1</sup> Reflects new account structure pursuant to the fiscal year 2007 reorganization and Public Law 110–28, which combines the former FEMA accounts of Administrative and Regional Offices with Readiness, Mitigation, Response, and Recovery and includes the Office of National Capital Region Coordination and Urban Search and Rescue Teams.

<sup>2</sup> Excludes \$14,000,000 in emergency appropriations pursuant to Public Law 110–28 and a rescission of \$450,000 pursuant to Public Law 110–28.

<sup>3</sup> Reflects new account structure pursuant to title VI of Public Law 109–295 and the reorganization notification of January 18, 2007.

<sup>4</sup> Excludes \$247,000,000 in emergency appropriations pursuant to Public Law 110–28. Reflects a transfer of \$12,000,000 to the National Protection and Programs Directorate for Technical Assistance and transfer of \$5,500,000 from United States Fire Academy for Noble Training Center pursuant to the fiscal year 2007 reorganization.

<sup>5</sup> Budget proposal for \$200,000,000 for Emergency Management Performance Grants is reflected under Emergency Management Performance Grants account.

<sup>6</sup> Excludes \$50,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>7</sup> Program transferred to Department of Health and Human Services pursuant to Public Law 109–295.

<sup>8</sup> Excludes \$4,260,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>9</sup> Excludes \$320,000,000 in emergency appropriations pursuant to Public Law 110–28.

## REORGANIZATION

In fiscal year 2007, Congress approved a reorganization within the Department (Public Law 109–295, title VI), effective April 1, 2007, which expanded FEMA. The Committee's recommendations reflect the fiscal structure of that reorganization. The Committee concurs that combining preparedness, mitigation, protection, response, and recovery into one agency will further the Nation's readiness.

MANAGEMENT AND ADMINISTRATION <sup>1</sup>

Appropriations, 2007 <sup>2</sup> .....	\$535,200,000
Budget estimate, 2008 .....	667,600,000
Committee recommendation .....	678,600,000

<sup>1</sup> Reflects new account structure pursuant to title VI of Public Law 109–295, the reorganization notification of January 18, 2007, and Public Law 110–28.

<sup>2</sup> Excludes \$14,000,000 in emergency appropriations pursuant to Public Law 110–28 and a rescission of \$450,000 pursuant to Public Law 110–28.

Funding for Management and Administration [M&A] provides for the development and maintenance of an integrated, nationwide capability to prepare for, to mitigate against, to respond to, and to recover from the consequences of major disasters and emergencies, regardless of cause, in partnership with Federal agencies, State, local, and tribal governments, volunteer organizations, and the private sector. M&A supports FEMA's programs by coordinating between Headquarters and Regional Offices all policy, managerial, resources, and administrative actions.

## COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$678,600,000 for Management and Administration. The funds are to be distributed as follows: \$426,020,000 for operations activities; \$216,580,000 for management activities; \$6,000,000 for the Office of National Capital Region Coordination; and \$30,000,000 for Urban Search and Rescue Teams.

MANAGEMENT AND ADMINISTRATION <sup>1</sup>

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee rec- ommendations
Operations Activities .....	<sup>2</sup> 219,000	420,020	426,020
Management Activities .....	282,000	216,580	216,580
National Capital Region Coordination .....	2,741	6,000	6,000
Urban Search and Rescue .....	25,000	25,000	30,000
National Preparedness Integration Program .....	6,459	( <sup>1</sup> )	( <sup>1</sup> )
Total .....	535,200	667,600	678,600

<sup>1</sup> Reflects new account structure pursuant to title VI of Public Law 109–295, the reorganization notification of January 18, 2007, and Public Law 110–28.

<sup>2</sup> Excludes \$14,000,000 in emergency appropriations pursuant to Public Law 110–28.

## OPERATIONS ACTIVITIES

The Committee recommends \$426,020,000 for operations activities instead of \$420,020,000 as proposed in the budget.

## NATIONAL COOPERATION

The Committee notes that State and local entities are important partners in national security and disaster response. Unlike the military chain of command, with one person ultimately in charge, homeland security relies on coordination among layers of Government. This presents unique and particular challenges, but also opportunities and economies of scale through coordination. Unfortunately, major documents that provide the guidance for a national strategy are not complete. For example, the interim National Preparedness Goal is not final, despite a Presidential Directive and a congressional mandate for it to be completed by December 2005. The National Response Plan update has been delayed and remains incomplete. These documents contain important guidance, such as the national planning scenarios and emergency support functions that support Federal, State, and local protection, preparedness, and response efforts. The Committee is supportive of collaborative processes; however, it has been nearly 6 years since 9/11 and 2 years since Hurricane Katrina. The Committee is concerned about the gross lack of urgency displayed by the Department. By leaving these planning efforts incomplete, the Department leaves our Nation at risk. The Committee directs FEMA and the Department to finalize these products and provide the needed leadership to ensure all Federal agencies and State and local entities are working together.

## DISASTER PLAN GUIDANCE

The President signed Public Law 109–295, the fiscal year 2007 Homeland Security Appropriations Act, on October 4, 2006. The act contains a provision that requires the Department to issue guidance for State and local governments to take into account the needs of individuals with service animals and household pets into their local emergency plans before, during, and after a disaster. The Committee is dismayed that guidelines are not yet published and directs the Department to issue them without further delay.

## FEDERAL AGENCY EMERGENCY PREPAREDNESS

The Committee recognizes that all Federal agencies, not just the Department of Homeland Security and State and local governments, are important partners in national preparedness and response. The Committee directs FEMA, in coordination with agencies that lead an emergency support function as outlined in the National Response Plan or any succeeding document, to report to the Committee by February 5, 2008, regarding each agency's preparedness level to serve as the lead for the designated emergency support function. The report shall evaluate assets available, personnel trained, and plans developed and exercised.

## MITIGATION AND PREPAREDNESS INCENTIVES

The Committee notes that, according to the Multihazard Mitigation Council, on average, a dollar spent by FEMA on hazard mitigation saves the Nation \$4 in future costs. The Committee also recognizes that when funding is saved through reduced property damages, lives are also saved. The Committee encourages FEMA to work with qualified organizations to propose incentives for State and local governments to focus on mitigation and preparedness through existing Federal programs.

## HOST COMMUNITIES

The Committee recognizes that, during a disaster, communities surrounding the impacted area quickly become hosts to disaster victims for an undetermined amount of time. The Committee directs FEMA to issue guidance to assist communities in planning to shelter and provide for the critical needs of evacuees of a disaster area.

## MANAGEMENT ACTIVITIES

The Committee recommends \$216,580,000 for management activities, as proposed in the budget.

## REGIONAL OFFICES

The Committee notes that regional offices serve as the backbone for FEMA's relationship with State and local partners and strengthen regional cooperation. Further, the Committee recognizes that title VI of Public Law 109-295, the Post-Katrina Reform Act of 2006, codifies and expands FEMA's regional offices. Therefore, the Committee directs FEMA to fulfill the letter and intent of section 507 of the Homeland Security Act of 2002 which creates robust FEMA regional offices. Further, the Committee encourages FEMA to promote regional interoperability by ensuring personnel who understand the technical and administrative issues surrounding interoperability are located in each FEMA regional office. The Committee directs FEMA to work with the Office of Emergency Communications to ensure this important expertise exists.

The Committee is concerned about the Nation's capacity to respond to disaster victims in the remote areas of the U.S. Flag Territories in the Pacific Ocean. The Committee directs FEMA to analyze the regional all-hazard response capacity for this region and make recommendations as to how it might be improved.

## WORKFORCE

The Committee notes that FEMA is 45 percent below authorized full-time equivalent levels for fiscal year 2007. A workforce structure that can keep pace with the changing demands of the Nation is crucial for FEMA to be the premier emergency management agency. The Committee directs FEMA to continue aggressive hiring efforts and to fully utilize the \$30,000,000 transfer from the Disaster Relief Fund [DRF] to hire 250 permanent staff in accordance with Public Law 109–295. The Committee recommendation includes authority to transfer up to \$48,000,000 and 250 positions, for fiscal year 2008, from the DRF to support FEMA’s continuing effort to professionalize and expand its permanent disaster workforce. The Committee cautions that its support for this effort is contingent on its success and positive results in the near future are necessary for continued Committee support.

The Committee directs FEMA to take an aggressive approach with the training and professional development of FEMA employees. Further, the Committee still has not received a plan for Federal Preparedness Coordinators [FPC] and directs FEMA to not expend funds for FPCs until a plan is received and approved by the Committee. The Committee remains concerned the FPCs would duplicate efforts carried out by the Preparedness Officers who were transferred into FEMA with the grants program.

## INFORMATION AND FINANCIAL SYSTEMS

FEMA requires cutting edge technology. The Committee notes that FEMA’s main data system, the National Emergency Management Information System [NEMIS], has components that predate 1998. The Committee also notes progress in beginning to update components of NEMIS such as the Document Management And Records Tracking System [DMARTS], and other systems such as Total Asset Visibility, and Integrated Public Alert and Warning Systems.

Funds were provided in the U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) to advance progress in systems updates. The Committee encourages FEMA to continue aggressive implementation of ongoing and new projects to ensure that technology is being used as effectively as possible to manage resources and information prior to, during, and after a disaster. An increase of \$6,000,000, to be competitively awarded, is provided to complete DMARTS.

In addition, the Committee expects that FEMA will maintain an innovative and up-to-date plan to ensure systems do not become antiquated or ineffectual. FEMA is directed to brief the Committee, no later than July 15, 2007, on the status of its information technology, including significant updates and unfilled gaps. Further, no later than February 5, 2008, FEMA shall submit a report to the Committee providing a 5-year plan, including resources needed, to ensure a cutting-edge information technology program will be sustained long term for functions including logistics management, contract management, procurement, and resource distribution such as grants.

## DISABILITY COORDINATOR

The Committee notes that funding was provided in the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110-28) for the Office of the Disability Coordinator. The disability community has unique needs that require attention prior to a disaster for more effective preparedness and response. The Committee expects that FEMA and the Department will vigorously support this office.

## OFFICE OF NATIONAL CAPITAL REGION COORDINATION

The Committee recommends \$6,000,000 for the Office of National Capital Region Coordination [ONCRC], as requested in the budget. Congress established the ONCRC to enhance domestic preparedness through cooperation of the Federal, State, and local governments in the unique environment of the National Capital Region [NCR]. The Committee believes it is critical for the multiple Federal, State, and local partners of the NCR to establish lines of authority and roles of responsibility for decisionmakers prior to a disaster. The Committee encourages the ONCRC to complete exercises for relevant disasters at the strategic level to clarify and establish leadership roles.

NATIONAL CAPITAL REGION COORDINATION, PERTINENT AREA  
PARTNERS

The Committee remains concerned that planning for evacuation of the National Capital Region [NCR] during a disaster has not incorporated all of the pertinent officials from the appropriate local communities and States in the decisionmaking process. Despite requests for such officials to be included by Congress and the affected States, the efforts to effectively incorporate professionals are lackluster. Therefore, the Committee includes bill language requiring inclusion of the Governors of the State of West Virginia and the Commonwealth of Pennsylvania in the NCR decision-making and planning process for mass evacuations. Further, the Committee again directs the Department to include officials from the counties and municipalities that contain the evacuation routes and their tributaries in the planning process.

## URBAN SEARCH AND RESCUE

The Committee recommends \$30,000,000, a \$5,000,000 increase over the President's request to support the 28 existing Urban Search and Rescue Teams. The Committee notes that the second equipment caches, which were purchased with fiscal year 2003 and 2004 funding, should be properly maintained and equipment should be replaced as needed to maintain full operational capability.

## STATE AND LOCAL PROGRAMS

Appropriations, 2007 <sup>1</sup> .....	\$2,524,500,000
Budget estimate, 2008 <sup>2</sup> .....	1,696,000,000
Committee recommendation .....	3,030,500,000

<sup>1</sup> Excludes \$247,000,000 in the emergency appropriations pursuant to Public Law 110-28. Reflects a transfer of \$12,000,000 to National Protection and Programs Directorate for Technical Assistance and a transfer of \$5,500,000 from United States Fire Academy for Noble Training Center pursuant to the fiscal year 2007 reorganization.

<sup>2</sup> Excludes \$200,000,000 proposed for Emergency Management Performance Grants, reflected under the Emergency Management Performance Grants account.

State and local programs provide grants for training, equipment (including interoperable communications equipment), exercises, and technical assistance to improve readiness for potential disasters.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

## STATE AND LOCAL PROGRAMS

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations
<b>State grants:</b>			
State Homeland Security Grant Program .....	525,000	250,000	525,000
Law Enforcement Terrorism Prevention .....	375,000	( <sup>2</sup> )	375,000
Subtotal, State grants .....	900,000	250,000	900,000
<b>Discretionary Grants:</b>			
Urban Area Security Initiative .....	770,000	800,000	820,000
Regional Catastrophic Preparedness Grants .....	( <sup>3</sup> )		50,000
Port security .....	<sup>4</sup> 210,000	210,000	400,000
Rail and transit security .....	<sup>5</sup> 175,000	175,000	400,000
Buffer zone protection .....	50,000	50,000	50,000
Intercity bus security .....	12,000	12,000	12,000
Trucking security .....	12,000	9,000	16,000
Commercial Equipment Direct Assistance Program <sup>6</sup> .....	50,000		40,000
Metropolitan Medical Response System <sup>6</sup> .....	33,000		33,000
Citizen Corps <sup>6</sup> .....	15,000	15,000	15,000
Subtotal, Discretionary Grants .....	1,327,000	<sup>7</sup> 1,271,000	1,836,000
<b>National Programs:</b>			
National Domestic Preparedness Consortium .....	145,000	<sup>9</sup> 92,000	145,000
Noble Training Center <sup>8</sup> .....	5,500	( <sup>9</sup> )	5,500
National Exercise Program .....	49,000	50,000	50,000
Technical Assistance .....	<sup>10</sup> 6,000	6,000	14,000
Demonstration training grants .....	30,000		30,000
Continuing training grants .....	31,000	3,000	31,000
Evaluations and assessments .....	19,000	19,000	19,000
Rural Domestic Preparedness Consortium .....	12,000		

## STATE AND LOCAL PROGRAMS—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations
Management and Administration .....	.....	5,000	.....
Subtotal, National Programs .....	297,500	175,000	294,500
Total, State and Local Programs .....	2,524,500	1,696,000	3,030,500

<sup>1</sup> Reflects new account structure pursuant to title VI of Public Law 109–295 and the reorganization notification of January 18, 2007.

<sup>2</sup> Budget request proposes funding as 25 percent of State Homeland Security Grant Program.

<sup>3</sup> Excludes \$35,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>4</sup> Excludes \$110,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>5</sup> Excludes \$100,000,000 in emergency appropriations pursuant to Public Law 110–28.

<sup>6</sup> CEDAP transferred to Discretionary Grants and Metropolitan Medical Response System and Citizens Corps transferred from National Programs.

<sup>7</sup> Budget proposal for \$200,000,000 for the Emergency Management Performance Grants is reflected under the Emergency Management Performance Grants account.

<sup>8</sup> Noble Training Center transferred to National Programs from United States Fire Academy, pursuant to the fiscal year 2007 reorganization.

<sup>9</sup> Noble Training Center funding request reflected in National Domestic Preparedness Consortium.

<sup>10</sup> Reflects a transfer of \$12,000,000 transferred to the National Protection and Programs Directorate for emergency communication technical assistance pursuant to the fiscal year 2007 reorganization and excludes \$2,000,000 in emergency appropriations pursuant to Public Law 110–28.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$3,030,500,000 for State and Local Programs. The funds provided for State and local grants are to be used for purposes consistent with each State’s homeland security strategy, including training and exercises; equipment, including interoperable communications equipment; and technical assistance; and may not, with certain exceptions, be used for construction activities.

State and local assistance is for strengthening “first responders”—police, fire, rescue, emergency, medical and other personnel—who are first on scene in the event of a terrorist attack, natural disaster or a catastrophic event. For purposes of eligibility for funds under this heading, any county, city, village, town, district, borough, parish, 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.”

The Committee expects the Federal Emergency Management Agency [FEMA] to continue all current overtime reimbursement practices. The Committee continues bill language prohibiting the use of funds for construction, except for Regional Catastrophic Preparedness [RCP], Port Security, Rail and Transit Security, and the Buffer Zone Protection Program grants. Bill language is included, however, to allow the State Homeland Security Grant Program [SHSGP], Law Enforcement Terrorism Prevention Program [LETPP], and Urban Area Security Initiative [UASI] grants to be used for minor perimeter security projects and minor construction or renovation of necessary guard facilities, fencing and related efforts, not to exceed \$1,000,000, as deemed necessary by the Secretary. The Committee notes the installation of communication towers, which are included in a jurisdiction’s interoperable communications plan, does not constitute construction.

For SHSGP, LETPP, RCP, and UASI grants, application kits shall be made available within 45 days after the start of fiscal year 2008. States shall have 90 days to apply after the grant guidance is issued, and FEMA shall act on an application within 90 days of its receipt. For SHSGP and LETPP, no less than 80 percent of these funds shall be allocated by the State to local units of government within 60 days of the State receiving the funds. The Committee includes bill language reflecting Puerto Rico's unique governance status.

The Committee is supportive of the Department's efforts to evaluate applications based on risk and effectiveness. The Department should continue its efforts to evaluate SHSGP, LETPP, and UASI applications based on how effectively these grants will address identified homeland security needs. In those areas of the country where the risk is very high, the Department shall work aggressively to ensure these applications are produced in a manner in which appropriate levels of funding reflects the level of threat.

The Committee includes bill language requiring the Government Accountability Office to report on the validity, relevance, reliability, timeliness, and availability of the risk factors, and the application of those factors in the allocation of discretionary grants to the Committees on Appropriations of the Senate and the House of Representatives no later than 45 days after the date of enactment of this act.

#### MAJOR PROGRAM TERMINATIONS OR REDUCTIONS

Overall, the President's budget request reduces State and local grants and training programs from a fiscal year 2007 level of \$3,386,500,000 to \$2,196,000,000. The Committee is disappointed that the administration proposes to cut State and local homeland security programs. The Committee notes that it is shortsighted to attempt to justify a cut of \$1,190,000,000 in first responder and other grants to States and cities by arguing \$1,000,000,000 in interoperability grant funding is expected to be awarded by September 2007. This funding was made available by Congress as an enhancement to current Federal funding to address a known need and is not a substitute for fiscal year 2008 spending for police, fire, and other security efforts.

According to the White House report, "The Federal Response to Hurricane Katrina Lessons Learned", "We are not as prepared as we need to be at all levels within the country: Federal, State, local, and individual." The Department has not offered any data indicating that this has changed since the report was issued in February 2006. Additionally, grant applications for the State Homeland Security Grant Program, Local Law Enforcement Terrorism Preparedness Program, and Urban Area Security Initiative Grants totaled over \$7,400,000,000 of which only 23 percent were funded. And yet, the President's budget request for the three programs combined in fiscal year 2008 is a 37 percent reduction from the fiscal year 2007 level. The Committee recognizes that the Federal dollars are required to build the capacity and cooperation needed for this Nation to be ready when disaster strikes. Therefore, the Committee has restored the funding level of grant programs and provided some necessary increases.

## MEASURING CAPABILITIES

The Department claims to have a robust grant monitoring program based on the interim National Preparedness Goal (Goal), but over 1 year after the presidentially mandated and congressionally directed completion date of December 2005, the Goal is still not final. To date the Department cannot answer the questions listed in the interim Goal—"How prepared do we need to be? How prepared are we? How do we prioritize efforts to close the gap?". It is essential that the Department move forward in establishing clearly defined measures of preparedness and their effectiveness.

## REAL ID ACT

The Committee is concerned that the President's budget fails to address the unfunded Federal mandate imposed upon States by the REAL ID Act. The National Governor's Association, National Conference of State Legislatures, and the American Association of Motor Vehicle Administrators jointly estimate that it will cost States \$11,000,000,000 over 5 years to implement the REAL ID Act, which the President signed into law on May 11, 2005; the Department's own estimate is \$23,000,000,000 over the next 5 years. And yet, the President has not requested any funding for REAL ID Act implementation at the State level. Further, \$35,412,000, which Congress appropriated in fiscal year 2006, still sits in the Federal Treasury awaiting use for REAL ID Act implementation to protect our citizens.

Allowing States to use first responder funding for this purpose is not a substitute for direct funding, particularly when the administration proposes to reduce such funding by 52 percent. If the administration, and the Department, were serious about immigration enforcement and preventing terrorists from obtaining drivers' licenses, sufficient resources would be requested. On 9/11, 18 of the 19 perpetrators in the 9/11 attacks had been issued U.S. identification documents, including State drivers' licenses. To date, according to the National Conference of State Legislatures, nine States have enacted legislation to withdraw from the program, which will result in citizens in those States being prohibited from using their drivers' licenses to gain access to Federal buildings or for airline travel. If the administration is serious about enforcing this law, the President should request funds to pay for it.

## STATE GRANTS

The Committee recommends \$525,000,000 for State Homeland Security Grant Programs [SHSGP], and \$375,000,000 for Local Law Enforcement Terrorism Prevention Program [LETPP] grants. All funds above the amount automatically allocated to States and territories (in accordance with section 1014 of Public Law 107-56) shall be allocated at the discretion of the Secretary of Homeland Security based on risk (as defined by threat, vulnerability, and consequences), and on cooperation of multiple jurisdictions in preparing domestic preparedness plans.

The Committee expects the Department to continue to work closely with States on the implementation of Homeland Security Presidential Directive-8 to ensure that rigorous analysis is used in

determining and assessing the unmet capabilities of State and local jurisdictions.

#### DISCRETIONARY GRANTS

The Committee recommends \$820,000,000 for UASI grants of which \$20,000,000 is available for non-profit entities determined to be at risk by the Secretary.

The Committee provides \$50,000,000 for Regional Catastrophic Preparedness Grants. A gap remains in current Federal funding mechanisms to support regional efforts in homeland security. The U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110-28), provides funds to the tier 1 urban areas, and outlying areas to be selected by the Department, to address this issue for catastrophic events in urban areas most at risk. The Committee continues this initiative, that funds multi-jurisdictional efforts to provide regional approaches to catastrophic events, including mass evacuation. Therefore, \$50,000,000 is provided for Regional Catastrophic Preparedness Grants. These funds are provided to connect risk to local planning, to further regional collaboration, and ensure public education. Grant guidance shall be issued with the State Homeland Security Grant Program and Urban Area Security Initiative Grants.

Of the total provided for discretionary transportation and infrastructure grants: \$400,000,000 is for port security grants; \$400,000,000 is for rail and transit security grants; \$50,000,000 is for Buffer Zone Protection Program grants; \$12,000,000 is for intercity bus security grants for the improvement of ticket identification, the installation of driver shields, the enhancement of emergency communications, enhancement of facility security, and further implementation of passenger screening; \$16,000,000 is for trucking industry security grants to continue the Highway Watch grant program; \$33,000,000 is for the Metropolitan Medical Response System; and \$15,000,000 is for Citizen Corps. The Committee expects the Coast Guard, Transportation Security Administration, and National Protection and Programs Directorate to provide operational subject matter expertise and to be fully engaged in the determination of grant awards, when appropriate. The Committee directs the Department to carefully consider the security needs of Amtrak in the allocation of funds.

#### COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM

The Committee provides \$40,000,000 for Commercial Equipment Direct Assistance Program [CEDAP]. The Committee directs the Department to award funding through CEDAP only if projects or equipment are consistent with State Homeland Security Strategies and the unmet essential capabilities identified through Homeland Security Presidential Directive-8.

#### NATIONAL PROGRAMS

Included in the amount recommended is \$294,500,000 for national programs. This amount includes \$14,000,000 for technical assistance; \$145,000,000 for the existing members of the National

Domestic Preparedness Consortium, to be distributed consistent with the fiscal year 2007 allocation; \$5,500,000 for Noble Training Center in Anniston, Alabama (Requested by: Shelby); \$50,000,000 for exercises; \$30,000,000 for demonstration training grants; \$31,000,000 for continuing training grants; and \$19,000,000 for evaluations and assessments.

#### NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM

The Committee recommends \$145,000,000 for the National Domestic Preparedness Consortium, instead of \$92,000,000, as proposed in the budget. This funding shall be distributed in a manner consistent with fiscal year 2007: Center for Domestic Preparedness in Anniston, Alabama (Requested by: Shelby); National Emergency Response and Rescue Training Center in College Station, Texas (Requested by: Hutchison and Cornyn); National Energetic Material Research and Test Center in Socorro, New Mexico (Requested by: Domenici); Academy of Counter Terrorist Education in Baton Rouge, Louisiana (Requested by: Landrieu); and National Exercise, Test, and Training Center of the Department of Energy in Nye, Nevada (Requested by: Reid).

#### DEMONSTRATION TRAINING GRANTS

The Committee provides \$30,000,000 for demonstration training grants. The Committee expects this to continue to be a peer-reviewed competitive grant program.

#### CONTINUING TRAINING GRANTS

The Committee provides \$31,000,000 for continuing training grants. The Committee is supportive of programs which consistently deliver homeland security curricula in the form of executive education programs and accredited Masters Degree education.

#### EMERGENCY MEDICAL SERVICES

The Committee is concerned Emergency Medical Services [EMS] is not considered an equal player among the first responder community and encourages the Department to require States to include EMS representatives in State planning efforts.

#### INTEROPERABLE COMMUNICATIONS

The Committee notes that the Government Accountability Office [GAO] found that much work remains to improve communication interoperability (GAO-07-031) and that, "until DHS takes a more strategic approach to improving interoperable communications . . . States and localities are likely to make limited progress in improving interoperability." Further, Hurricanes Katrina and Rita proved once again that a comprehensive strategy is needed. The Committee directs the Department to report to the Committee no later than February 5, 2008, on how it intends to develop and implement a strategic plan including the recommendations of the GAO report. The Committee also continues its direction that before grant dollars can be obligated by grantees for interoperable communications equipment, jurisdictions must certify to FEMA that they have an implementation plan that includes the following: governance struc-

tures; policies; procedures; training; and planned exercises. Additionally, the Committee directs FEMA to work closely with the Office of Emergency Communications in the National Protection and Programs Directorate to further interoperable communications prior to a disaster.

ELIGIBILITY

The Committee urges the Department to work with State and local governments to ensure regional authorities, such as port, transit, or tribal authorities, are given due consideration in the distribution of State grants.

The Department is encouraged to consider the need for mass evacuation planning and pre-positioning of equipment for mass evacuations in allocating first responder funds.

FIREFIGHTER ASSISTANCE GRANTS

Appropriations, 2007 .....	\$662,000,000
Budget estimate, 2008 .....	300,000,000
Committee recommendation .....	700,000,000

Firefighter assistance grants, as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229), assist local firefighting 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.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$700,000,000 for firefighter assistance grants, \$400,000,000 above the request, including \$560,000,000 for firefighter assistance grants, to remain available until September 30, 2009, and \$140,000,000 for firefighter staffing grants, to remain available until September 30, 2008.

The Committee directs the Department to continue the present practice of funding applications according to local priorities and those established by the United States Fire Administration; and to make \$3,000,000 available for implementation of section 205(c) of Public Law 108-169 to the same grant applicants as in fiscal year 2007 (Requested by: Stevens).

The Committee further directs the Department to continue direct funding to fire departments and the peer review process. Not to exceed 5 percent of grant funds may be for program administration.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

Appropriations, 2007 <sup>1</sup> .....	\$200,000,000
Budget estimate, 2008 <sup>2</sup> .....	200,000,000
Committee recommendation .....	300,000,000

<sup>1</sup> Excludes \$50,000,000 in emergency appropriations pursuant to Public Law 110-28.

<sup>2</sup> Budget proposes \$200,000,000 under State and local programs, displayed for comparability.

Funding requested in this account provides support to the Nation's all-hazards emergency management system and helps to build State and local emergency management capability.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$300,000,000 for emergency management performance grants [EMPG], an increase of \$100,000,000 from the budget request.

EMPG is an essential source of funding for State and local emergency management. State and local governments currently have productive relationships with the Federal Emergency Management Agency’s regional emergency managers that are critical to maintain an all-hazards response capability. The Committee expects these relationships to continue.

The Committee directs FEMA to retain EMPG as a separate grant program, and not to combine its funding with any other grant allocation or application process. Not to exceed 3 percent of grant funds may be for administrative expenses.

The Committee recognizes that the Emergency Management Performance Grants Program [EMPG] is the only direct source of all-hazards funding and a vital component of the Nation’s preparedness and response capabilities. The Department’s report, entitled “Nationwide Plan Review”, demonstrates a clear need to update State and local emergency plans. According to the Department, 61 percent of States and 69 percent of urban areas do not have adequate plans to respond to a catastrophic event.

The Committee notes that to be truly prepared, strategic, capabilities-based planning must be linked with operational planning. This will not only produce more effective and realistic operation plans at the State and local levels, but will also help ensure that investments in capabilities are addressing needs gaps in the operation planning process. This clarity and focus on planning is critical to improving the preparedness of the Nation to deal with the wide range of risk. As partners in emergency management, EMPG recipients and FEMA should ensure that Federal investments are maximized across jurisdictional boundaries. FEMA is directed to issue guidance, developed in coordination with State and local entities, which will modernize the emergency management planning process.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

Appropriations, 2007 <sup>1</sup> .....	-\$477,000
Budget estimate, 2008 <sup>1</sup> .....	- 505,000
Committee recommendation <sup>1</sup> .....	- 505,000

<sup>1</sup> Fee collections are estimated to exceed costs.

The Radiological Emergency Preparedness [REP] program assists State and local governments in the development of off-site radiological emergency preparedness plans within the emergency planning zones of commercial nuclear power facilities licensed by the Nuclear Regulatory Commission [NRC]. The fund is financed from fees assessed and collected from the NRC licensees to recover the amounts anticipated to be obligated in the next fiscal year for expenses related to REP program activities.

COMMITTEE RECOMMENDATIONS

The Committee provides for the receipt and expenditure of fees collected, as authorized by Public Law 105–276. The budget esti-

mates fee collections to exceed expenditures by \$505,000 in fiscal year 2008.

DEPARTMENTAL COORDINATION

The Committee is concerned that the Radiological Emergency Preparedness Program [REPP] has not integrated its experience and lessons learned with other Department components. The Committee is confident that the Department's reorganization will help facilitate this integration and urges REPP to expeditiously reach out to FEMA's Grants Management, Infrastructure Protection, and other stakeholders.

UNITED STATES FIRE ADMINISTRATION

Appropriations, 2007 <sup>1</sup> .....	\$41,349,000
Budget estimate, 2008 .....	43,300,000
Committee recommendation .....	43,300,000

<sup>1</sup> Includes a transfer of \$5,500,000 for Noble Training Center to National Programs.

The mission of the United States Fire Administration [USFA] is to reduce losses, both economic and human, due to fire and other emergencies through training, research, coordination and support. USFA also prepares the Nation's first responder and health care leaders through ongoing, and when necessary, expedited training regarding how to evaluate and minimize community risk, improve protection to critical infrastructure, and be better prepared to react to all-hazard and terrorism emergencies.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$43,300,000 for the United States Fire Administration, as proposed in the budget.

DISASTER RELIEF

Appropriations, 2007 <sup>1</sup> .....	\$1,500,000,000
Budget estimate, 2008 <sup>2</sup> .....	1,700,000,000
Committee recommendation <sup>3</sup> .....	1,700,000,000

<sup>1</sup> Excludes \$4,260,000,000 in emergency appropriations pursuant to Public Law 110-28. Excludes a transfer of \$13,500,000 to Office of the Inspector General and a transfer of up to \$30,000,000 to FEMA Management and Administration.

<sup>2</sup> Excludes a transfer of up to \$48,000,000 to FEMA Management and Administration.

<sup>3</sup> Excludes a transfer of \$13,500,000 to Office of the Inspector General and a transfer of up to \$48,000,000 to FEMA Management and Administration.

Through the Disaster Relief Fund [DRF], the Department of Homeland Security provides a significant portion of the total Federal response to victims in presidentially declared major disasters and emergencies. Major disasters are declared when a State requests Federal assistance and proves that a given disaster is beyond the local and State capacity to respond. Under the DRF, FEMA will continue to operate the primary assistance programs, including Federal assistance to individuals and households; and public assistance, which includes the repair and reconstruction of State, local, and nonprofit infrastructure. The post-disaster hazard mitigation set-aside to States, as part of the DRF, works as a companion piece to the National Pre-Disaster Mitigation Fund.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,700,000,000 for disaster relief. The Committee includes bill language transferring \$13,500,000 of this amount to the Office of Inspector General for audits and investigations related to disasters, and permitting the transfer of up to \$48,000,000 to FEMA Management and Administration to fund up to 250 permanent staff for the continued effort of professionalizing and expanding FEMA's workforce.

## RESPONSIBLE DISASTER SPENDING

The Committee recognizes that the urgent nature of disaster response often forces Government entities to choose between the competing interests of fiscal responsibility, accountability, and urgency. The Committee directs FEMA to firmly establish measurable thresholds for transparent decisionmaking regarding Federal fiscal expenditures for disaster response.

## FISCAL YEAR 2008 DISASTER REQUIREMENTS

The Committee directs FEMA to provide a detailed estimate of the Disaster Relief funds required through September 30, 2008, to the Committee no later than July 15, 2007. Should the analysis indicate a shortfall, the Committee expects the President to seek sufficient emergency funds to meet disaster spending required for presidentially declared disasters through September 30, 2008.

## INTERNAL CONTROLS

The Committee continues to be concerned with FEMA's lack of internal controls to combat waste, fraud, and abuse and its inability to validate identities and addresses to prevent future fraudulent disbursements. The Government Accountability Office [GAO] has reported (GAO-07-300), "ineffective preventive controls for FEMA's IHP (Individuals and Households Program) have resulted in substantial fraudulent and improper payments . . . our estimate of \$1,000,000,000 in potentially improper and/or fraudulent payments through February (2007) is likely understated." The Committee directs FEMA to continue to work aggressively to address these shortcomings and to work on safeguards, such as those utilizing automated identification verification, as employed by the U.S. Departments of Justice and Defense for entity recognition, to ensure proper management for future disasters. Controls shall be consistent with Department of Homeland Security privacy policy.

## DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

Appropriations, 2007 <sup>1</sup> .....	\$569,000
Budget estimate, 2008 .....	875,000
Committee recommendation .....	875,000

<sup>1</sup> Excludes \$320,000,000 in emergency appropriations pursuant to Public Law 110-28.

Disaster assistance loans authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162) are loans to States for the non-Federal portion of cost sharing funds, and community disaster loans to local governments incurring a substantial loss of tax and other revenues as a result of a major

disaster. The funds requested for this program include direct loans and a subsidy based on criteria including loan amount and interest charged. As required by the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), this account records, for this program, the subsidy costs associated with the direct loans obligated in 1992 and beyond (including modifications of direct loans), as well as administrative expenses of the program. The subsidy amounts are estimated on a present value basis; the administrative expenses are estimated on a cash basis.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$875,000, as proposed in the budget, in subsidy costs and administrative expenses for disaster assistance direct loans. Bill language is included directing the gross obligations for the principal amount of direct loans to not exceed \$25,000,000.

FLOOD MAP MODERNIZATION FUND

Appropriations, 2007 .....	\$198,980,000
Budget estimate, 2008 .....	194,881,000
Committee recommendation .....	200,000,000

This appropriation supports the functions necessary to modernize and digitize flood maps. The flood maps are used to determine appropriate risk-based premium rates for the National Flood Insurance Program, to complete flood hazard determinations required of the Nation’s lending institutions, and to develop appropriate disaster response plans for Federal, State, and local emergency management personnel.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$200,000,000 for the Flood Map Modernization Fund and includes language in the bill that provides up to 3 percent of the funds may be made available for administrative purposes.

PROGRAM STATUS

The Committee notes that Congress, recognizing the connection between reliable flood maps and reduced flood damage, funded the Flood Map Modernization program. When the program began, it was estimated that the total cost would be \$1,000,000,000 through fiscal year 2008. The Committee is pleased to achieve that goal in this act and remains committed to ensuring citizens and governments make wise planning decisions by using modern flood maps. Based on risk, over 92 percent of the Nation’s population is using a modernized map and 65 percent of the Nation’s land area is covered by a modernized map.

However, the Committee has expressed its concern over the years regarding the data input of the program and therefore recognizes, that even in light of FEMA’s mid-course correction to clarify data standards, there is still work to do. Additionally, the Committee recognizes that the National Academy of Sciences [NAS] released a report in January 2007 entitled, “Base Map Inputs for Floodplain Mapping.” The report focuses on the adequacy of im-

agery and elevation data, the two “base” layers of floodplain maps, and includes recommendations to advance the program. Finally, the Committee recognizes there will be a need for resources to keep maps up-to-date over the long-term.

FEMA is directed to report to the Committee, no later than February 5, 2008, regarding the additional needs for a continued Flood Map Modernization program, including additional work that needs to be completed, resources necessary to keep maps up-to-date, potential cost-share with State and local governments, and how FEMA intends to implement the recommendations in the NAS report.

GULF STATES FLOOD MAPS

The Committee is concerned that the rebuilding effort in the gulf region will be further delayed without new flood insurance rate maps that reflect the damage done by Hurricanes Katrina and Rita. The Committee encourages FEMA to work expeditiously with the U.S. Army Corps of Engineers to develop accurate maps. FEMA is directed to brief the Committee, no later than October 31, 2007, on the progress of accurate flood plain mapping in the gulf coast region.

NATIONAL FLOOD INSURANCE FUND

Appropriations, 2007 <sup>1</sup> .....	(\$128,588,000)
Budget estimate, 2008 <sup>1</sup> .....	(145,000,000)
Committee recommendation <sup>1</sup> .....	(145,000,000)

<sup>1</sup> Fully offset by fee collections.

The National Flood Insurance Fund is a fee-generated fund which provides funding for the National Flood Insurance Program. This program enables property owners to purchase flood insurance otherwise unavailable in the commercial market. The National Flood Insurance Act of 1968 authorizes the Federal Government to provide flood insurance on a national basis. This insurance is available to communities which enact and enforce appropriate floodplain management measures and covers virtually all types of buildings and their contents up to \$350,000 for residential types and \$1,000,000 for all other types.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$145,000,000, as proposed in the budget, for the National Flood Insurance Fund and provides that up to \$34,000,000 may be transferred to the National Flood Mitigation Fund for expenses under section 1366 of the National Flood Insurance Act (42 U.S.C. 4104c).

NATIONAL FLOOD MITIGATION FUND

Appropriations, 2007 <sup>1</sup> .....	-\$31,000,000
Budget estimate, 2008 <sup>1</sup> .....	- 34,000,000
Committee recommendation <sup>1</sup> .....	- 34,000,000

<sup>1</sup> By transfer from the National Flood Insurance Fund.

The National Flood Mitigation Fund [NFMF] receives funding from a fee-generated discretionary fund transferred from the National Flood Insurance Fund. NFMF provides assistance planning

to States and communities for implementing floodplain management measures to reduce or eliminate the long-term risk of flood damage to buildings and other structures eligible for insurance under the National Flood Insurance Program.

COMMITTEE RECOMMENDATIONS

The Committee provides for the transfer of up to \$34,000,000 as proposed in the budget, from the National Flood Insurance Fund to this account.

NATIONAL PRE-DISASTER MITIGATION FUND

Appropriations, 2007 .....	\$100,000,000
Budget estimate, 2008 .....	100,053,000
Committee recommendation .....	120,000,000

The National Pre-Disaster Mitigation [PDM] program provides grants to States, communities, territories, and Indian tribal governments for hazard mitigation planning and implementing mitigation projects prior to a disaster event. PDM grants are awarded on a competitive basis. This program operates independent of the Hazard Mitigation Grant Program, funded through the Disaster Relief Fund, which provides grants to a State in which a disaster has been declared.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$120,000,000 for the National Pre-Disaster Mitigation Fund, an increase of \$19,947,000 from the budget request.

EMERGENCY FOOD AND SHELTER

Appropriations, 2007 .....	\$151,470,000
Budget estimate, 2008 .....	140,000,000
Committee recommendation .....	153,000,000

This appropriation funds grants to nonprofit and faith-based organizations at the local level to supplement their programs for emergency food and shelter to provide for the immediate needs of the homeless.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$153,000,000, as proposed in the budget, for the Emergency Food and Shelter program.

TITLE IV  
RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES  
UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

Appropriations, 2007 <sup>1</sup> .....	\$181,990,000
Budget estimate, 2008 .....	30,000,000
Committee recommendation .....	50,523,000

<sup>1</sup> Excludes \$8,000,000 in emergency supplemental appropriations pursuant to Public Law 110-28.

United States Citizenship and Immigration Services [USCIS] funds expenses necessary for the administration of laws and the provision of services related to people seeking to enter, reside, work, and naturalize in the United States. In addition to directly appropriated resources, fee collections are available for the operations of USCIS.

*Immigration Examinations Fees.*—USCIS collects fees from persons applying for immigration benefits to support the adjudication of applications, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

*H1-B and L Fraud Prevention and Detection Fees.*—USCIS collects fees from petitioners seeking a beneficiary’s initial grant of H1-B or L nonimmigrant classification or those petitioners seeking to change a beneficiary’s employer within those classifications (Public Law 108-447).

*H1-B Nonimmigrant Petitioner Fees.*—USCIS collects fees from petitioners using the H1-B program (Public Law 108-447).

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$2,589,395,000, including direct appropriations of \$50,523,000 and estimated fee collections of \$2,538,872,000.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2007 and budget request levels:

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee recommendations <sup>2</sup>
Appropriations <sup>1</sup> .....	181,990	30,000	50,523
Estimated fee collections:			
Immigration examinations fees .....	1,760,000	2,494,872	2,494,872
H-1B and L fraud prevention and detection fees .....	31,000	31,000	31,000
H-1B non-immigrant petitioner fees .....	13,000	13,000	13,000

## UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—FUNDING SUMMARY—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted	Fiscal year 2008 budget request	Committee recommendations <sup>2</sup>
Total, Estimated fee collections .....	1,804,000	2,538,872	2,538,872
Total, Available Funding .....	1,985,990	2,568,872	2,589,395

<sup>1</sup> Excludes \$8,000,000 in emergency supplemental appropriations pursuant to Public Law 110–28.<sup>2</sup> Reflects a permanent realignment of \$523,000 to United States Citizenship and Immigration Services from U.S. Immigration and Customs Enforcement for various parole programs, pursuant to section 827.

## EMPLOYMENT ELIGIBILITY VERIFICATION [EEV]

Included in the amount recommended by the Committee is \$30,000,000, 255 positions, and 255 full-time equivalents, as proposed in the budget, to provide directly appropriated funding to continue the voluntary Employment Eligibility Verification [EEV] program at anticipated fiscal year 2007 levels. These funds, combined with anticipated carryover funding from fiscal year 2007 of \$42,890,000, are distributed as follows: \$9,400,000 for program administration; \$40,710,000 for program operations; \$6,610,000 for systems enhancements; and \$16,170,000 for outreach and publicity.

## ADDRESSING THE FBI BACKGROUND CHECK BACKLOG

The Committee recognizes that USCIS has made substantial progress over the last several years to successfully address the backlog of applications and petitions within its control. However, as of April 4, 2007, there were 339,415 name checks pending with the Federal Bureau of Investigation [FBI]. Of that number, 162,394 were older than 6 months. On average, security background checks take nearly 4 months. This backlog, which is outside the control of USCIS, hampers the agency in making timely decisions on applications and petitions. As immigration fees rise, it is incumbent upon the Federal Government to provide accurate and timely services in relation to these fees.

The Committee finds this situation unacceptable and includes in its recommendation an additional \$20,000,000 to address this issue. While the Committee continues to expect USCIS to be a fee-funded agency, historically the Committee has provided appropriated funding to address specific backlogs. The Committee believes, given the seriousness of the backlog of security checks, it is appropriate to provide appropriated funding in this narrow instance. These additional funds, when combined with the additional \$8,000,000 provided in the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28), should make significant progress in addressing this backlog.

The Committee restricts the ability of USCIS to obligate this funding until the Secretary of Homeland Security and the United States Attorney General provide a specific plan to the Committee that describes how this issue will be addressed comprehensively. The Committee expects the report to outline how the funding will be used, and how USCIS and the FBI will use existing funding to supplement the amount provided in this act in order to eliminate the backlogs of security checks. Further, the Committee expects

this plan, which should be submitted no later than September 15, 2007, will describe the existing business processes for security checks, the reforms made, the information sharing protocols employed, and the total level of resources used to address the backlog.

#### BENEFIT PAROLE PROGRAMS TRANSFER

On March 31, 2007, the Secretary of Homeland Security exercised section 872 authority and transferred \$523,000 for the Cuban-Haitian Entrant Program, the Moscow Refugee Program, and the Humanitarian Parole Program from U.S. Immigration and Customs Enforcement's Office of Investigations (International) to USCIS. The Committee concurs with this action and makes the transfer permanent.

#### BACKLOG ELIMINATION

The Committee directs USCIS to continue to report quarterly on the status of application processing and the backlog reduction plan.

The Committee is aware of the additional cost burdens placed on the USCIS budget for employees traveling to remote areas in Alaska and Hawaii. The Committee directs the Department to take this into consideration when allocating travel funds to these States.

The following table, which includes appropriations and estimated fee collections, summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

#### UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—PROGRAM SUMMARY

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations
<b>Appropriations:</b>			
Business transformation .....	47,000	.....	.....
Systematic Alien Verification for Entitlements [SAVE] .....	21,100	.....	.....
Employment Eligibility Verification [EEV] .....	113,890	30,000	30,000
FBI Background Check .....	.....	.....	20,000
Benefit parole programs <sup>2</sup> .....	.....	.....	523
<b>Total, Appropriations .....</b>	<b>181,990</b>	<b>30,000</b>	<b>50,523</b>
<b>Fee Collections:</b>			
<b>Adjudication Services:</b>			
Pay and benefits .....	624,600	763,962	763,962
<b>Operating expenses:</b>			
District operations .....	385,400	551,701	551,701
Service Center operations .....	267,000	354,527	354,527
Asylum, refugee and international operations ...	75,000	91,120	91,120
Records operations .....	67,000	80,589	80,589
Business transformation .....	.....	139,000	139,000
<b>Subtotal, Adjudication Services .....</b>	<b>1,419,000</b>	<b>1,980,899</b>	<b>1,980,899</b>
<b>Information and Customer Services:</b>			
Pay and benefits .....	81,000	93,132	93,132
<b>Operating expenses:</b>			
National Customer Service Center .....	48,000	49,357	49,357
Information services .....	15,000	19,375	19,375
<b>Subtotal, Information and Customer Services .....</b>	<b>144,000</b>	<b>161,864</b>	<b>161,864</b>

## UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—PROGRAM SUMMARY—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations
Administration:			
Pay and benefits .....	45,000	79,268	79,268
Operating expenses .....	196,000	295,289	295,289
Subtotal, Administration .....	241,000	374,557	374,557
Systematic Alien Verification for Entitlements [SAVE] .....		21,552	21,552
Total, Fee Collections .....	1,804,000	2,538,872	2,538,872

<sup>1</sup> Excludes \$8,000,000 in emergency appropriations pursuant to Public Law 110-28.<sup>2</sup> Reflects a permanent realignment of \$523,000 to United States Citizenship and Immigration Services from U.S. Immigration and Customs Enforcement for various parole programs, pursuant to section 827.

## FEDERAL LAW ENFORCEMENT TRAINING CENTER

## SALARIES AND EXPENSES

Appropriations, 2007 <sup>1</sup> .....	\$211,033,000
Budget estimate, 2008 .....	219,786,000
Committee recommendation .....	221,076,000

<sup>1</sup> Excludes \$3,000,000 by transfer in emergency appropriations pursuant to Public Law 110-28.

The Federal Law Enforcement Training Center Salaries and Expenses appropriation provides funds for basic and some advanced training to Federal law enforcement personnel from more than 80 agencies. This account also allows for research of new training methodologies; provides for training to certain State, local, and foreign law enforcement personnel on a space-available basis; and accreditation of Federal law enforcement training programs.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$221,076,000 for salaries and expenses of the Federal Law Enforcement Training Center [FLETC] for fiscal year 2008. The Committee recommendation includes an increase of \$10,043,000 above the fiscal year 2007 level in annualization and inflationary adjustments, as well as for training accreditation of Federal law enforcement agencies.

The Committee includes bill language requiring the Director of FLETC to ensure all training centers are operated at the highest capacity feasible throughout the fiscal year. The Committee also expects the Director to maintain training at or near capacity before entering into new leases with private contractors or establishing new partner organizations.

## ACCREDITATION

The Committee recognizes the significance of the accreditation of Federal law enforcement agencies that has been undertaken for the last several years. The Committee strongly endorses the commitment of all Federal agencies to achieve high standards for law enforcement training and believes the Federal Law Enforcement Accreditation [FLETA] Board is the appropriate vehicle for assuring that the process for standardization and accreditation is continued

and fully supported. The Committee notes that FLETA has been funded through the FLETC budget since its inception and that staff assigned to support the FLETA Board are housed at FLETC and carried on the FLETC personnel rolls for purposes of convenience. The Committee believes for purposes of budgeting support, the FLETA Board shall remain at FLETC.

The Committee encourages FLETC to continue and expand existing institutional partnerships prior to initiating new partnerships to assist in meeting State, local, and other training needs.

#### ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriations, 2007 .....	\$64,246,000
Budget estimate, 2008 .....	43,270,000
Committee recommendation .....	44,470,000

This account provides for the acquisition and related costs for expansion and maintenance of facilities of the Federal Law Enforcement Training Center [FLETC]. This includes construction and maintenance of facilities and environmental compliance. The environmental compliance funds ensure compliance with Environmental Protection Agency and State environmental laws and regulations.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$44,470,000 for acquisition, construction, improvements, and related expenses for expansion and maintenance of facilities of FLETC.

#### ARTESIA DETENTION FACILITY, ARTESIA, NEW MEXICO

Included in the amount recommended by the Committee is an increase of \$1,200,000 above the request to fund the construction of the Artesia Detention Facility. This facility will provide the appropriate environment for detention operations training through a purpose-designed facility (Requested by: Domenici).

#### SCIENCE AND TECHNOLOGY

##### SUMMARY

The mission of Science and Technology [S&T] is to conduct, stimulate, and enable homeland security research, development, testing, and to facilitate the timely transition of capabilities to Federal, State, local, and tribal end-users.

#### MANAGEMENT AND ADMINISTRATION

Appropriations, 2007 <sup>1</sup> .....	\$134,000,000
Budget estimate, 2008 .....	142,632,000
Committee recommendation .....	140,632,000

<sup>1</sup> Excludes a rescission of \$1,215,486 pursuant to Public Law 110-28.

The Management and Administration account funds salaries and expenses related to the Office of the Under Secretary for Science and Technology, and headquarters and field operations, including the National Biodefense Analysis and Countermeasures Center, Plum Island, and the Environmental Measurements Laboratory.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$140,632,000 for management and administration of programs and activities carried out by Science and Technology [S&T].

The Committee is pleased with the rapid progress S&T appears to be making toward resolving past deficiencies. The new Under Secretary has restructured the directorate's programs, worked to obligate resources in a timely fashion, and instituted a capable budget office able to deliver timely, accurate, and comprehensible documents. Only time will tell if this new enterprise is on course to produce useful scientific and technological solutions to threats to the homeland.

## ASSESSMENT OF PROGRAM RESOURCES

Last year, the Committee learned S&T was assessing various programs for operating costs that had not been fully accounted for in the management and administration account. While this practice appears to have ceased, the Committee reminds the Department that it expects to be notified should S&T assess any program for administrative costs exceeding 5 percent of the total program appropriation through a notification pursuant to section 503 of this act.

## INTERNAL CONTROL AND STAFFING

The Committee remains concerned about internal controls at S&T. According to the Government Accountability Office, as of March 9, 2007, S&T had not filled about 35 percent of its total authorized full-time equivalents [FTEs] for headquarters and field operations (135 of 383) and about 53 percent of the FTEs allocated to S&T's Chief Financial Officer's office (19 of 36). The Department and S&T are to move expeditiously to address the critical issues of staffing and internal controls.

## RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

Appropriations, 2007 <sup>1 2 3</sup> .....	\$749,009,000
Budget estimate, 2008 .....	656,468,000
Committee recommendation .....	697,364,000

<sup>1</sup> Reflects transfer of resources pursuant to reorganizations in fiscal year 2007 and rescission of prior year funds taken in fiscal year 2007.

<sup>2</sup> Excludes \$5,000,000 in emergency appropriations pursuant to Public Law 110-28.

<sup>3</sup> Includes a rescission of \$125,000,000 in prior year appropriations as required by section 529 of Public Law 109-295.

Science and Technology supports the mission of DHS through basic and applied research, fabrication of prototypes, research and development to mitigate the effects of weapons of mass destruction, as well as acquiring and field testing equipment. Separate funding is provided for 12 different activities or portfolios.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$697,364,000 for research, development, acquisition, and operations of Science and Technology for fiscal year 2008.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

SCIENCE AND TECHNOLOGY—RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

	Fiscal year 2007 enacted <sup>1 2</sup>	Fiscal year 2008 budget request	Committee recommendations
Borders and Maritime Security .....	\$33,436,000	\$25,936,000	\$25,479,000
Chemical and Biological .....	229,453,000	228,949,000	216,038,000
Command, Control, and Interoperability .....	57,612,000	63,600,000	61,763,000
Explosives .....	105,231,000	63,749,000	81,726,000
Human Factors .....	6,800,000	12,600,000	6,706,000
Infrastructure and Geophysical .....	74,781,000	24,000,000	64,000,000
Innovation .....	38,000,000	59,900,000	46,000,000
Laboratory Facilities .....	105,649,000	88,814,000	103,814,000
Test and Evaluation, Standards .....	25,432,000	25,520,000	24,219,000
Transition .....	24,040,000	24,700,000	23,901,000
University Programs .....	48,575,000	38,700,000	38,718,000
Homeland Security Institute .....	<sup>3</sup> (10,000,000)	<sup>3</sup> (10,000,000)	5,000,000
Total, Research, Development, Acquisition and Operations .....	749,009,000	656,468,000	697,364,000

<sup>1</sup> Reflects transfer of resources pursuant to reorganization in fiscal year 2007, rescission of prior year funds taken in fiscal year 2007, and a new program, project, and activity structure based on the December 2006 budget realignment.

<sup>2</sup> Includes a rescission of \$125,000,000 in prior year appropriations as required by section 529 of Public Law 109-295 and excludes \$5,000,000 in emergency appropriations pursuant to Public Law 110-28.

<sup>3</sup> The Homeland Security Institute funding of \$10,000,000 is distributed among the various programs in fiscal year 2007 and the budget request.

HOMELAND SECURITY INSTITUTE

The authority for the Homeland Security Institute [HSI] contained in the Homeland Security Act of 2002, expires in April 2009. HSI has not been a visible activity within the Department; its accomplishments have been modest, its budget hidden among the other activities from which it has drawn a tap. Indeed, its request for an appropriation was wholly unjustified in the fiscal year 2007 budget submission and a justification was provided for fiscal year 2008 only after the Committee specifically asked for it. The Committee provides \$5,000,000 for this activity, \$5,000,000 below the comparable request, and creates a separate program, project, activity [PPA] for HSI. It also reduces funding for the program in recognition that most of the HSI's funding comes from contracts with other agencies. In fiscal year 2007, and in the fiscal year 2008 request, \$10,000,000 is provided for HSI, buried in other PPAs. These PPAs, from which the budget request proposes an HSI tap, have been reduced accordingly.

REDUCTIONS

Given S&T's past history, the Committee has approved few initiatives within this account. All activities within each PPA line are reduced to fiscal year 2007 levels or are provided the requested amounts, whichever is lower, unless otherwise noted. Other reductions reflect the movement of the Homeland Security Institute resources out of the various PPAs into a single PPA.

CHEMICAL AND BIOLOGICAL

The Committee recommends \$216,038,000 for Chemical and Biological programs, \$12,911,000 less than the budget request. The Committee provides the requested level of funding for surveillance

and detection operations and research activities. BioWatch 3 detection offers to detect more pathogens, more rapidly, at less expense than currently deployed systems.

#### COMMAND, CONTROL, AND INTEROPERABILITY

The Committee provides \$61,763,000 for Command, Control, and Interoperability, \$1,837,000 below the request. The Committee provides an increase of \$10,000,000 for cyber security and Internet-based control systems protection. These funds will assist in finding solutions to address flaws in the computerized systems that control generators, switching stations, and electrical substations. The Committee believes that well planned cyber attacks, such as the recent attacks against Estonia, could have devastating consequences in this country and encourages S&T to continue its Distributed Environment for Critical Infrastructure Decision-making Exercises program for research of low probability, high consequence cyber attacks against infrastructure critical to the U.S. economy.

#### EXPLOSIVES

The Committee provides \$81,726,000 for explosives research, an increase of \$17,977,000 over the request, to support S&T's requirements under Homeland Security Presidential Directive-19. Improvised explosive devices carry severe consequences, especially in the transportation sector and at special events. S&T is directed to work toward producing detection technologies that deter, reduce, or eliminate explosive attacks and their consequences. S&T should also look for next generation detection innovations for car bombs and hidden explosives to compliment short-term military research aimed at detection. Further, S&T should coordinate its research and development efforts with other Federal activities to avoid duplication of effort.

#### COUNTER-MAN PORTABLE AIR DEFENSE SYSTEMS

The Committee was disappointed to learn that additional funding provided in fiscal year 2007 for a comprehensive passenger aircraft suitability assessment resulted in a decision by the administration to push back its report and recommendation on deployment of these systems until fiscal year 2010. While the additional resources allowed a greater number of aircraft to be assessed, the major concerns about these systems such as effectiveness and reliability should soon be well characterized. The Committee directs the Department to report on the first portion of Phase III testing by the end of fiscal year 2008 and provide a recommendation on whether these systems are suitable for deployment or not.

#### TRANSPORTATION SECURITY LABORATORY

The Committee is aware of the need to expand laboratory space at the Transportation Security Laboratory [TSL] in order to safely house the Independent Test and Evaluation [ITE] program. Further, the Committee is aware that product certifications provided at no charge by the TSL are a valuable service for vendors who send their products for evaluation, and that the product certification system encourages the development of newer security tech-

nology. The Committee directs S&T to report on the costs and benefits of charging companies for certification of their products in light of the potential to provide enhanced certification services and the capital improvement needs of the laboratory housing the ITE program. S&T is directed to report to the Committee on this cost-benefit analysis by February 5, 2008.

#### ANALYSIS, DISSEMINATION, VISUALIZATION, INSIGHT, SYNTHESIS, AND ENHANCEMENT

The Committee is aware that S&T has created the knowledge management architecture known as Analysis, Dissemination, Visualization, Insight, Synthesis, and Enhancement [ADVISE] to integrate various information capabilities. Given that the prototype uses departmental and other data, including some on U.S. citizens, it has significant privacy implications. The report accompanying the House passed fiscal year 2007 Department of Homeland Security Appropriations bill (House Report 109–476) directed the Department to submit a program plan, including goals and costs, by November 3, 2006. This report has not been submitted. The Committee recommends no funding for this program in fiscal year 2008. Future year funding will depend on the Department's willingness to provide a program plan and a privacy statement.

#### SOUTH EAST REGION RESEARCH INITIATIVE

The amount recommended includes \$35,000,000 for the Oak Ridge National Laboratory for competitive awards to continue the Southeast Region Research Initiative Program (Requested by: Cochran, Alexander, and Corker).

#### INFRASTRUCTURE AND GEOPHYSICAL

The Committee restores funding for the Regional Technology Integration initiative to the fiscal year 2007 level of \$10,000,000. This program, in Anaheim, California; Cincinnati, Ohio; Seattle, Washington; and Memphis, Tennessee, facilitates the transition of innovative technologies and organizational concepts to national, regional, State, and local jurisdictions (Requested by: Feinstein).

#### INNOVATION

The Committee provides \$46,000,000 for Innovation, a 21 percent increase over fiscal year 2007, and the Committee supports S&T efforts to explore innovative technologies, even if they face a substantial risk of failure, provided the potential benefits are even more substantial. Of the amount provided, \$8,000,000 is for composite hull technology research, as requested. These funds are provided with the understanding that this is an equal financial partnership with the Coast Guard and industry.

#### LABORATORIES

The Committee provides \$11,000,000 for the National Bio and Agro Defense Facility [NBAF], as requested in the budget.

The Committee was disappointed that the Department failed to provide a request that reflected its construction obligations for the Physical Science Facility and refurbishment of building 325 at the

Pacific Northwest National Laboratory located in Hanford, Washington. The Committee provides \$15,000,000 for ongoing construction activities in support of the Department's November 7, 2006, memorandum of understanding with the National Nuclear Security Administration and the United States Department of Energy (Requested by: Murray and Cantwell).

#### UNIVERSITY PROGRAMS

The Committee notes the importance of using behavioral and social sciences to detect, analyze, and better understand and prevent threats posed by terrorists, and commends the Department for elevating the status of behavioral science with the establishment of a new Human Factors Division. To support this initiative, the Committee encourages continued and increased support for the competitively awarded University Programs' Scholars and Fellows program, which is critical to the development of the next generation of homeland security scientists.

#### NEW TECHNOLOGIES

The Committee believes new technologies may significantly help the Department as it seeks to secure our homeland. The Committee encourages the Department to develop through competitive awards such technologies as: small, rugged mass spectrometers; gallium nitride based multi-mission phase array radar; high throughput backscatter personal screeners; explosive detection using computer tomography and neutron technology, data systems that are scalable, easily deployable, and do not require significant power or cooling infrastructure; mono-energetic gamma resonant imaging and detections systems; respirators using antimicrobial iodinated technology; and supercomputing centers that utilize smart sensor algorithms on low cost processors.

#### DOMESTIC NUCLEAR DETECTION OFFICE

##### SUMMARY

The mission of the Domestic Nuclear Detection Office [DNDO] is to improve the Nation's capability to detect and report attempts to import, possess, store, develop, or transport nuclear and radiological material for use against the Nation.

##### COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$550,000,000 for activities of DNDO for fiscal year 2008.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2007 and budget request levels:

#### DOMESTIC NUCLEAR DETECTION OFFICE

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee recommendations
Domestic Nuclear Detection Office:			
Management and Administration .....	30,468	34,000	32,000
Research, Development, and Operations .....	272,500	319,900	336,000

## DOMESTIC NUCLEAR DETECTION OFFICE—Continued

[In thousands of dollars]

	Fiscal year 2007 enacted <sup>1</sup>	Fiscal year 2008 budget request	Committee rec- ommendations
Systems Acquisition .....	178,000	208,000	182,000
Total, Domestic Nuclear Detection Office .....	480,968	561,900	550,000

<sup>1</sup> Excludes \$135,000,000 in emergency appropriations pursuant to Public Law 110-28.

## NON-CONTAINER SECURITY

The Committee notes DNDO plans to scan roughly 98 percent of containerized cargo entering the country by the end of 2008. Over the following years, DNDO will work toward scanning the remaining 2 percent of container cargo coming through quieter ports and other means. In the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Act, 2007 (Public Law 110-28) an additional \$100,000,000 was provided toward this goal. However, according to U.S. Customs and Border Protection, containerized cargo makes up only about half of the sea-borne shipping (by tonnage), the rest is non-containerized and largely unscanned. Surprisingly, even more cargo enters the country by air than by sea-borne containerized vessels and virtually none of this cargo is scanned as it is off-loaded.

While the Committee endorses assuring that containers entering the country are scanned, it firmly believes that DNDO should also begin to focus its energies on the roughly three-quarters of all cargo that is not containerized and entering the country without radiation scanning. Further, as exemplified by the assassination of a former Russian spy in London with Polonium-210, radioactive materials appear to be able to be moved aboard passenger aircraft. DNDO should use its discretion when allocating its radiation detection equipment and other resources to focus on reducing the greatest amount of risk. DNDO should consider intelligence estimates, transportation pathways, origins of cargo and people, and other factors in determining scanner placement. Given the recent supplemental resources aimed at containerized cargo and the gaping hole for other types of cargo, the Committee recommends \$45,500,000 be used to enhance non-containerized, high risk security. The allocation of these funds is described in the separate accounts below.

## SECURING THE CITIES

The Committee recommends \$30,000,000 for the Securing the Cities initiative, (\$5,000,000 within the Research, Development, Operations account, and \$25,000,000 within the Systems Acquisition account), a decrease of \$10,000,000 below the budget request. The Committee strongly supports the goals of this program, to detect radiological weapons before they are brought into our cities from the Nation's interior and elsewhere, by tripling the amount available to this program over fiscal year 2007. However, the aggressive expansion of the program proposed by the administration is premature since it has no strategic plan, is based on several assumptions that run counter to current intelligence in this threat arena, and has no measure of success, nor an end point for infra-

structure build out. The Committee directs DNDO to submit a strategic plan for its phased deployment that: (1) prioritizes the cities to be covered by the program; (2) lays out a decision matrix on which routes will be covered into the city whether by land, sea or air; (3) addresses whether decoy detection systems would benefit the public good; (4) indicates what level of detection infrastructure makes sense for each city; (5) addresses whether any given deployment has a reasonable chance of success against an adversary with at least a moderate level of technological know-how; and (6) establishes a 5-year projected cost of the program. In addition, DNDO must enter into a memorandum of understanding with any city receiving resources from the program outlining the duties and resource requirements expected of DNDO and expected of the city over the foreseeable future.

THE GLOBAL NUCLEAR DETECTION ARCHITECTURE

The Committee understands the Domestic Nuclear Detection Office [DNDO] has been a leader in the development of the Global Nuclear Detection Architecture and is working closely with the Department of Energy and other Federal agencies whose aim is to find a nuclear or radiological weapon before it reaches our Nation's shores. The Committee applauds this effort. The Committee directs DNDO to provide a classified briefing to the Committee on ways it plans to incorporate current intelligence into the structure and implementation of the Architecture by October 1, 2007.

THE NUCLEAR THREAT AND RESOURCE ALLOCATION

Nuclear "detection" is only one element in the fight against nuclear terrorism. Other efforts, such as intelligence gathering, securing nuclear materials overseas, and non-proliferation activities all contribute to slowing the spread of these weapons of mass destruction. While coordination between detection functions within the Federal Government appears to be improving, little coordination occurs between these other efforts to find the best use of funds. The Committee encourages DNDO to work with its partners to go beyond the Global Nuclear Detection Architecture to begin balancing all efforts in a coordinated fashion.

MANAGEMENT AND ADMINISTRATION

Appropriations, 2007 .....	\$30,468,000
Budget estimate, 2008 .....	34,000,000
Committee recommendation .....	32,000,000

The Management and Administration account funds salaries, benefits and expenses for the Domestic Nuclear Detection Office.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$32,000,000 for management and administration, a reduction of \$2,000,000 from the request.

The Committee has not fully funded the budget request for increased staffing since DNDO has not fully identified specific positions needed in the Chief of Staff's office or new engineering positions to be filled. Further, DNDO is still well below its fiscal year 2007 authorized staffing level. The Committee provides sufficient

resources to annualize prior year positions and pay for cost of living increases.

RESEARCH, DEVELOPMENT, AND OPERATIONS

Appropriations, 2007 <sup>1</sup> .....	\$272,500,000
Budget estimate, 2008 .....	319,900,000
Committee recommendation .....	336,000,000

<sup>1</sup> Excludes \$35,000,000 in emergency appropriations pursuant to Public Law 110–28.

COMMITTEE RECOMMENDATIONS

The Committee provides \$336,000,000 for research, development, and operations carried out by DNDO. The Committee provides an increase of \$16,100,000 from the level proposed in the budget to increase funding to address the highest risk routes of entry into the country.

NON-CONTAINER SECURITY

The Committee recognizes that DNDO plans to scan 98 percent of containerized cargo entering the Nation by the end of 2008. Public Law 110–28 appropriated \$100,000,000 to enhance this effort. Other higher risk pathways into the country are currently left unmonitored. The Committee recommends that \$31,000,000 requested for further deployment of radiation portal monitors for container security be redirected to other higher risk means of entering the country, such as other forms of cargo or cargo crossing the border between points of entry. A total of \$29,000,000 is moved to the Research, Development, and Operations account from the Systems Acquisition account, of which \$20,000,000 is to deploy 20 domestic teams to screen general aviation aircraft for illicit nuclear materials; \$3,000,000 is for development of mobile detection systems to scan aircraft; and \$6,000,000 is to enhance detection links between seaports and railroads at a test center in Tacoma, Washington, as authorized in section 121(i) of the Security and Accountability For Every Port Act of 2006 (Public Law 109–347) (Requested by: Murray).

RED TEAMING

The Committee recommends \$9,800,000 for red teaming activities, as requested in the budget. The Domestic Nuclear Detection Office [DNDO] initiated the red team program to help identify weaknesses in the Global Nuclear Detection Architecture. Red team exercises may reveal where operational improvements are needed and lead to a greater likelihood of preventing, detecting, or deterring a nuclear attack. Early reports hint that the red teaming efforts may be more collegial than adversarial—perhaps a proper initial step—but the Committee encourages aggressive red team efforts that challenge the system, just as a terrorist might. Further, the red team should not just challenge the pieces of the architecture, but the architecture as a whole; if DNDO efforts are focused on one well guarded pathway, challenge the other more vulnerable routes, illustrate the weaknesses, and push for change.

TRANSFORMATIONAL RESEARCH

The Committee provides \$100,000,000 for transformational research for DNDO’s development of advanced technologies to detect nuclear or radiological weapons and the materials used to conceal them and for other purposes. It is unsettling that the media reports that the detector systems being installed around the Nation and the world will not likely detect shielded highly enriched uranium [HEU]. Given that at least one unstable nation, with a significant terrorist presence within its borders, has a nuclear arsenal composed of HEU-based weapons, makes these efforts all the more important. Some of these technologies will use active interrogation to find illicit materials within cargo containers and other conveyances, which is suitable in some commercial settings, but because of emissions, may not be suitable for situations where people may be exposed. The Committee believes that for efforts, such as Securing the Cities, to be truly successful, passive or other harmless technologies should be pursued so they might be safely used in public settings.

SYSTEMS ACQUISITION

Appropriations, 2007 <sup>1</sup> .....	\$178,000,000
Budget estimate, 2008 .....	208,000,000
Committee recommendation .....	182,000,000

<sup>1</sup> Excludes \$100,000,000 in emergency appropriations pursuant to Public Law 110–28.

COMMITTEE RECOMMENDATIONS

The Committee provides \$182,000,000 for DNDO’s procurement and deployment of the domestic nuclear detection architecture. Of the amount provided, \$144,000,000 is for the deployment of radiation portal monitors and \$13,000,000 is for human portable radiation detection systems. The Committee provides \$25,000,000 for the Securing the Cities program within this account.

NON-CONTAINER SECURITY

The Committee recommends \$10,000,000 of the radiation portal monitoring acquisition funds be used to acquire radiation portal systems for five U.S. international airports for screening individuals and their baggage for radioactive materials. The Committee also recommends shifting \$6,500,000 to acquisition of human portable radiation detection systems for a total of \$13,000,000 for this program. With a greater number of handheld and portable devices, law enforcement, customs, and other officials will have ready, reliable, and deployable tools for finding radioactive materials be they hidden aboard pleasure craft, airplanes, freighters, or automobiles.

ADVANCED SPECTROSCOPIC PORTAL MONITORS

The conference report accompanying the fiscal year 2007 Homeland Security Appropriations Act (Public Law 109–295) prohibited DNDO from full-scale procurement of Advanced Spectroscopic Portal monitors until the Secretary certifies and reports to the Committees on Appropriations that a significant increase in operational effectiveness merits such a decision. Similarly, until such time the

Committee receives this report and certification, it recommends no funding be made available for full-scale procurement of these systems with fiscal year 2008 resources.

## TITLE V

### GENERAL PROVISIONS

Section 501. The Committee includes a provision limiting the expenditure of funds to the current fiscal year unless expressly provided otherwise in the act.

Section 502. The Committee includes a provision limiting the Department's ability to expend funds in support of reorganizations, without the approval of Congress.

Section 503. The Committee includes a provision providing authority to reprogram appropriations within an account and to transfer not to exceed 5 percent of appropriations between accounts with 15-day advance notification of the Committees on Appropriations.

The Committee expects the Department to submit reprogramming requests on a timely basis, and to provide complete explanations of the reallocations proposed, including detailed justifications of the increases and offsets, and any specific impact the proposed changes will have on current and future-year appropriations requirements. Each request submitted to the Committee should include a detailed table showing the proposed revisions at the account, program, project, and activity level to the funding and staffing (full-time equivalent) levels, as compared to program, project, and activity levels reflected in the table in the statement of managers accompanying the conference report on the fiscal year 2007 appropriations act as well as the impact on appropriations requirements for each future fiscal year.

The Committee notes when the Department submits a reprogramming or transfer request to the Committees on Appropriations and does not receive identical responses from the House and Senate, it is the responsibility of the Department to reconcile the House and Senate differences before proceeding and, if reconciliation is not possible, to consider the reprogramming or transfer request unapproved. The Department is not to propose a reprogramming or transfer of funds after June 30 unless there are exceptional or emergency circumstances.

Section 504. The Committee includes a provision that none of the funds appropriated or otherwise available to the Department may be used to make payment to the Department's Working Capital Fund, except for activities and amounts allowed in the President's fiscal year 2008 budget request, excluding the following activities: sedan service; shuttle service; transit subsidy; mail operations; parking; and competitive sourcing.

Section 505. The Committee includes a provision making not to exceed 50 percent of unobligated balances remaining at the end of fiscal year 2007 of appropriations for salaries and expenses available through fiscal year 2008 in the account and for the purpose

for which the funds were provided. The obligation of such funds are subject to the statutory requirements for the reprogramming of funds.

Section 506. The Committee includes a provision providing that funds made available by the act for intelligence activities are deemed to be specifically authorized until the enactment of an act authorizing intelligence activities for fiscal year 2008.

Section 507. The Committee includes a provision that the Federal Law Enforcement Training Center lead the Federal law enforcement training accreditation process.

Section 508. The Committee includes a provision requiring notification of the Committees on Appropriations at least 3 business days in advance of the Department announcement of any grant allocation, discretionary grant award, letter of intent, or contract totaling over \$1,000,000. The Federal Emergency Management Agency is required to brief the Committee 5 full business days in advance of awards for formula-based grants; law enforcement terrorism prevention grants; regional catastrophic planning grants; or high-density urban area grants.

Section 509. The Committee includes a provision that, with certain specific exceptions, no agency shall purchase, construct, or lease additional facilities for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations.

Section 510. The Committee includes a provision requiring the Director of the Federal Law Enforcement Training Center to ensure that all training facilities are operated at the highest capacity throughout the fiscal year.

Section 511. The Committee includes a provision prohibiting the use of funds for any construction, repair, alteration, or acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, has not been approved.

Section 512. The Committee includes a provision prohibiting the use of funds in contravention of the Buy American Act.

Section 513. The Committee includes a provision to prohibit the obligation of funds for the Secure Flight program, except on a test basis, until the requirements of section 522 of Public Law 108-334 have been met and the Government Accountability Office [GAO] has reviewed and made certain certifications. The Committee directs GAO to continue to evaluate Department of Homeland Security actions to meet the 10 elements listed in section 522 of Public Law 108-334 and to report to the Committee, either incrementally as DHS meets additional elements, or when all elements have been met. The provision also prohibits the obligation of funds for a commercial database that is obtained from or remains under the control of a non-Federal entity.

Section 514. The Committee includes a provision prohibiting the use of funds made available by the act to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act.

Section 515. The Committee includes a provision regarding competitive sourcing of certain U.S. Citizenship and Immigration Services positions.

Section 516. The Committee includes a provision regarding the use of appropriated funds for United States Secret Service protection.

Section 517. The Committee includes a provision regarding research, development, and procurement of new technology for air cargo.

Section 518. The Committee includes a provision regarding the Privacy Officer reporting to the Congress.

Section 519. The Committee includes a provision requiring only those employees who are trained in contract management to perform contract management.

Section 520. The Committee includes a provision that directs any funds appropriated or transferred to Transportation Security Administration "Aviation Security", "Administration", and "Transportation Security Support" in fiscal years 2004, 2005, 2006, and 2007, which are recovered or deobligated, shall be available only for procurement and installation of explosive detection systems for air cargo, baggage, and checkpoint screening systems, subject to notification.

Section 521. The Committee includes a provision continuing section 525(d) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295) regarding sensitive security information.

Section 522. The Committee includes a provision that rescinds \$45,000,000 from unobligated balances transferred to the Department when it was created in 2003.

Section 523. The Committee includes a provision enabling the United States Coast Guard to expend funds recovered, collected, or otherwise received from the 110-123 foot patrol boat conversion project on the replacement patrol boat program.

Section 524. The Committee includes a provision that extends the authorization of the Working Capital Fund through fiscal year 2008.

Section 525. The Committee includes and modifies a provision contained in Public Law 109-295 requiring quarterly Disaster Relief Fund financial reports.

Section 526. The Committee includes a provision requiring the submission of monthly obligation and staffing reports.

Section 527. The Committee includes a provision relating to undercover investigative operations authority of the United States Secret Service for fiscal year 2008.

Section 528. The Committee includes a provision making the activities of the staff of the Federal Law Enforcement Training Center inherently governmental.

Section 529. The Committee includes a provision prohibiting the Secretary of Homeland Security from altering or reducing the United States Coast Guard's Civil Engineering program.

Section 530. The Committee includes a provision extending the date for implementation of the Western Hemisphere Travel Initiative.

Section 531. The Committee includes a provision clarifying congressional intent on preemption regarding risk-based security regulations on high-risk chemical facilities.

Section 532. The Committee includes a provision to ensure that the National Center for Critical Information Processing and Storage is fully utilized at the highest capacity throughout the fiscal year as the Department's primary data storage center.

Section 533. The Committee includes a provision to ensure the Department of Homeland Security shall implement the data center consolidation plan in a manner that shall not result in a reduction to the Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

Section 534. The Committee includes a provision providing transfer authority to the Transportation Security Administration for the Secure Flight program.

Section 535. The Committee includes a provision to expedite disaster assistance for schools damaged by Hurricanes Katrina and Rita.

#### PROGRAM, PROJECT, AND ACTIVITY

The following information provides the definition of the term "program, project, and activity" for the directorates, bureaus, agencies, and other organizations of the Department of Homeland Security under the jurisdiction of the Homeland Security Subcommittee of the Committee on Appropriations. The term "program, project, and activity" shall include the most specific level of budget items identified in the Department of Homeland Security Appropriations Act, 2008, the House and Senate Committee reports, and the conference report and accompanying joint explanatory statement of the managers of the committee of conference.

If a percentage reduction is necessary, in implementing that reduction, directorates, bureaus, agencies, and other organizations of the Department of Homeland Security shall apply any percentage reduction required for fiscal year 2008 to all items specified in the justifications submitted to the Committees on Appropriations of the Senate and the House of Representatives in support of the fiscal year 2008 budget estimates, as amended, for such organizations and directorates, as modified by congressional action.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE  
STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports accompanying general appropriations bills identify each recommended amendment which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The Committee is filing an original bill, which is not covered under this rule, but reports this information in the spirit of full disclosure.

The Committee recommends funding for the following programs or activities which currently lack authorization for fiscal year 2008:

Office of the Secretary and Executive Management;

Office of the Under Secretary for Management;

Office of the Chief Financial Officer;

Office of the Chief Information Officer;

Analysis and Operations;

Office of the Federal Coordinator for Gulf Coast Rebuilding;

Office of Inspector General;

Customs and Border Protection: Salaries and Expenses; Automation Modernization; Border Security Fencing, Infrastructure, and Technology; Air and Marine Interdiction, Operations, Maintenance, and Procurement; and Construction;

Immigration and Customs Enforcement: Salaries and Expenses; Automation Modernization; Construction; and Federal Protective Service;

Transportation Security Administration: Aviation Security; Surface Transportation Security; Transportation Threat Assessment and Credentialing; Transportation Security Support; and Federal Air Marshals;

United States Coast Guard: Operating Expenses; Environmental Compliance and Restoration; Reserve Training; Acquisition, Construction, and Improvements; Alteration of Bridges; and Research, Development, Test, and Evaluation;

United States Secret Service: Salaries and Expenses; and Acquisition, Construction, Improvements, and Related Expenses;

National Protection and Programs Directorate: Management and Administration; Infrastructure Protection and Information Security; U.S. Visitor and Immigrant Status Indicator Technology;

Office of Health Affairs;

Federal Emergency Management Agency: Management and Administration; State and Local Programs; Disaster Relief; Flood Map Modernization Fund; and Emergency Food and Shelter;

United States Citizenship and Immigration Services;

Federal Law Enforcement Training Center: Salaries and Expenses; and Acquisition, Construction, Improvements, and Related Expenses;

Science and Technology: Management and Administration; and Research, Development, Acquisition, and Operations.

Domestic Nuclear Detection Office: Management and Administration; Research, Development, and Operations; and Systems Acquisition.

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE  
STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on June 14, 2007, the Committee ordered reported an original bill (S. 1644) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, subject to amendment and subject to the budget allocations and authorized the chairman of the committee or the chairman of the subcommittee to offer the text of the Senate-reported bill as a committee amendment in the nature of a substitute to the House companion measure, by a recorded vote of 29–0, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Byrd	
Mr. Inouye	
Mr. Leahy	
Mr. Harkin	
Ms. Mikulski	
Mr. Kohl	
Mrs. Murray	
Mr. Dorgan	
Mrs. Feinstein	
Mr. Durbin	
Mr. Johnson	
Ms. Landrieu	
Mr. Reed	
Mr. Lautenberg	
Mr. Nelson	
Mr. Cochran	
Mr. Stevens	
Mr. Specter	
Mr. Domenici	
Mr. Bond	
Mr. McConnell	
Mr. Shelby	
Mr. Gregg	
Mr. Bennett	
Mr. Craig	
Mrs. Hutchison	
Mr. Brownback	
Mr. Allard	
Mr. Alexander	

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE  
STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee.”

In compliance with this rule, the following changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italics; and existing law in which no change is proposed is shown in roman.

**2002 SUPPLEMENTAL APPROPRIATIONS ACT FOR FURTHER RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES, PUBLIC LAW 107-206**

\* \* \* \* \*

TITLE I—SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

\* \* \* \* \*

CHAPTER 12

\* \* \* \* \*

INDEPENDENT AGENCIES

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

\* \* \* \* \*

GENERAL PROVISIONS—THIS CHAPTER

\* \* \* \* \*

SEC. 1202. (a) The Federal Law Enforcement Training Center may, for a period ending not later than [December 31, 2007] *December 31, 2011*, appoint and maintain a cadre of up to 250 Federal annuitants: (1) without regard to any provision of title 5, United States Code, which might otherwise require the application of competitive hiring procedures; and (2) who shall not be subject to any reduction in pay (for annuity allocable to the period of actual employment) under the provisions of section 8344 or 8468 of such title 5 or similar provision of any other retirement system for employees. A reemployed Federal annuitant as to whom a waiver of reduction under paragraph (2) applies shall not, for any period during which such waiver is in effect, be considered an employee for pur-

poses of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or such other retirement system (referred to in paragraph (2)) as may apply.

\* \* \* \* \*

**INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004, PUBLIC LAW 108-458**

\* \* \* \* \*

**TITLE VII—IMPLEMENTATION OF 9/11 COMMISSION RECOMMENDATIONS**

\* \* \* \* \*

**Subtitle B—Terrorist Travel and Effective Screening**

**SEC. 7201. \* \* \***

\* \* \* \* \*

**SEC. 7209. TRAVEL DOCUMENTS.**

**(a) \* \* \***

\* \* \* \* \*

**(b) PASSPORTS.—**

(1) DEVELOPMENT OF PLAN.—The Secretary of Homeland Security, in consultation with the Secretary of State, shall develop and implement a plan as expeditiously as possible to require a passport or other document, or combination of documents, deemed by the Secretary of Homeland Security to be sufficient to denote identity and citizenship, for all travel into the United States by United States citizens and by categories of individuals for whom documentation requirements have previously been waived under section 212(d)(4)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(4)(B)). **[This plan shall be implemented not later than three months after the Secretary of State and the Secretary of Homeland Security make the certifications required in subsection (B), or June 1, 2009, whichever is earlier.]** *Such plan may not be implemented earlier than the date that is the later of 3 months after the Secretary of State and the Secretary of Homeland Security make the certification required in subparagraph (B) or June 1, 2009.*

\* \* \* \* \*

**DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007, PUBLIC LAW 109-295**

\* \* \* \* \*

**TITLE V**

**GENERAL PROVISIONS**

\* \* \* \* \*

**SEC. 532. (a) UNITED STATES SECRET SERVICE USE OF PROCEEDS DERIVED FROM CRIMINAL INVESTIGATIONS.—**During fiscal year **[2007]** 2008, with respect to any undercover investigative op-

eration of the United States Secret Service (hereafter referred to in this section as the “Secret Service”) that is necessary for the detection and prosecution of crimes against the United States—

\* \* \* \* \*

SEC. 550. (a) \* \* \*

\* \* \* \* \*

(g) If the Secretary determines that a chemical facility is not in compliance with this section, the Secretary shall provide the owner or operator with written notification (including a clear explanation of deficiencies in the vulnerability assessment and site security plan) and opportunity for consultation, and issue an order to comply by such date as the Secretary determines to be appropriate under the circumstances: *Provided*, That if the owner or operator continues to be in noncompliance, the Secretary may issue an order for the facility to cease operation, until the owner or operator complies with the order.

(h) *This section shall not preclude or deny any right of any State or political subdivision thereof to adopt or enforce any regulation, requirement, or standard of performance with respect to chemical facility security that is more stringent than a regulation, requirement, or standard of performance issued under this section, or otherwise impair any right or jurisdiction of any State with respect to chemical facilities within that State, unless there is an actual conflict between this section and the law of that State.*

BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC. 308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the budget resolution for 2008: Subcommittee on Homeland Security				
Mandatory .....	1,072	1,072	1,066	<sup>1</sup> 1,066
Discretionary .....	36,439	36,439	38,736	<sup>1</sup> 38,407
Projection of outlays associated with the recommendation:				
2008 .....				<sup>2</sup> 22,251
2009 .....				7,648
2010 .....				4,929
2011 .....				1,677
2012 and future years .....				758
Financial assistance to State and local governments for 2008 .....	NA	4,704	NA	431

<sup>1</sup> Includes outlays from prior-year budget authority.

<sup>2</sup> Excludes outlays from prior-year budget authority.

NA: Not applicable.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2007 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2008  
 [In thousands of dollars]

Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2007 appropriation	Budget estimate
DEPARTMENT OF HOMELAND SECURITY					
TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS					
Departmental Operations					
Office of the Secretary and Executive Management:					
Immediate Office of the Secretary .....	2,540	2,650	2,650	+110	.....
Immediate Office of the Deputy Secretary .....	1,185	1,222	1,122	-63	-100
Chief of Staff .....	2,560	2,639	2,639	+79	.....
Office of Counternarcotics Enforcement .....	2,360	3,155	2,360	.....	-795
Executive Secretary .....	4,450	5,127	4,855	+405	-272
Office of Policy .....	29,305	35,300	31,310	+2,005	-3,990
Secure Border Initiative Office .....	4,500	4,500	4,500	.....	.....
Office of Public Affairs .....	6,000	7,686	7,400	+1,400	-286
Office of Legislative and Intergovernmental Affairs .....	5,449	5,618	5,518	+69	-100
Office of General Counsel .....	12,759	15,155	12,759	.....	-2,396
Office of Civil Rights and Liberties .....	13,000	13,722	13,722	+722	.....
Citizenship and Immigration Services Ombudsman .....	5,927	6,054	6,054	+127	.....
Privacy Officer .....	4,435	5,111	5,111	+676	.....
Transfer to Aviation Security (Public Law 110-5, sec. 21101) .....	(-300)	.....	.....	(+300)	.....
Total, Office of the Secretary and Executive Management (including transfers) .....	94,170	107,939	100,000	+5,830	-7,939
Appropriations .....	(94,470)	(107,939)	(100,000)	(+5,530)	(-7,939)
(transfer out) .....	(-300)	.....	.....	(+300)	.....
Office of the Under Secretary for Management:					
Under Secretary for Management .....	1,870	2,012	2,012	+142	.....
Office of Security .....	52,640	53,990	53,990	+1,350	.....
Office of the Chief Procurement Officer .....	16,895	28,495	28,495	+11,600	.....
Office of the Chief Human Capital Officer:					
Salaries and expenses .....	8,811	10,278	8,811	.....	-1,467

	25,000	15,000	5,000	- 20,000	- 10,000
MAX—HR System .....					
Subtotal, Office of the Chief Human Capital Officer .....	33,811	25,278	13,811	- 20,000	- 11,467
Office of the Chief Administrative Officer:					
Salaries and expenses .....	40,218	42,575	42,575	+ 2,357	
Nebraska Avenue Complex facilities .....	8,206	6,000	6,000	- 2,206	
Consolidated Headquarters Project .....		120,000	88,000	+ 88,000	- 32,000
Subtotal, Office of the Chief Administrative Officer .....	48,424	168,575	136,575	+ 88,151	- 32,000
(— 5,000) .....				(+ 5,000)	
Transfer to Aviation Security (Public Law 110–5, sec. 21101) .....					
Total, Office of the Under Secretary for Management (including transfers) .....	148,640	278,350	234,883	+ 86,243	- 43,467
Appropriations .....	(153,640)	(278,350)	(234,883)	(+ 81,243)	(- 43,467)
(transfer out) .....	(- 5,000)			(+ 5,000)	
Office of the Chief Financial Officer .....	26,000	32,800	30,076	+ 4,076	- 2,724
Office of the Chief Information Officer:					
Salaries and expenses .....	79,521	82,400	82,400	+ 2,879	
Information technology activities .....	61,013	56,200	56,200	- 4,813	
Security activities .....	89,387	89,400	149,400	+ 60,013	+ 60,000
Wireless program .....	86,438			- 86,438	
Homeland Secure Data Network (HSDN) .....	32,654	33,100	33,100	+ 446	
Subtotal, Office of the Chief Information Officer .....	349,013	261,100	321,100	- 27,913	+ 60,000
Analysis and Operations .....	299,663	314,681	306,000	+ 6,337	- 8,681
Total, Departmental Operations .....	917,486	994,870	992,059	+ 74,573	- 2,811
Office of the Federal Coordinator for Gulf Coast Rebuilding .....	3,000	3,000	3,000		
Office of Inspector General					
Operating expenses .....	85,185	99,111	95,211	+ 10,026	- 3,900
(transfer from Disaster Relief) .....	(13,500)		(13,500)		(+ 13,500)
Operating expenses (including transfers) .....	98,685	99,111	108,711	+ 10,026	+ 9,600
Appropriations .....	(85,185)	(99,111)	(95,211)	(+ 10,026)	(- 3,900)
by transfer .....	(13,500)		(13,500)		(+ 13,500)
Total, title I, Departmental Management and Operations (including transfers) .....	1,019,171	1,096,981	1,103,770	+ 84,599	+ 6,789

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2007 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2008—Continued

(In thousands of dollars)

Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2007 appropriation	Budget estimate
Appropriations	(1,010,971)	(1,096,981)	(1,090,270)	(+ 79,299)	(- 6,711)
by transfer	(13,500)	.....	(13,500)	.....	(+ 13,500)
transfer out	(- 5,300)	.....	.....	(+ 5,300)	.....
<b>TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS</b>					
Customs and Border Protection					
Salaries and expenses:					
Headquarters, Management, and Administration:					
Management and administration, border security inspections and trade facilitation	658,943	675,391	639,373	- 19,570	- 36,018
Management and administration, border security and control between ports of entry	589,446	602,016	597,016	+ 7,570	- 5,000
Subtotal, Headquarters, Mgt. & Admin	1,248,389	1,277,407	1,236,389	- 12,000	- 41,018
Border security inspections and trade facilitation:					
Inspections, trade, and travel facilitation at ports of entry	1,326,665	1,610,202	1,675,685	+ 349,020	+ 65,483
Harbor maintenance fee collection (trust fund)	3,026	3,026	3,093	+ 67	+ 67
Container security initiative	139,312	156,130	156,130	+ 16,818	.....
Other international programs	8,701	8,871	10,866	+ 2,165	+ 1,995
Customs-Trade Partnership Against Terrorism (C-TPAT)	54,730	55,560	62,310	+ 7,580	+ 6,750
Free and Secure Trade (FAST) NEXUS/SENTRI	11,243	11,243	11,243	.....	.....
Inspection and detection technology investments	141,317	135,979	105,027	- 36,290	- 30,952
Emergency appropriations	100,000	.....	.....	- 100,000	.....
Subtotal	241,317	135,979	105,027	- 136,290	- 30,952
Automated targeting systems	27,298	27,580	27,580	+ 282	.....
National Targeting Center	23,635	23,950	23,950	+ 315	.....
Other technology investments, including I/T training	24,564	24,813	24,813	+ 249	.....
Subtotal, Border security inspections and trade facilitation	1,860,491	2,057,354	2,100,697	+ 240,206	+ 43,343

Border security and control between ports of entry:								
Border security and control	2,239,586	2,984,443	2,984,443	2,984,443	744,857			
SBINET training	37,924	52,789	52,789	52,789	+14,865			
Subtotal, Border security and control between ports of entry	2,277,510	3,037,232	3,037,232	3,037,232	+759,722			
Air and Marine Personnel Compensation and Benefits	175,796	207,740	207,740	226,740	+50,944			+19,000
Subtotal, Salaries and expenses	5,562,186	6,579,733	6,579,733	6,601,058	+1,038,872			+21,325
Appropriations	(5,459,160)	(6,576,707)	(6,576,707)	(6,597,965)	(+1,138,805)			(+21,258)
Emergency appropriations	(100,000)				(-100,000)			
Trust fund	(3,026)	(3,026)		(3,093)	(+67)			
Automation modernization:								
Automated commercial environment/International Trade Data System (ITDS)	316,800	316,969	316,969	316,969	+169			
Automated commercial system and current operations and processing support	134,640	159,640	159,640	159,640	+25,000			
Subtotal, Automation modernization	451,440	476,609	476,609	476,609	+25,169			
Border security fencing, infrastructure, and technology (BSFT)	28,365				-28,365			
Emergency appropriations	1,159,200				-1,159,200			
Development and deployment		936,000		863,000	+863,000			-73,000
Operation and maintenance				73,000	+73,000			+73,000
Program management		64,000		64,000	+64,000			
Subtotal, BSFT	1,187,565	1,000,000	1,000,000	1,000,000	-187,565			
Appropriations	(28,365)	(1,000,000)	(1,000,000)	(1,000,000)	(+971,635)			
Emergency appropriations	(1,159,200)				(-1,159,200)			
Air and Marine Interdiction, Operations, Maintenance, and Procurement:								
Operations and maintenance	236,454	353,954	365,614	365,614	+129,160			+11,660
Procurement	133,733	123,333	123,333	123,333	-10,400			
Emergency appropriations	232,000				-232,000			
Subtotal	365,733	123,333	123,333	123,333	-242,400			
Subtotal, Air and marine interdiction, operations, maintenance, and procurement	602,187	477,287	488,947	488,947	-113,240			+11,660
Appropriations	(370,187)	(477,287)	(488,947)	(488,947)	(+118,760)			(+11,660)
Emergency appropriations	(232,000)				(-232,000)			
Construction:								
Construction	122,978	249,663	274,863	274,863	+151,885			+25,200

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2007 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2008—Continued  
[In thousands of dollars]

Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2007 appropriation	Budget estimate
Construction (Border Patrol) (emergency) .....	110,000	.....	.....	- 110,000	.....
Subtotal, Construction .....	232,978	249,663	274,863	+ 41,885	+ 25,200
Total, Direct appropriations for Customs and Border Protection .....	8,036,356	8,783,292	8,841,477	+ 805,121	+ 58,185
Fee accounts:					
Immigration inspection user fee .....	(529,300)	(535,291)	(535,291)	(+ 5,991)	.....
Immigration enforcement fines .....	(1,724)	(3,440)	(3,440)	(+ 1,716)	.....
Land border inspection fee .....	(28,071)	(30,121)	(30,121)	(+ 2,050)	.....
COBRA passenger inspection fee .....	(387,804)	(392,180)	(392,180)	(+ 4,376)	.....
APHIS inspection fee .....	(214,287)	(299,622)	(299,622)	(+ 85,335)	.....
Puerto Rico collections .....	(97,815)	(117,214)	(117,214)	(+ 19,399)	.....
Small airport user fees .....	(6,230)	(7,057)	(7,057)	(+ 827)	.....
Subtotal, fee accounts .....	(1,265,231)	(1,384,925)	(1,384,925)	(+ 119,694)	.....
Total, Customs and Border Protection .....	(9,301,587)	(10,168,217)	(10,226,402)	(+ 924,815)	(+ 58,185)
Appropriations .....	(6,435,156)	(8,783,292)	(8,841,477)	(+ 2,406,321)	(+ 58,185)
Emergency appropriations .....	(1,601,200)	.....	.....	(- 1,601,200)	.....
(Fee accounts) .....	(1,265,231)	(1,384,925)	(1,384,925)	(+ 119,694)	.....
Immigration and Customs Enforcement					
Salaries and expenses:					
Headquarters Management and Administration non-Detention and Removal Operations):					
Personnel compensation and benefits, service and other costs .....	140,000	162,137	164,637	+ 24,637	+ 2,500
Headquarters managed IT investment .....	134,013	152,306	152,306	+ 18,293	.....
Subtotal, Headquarters management and administration .....	274,013	314,443	316,943	+ 42,930	+ 2,500
Legal proceedings .....	187,353	207,850	207,850	+ 20,497	.....

Investigations:								
Domestic	1,285,229	1,372,328	1,411,101	+125,872	+38,773			
International	104,681	108,074	107,551	+2,870	-523			
Subtotal, Investigations	1,389,910	1,480,402	1,518,652	+128,742	+38,250			
Intelligence	51,379	52,146	52,146	+767				
Detention and removal operations:								
Custody Operations	1,381,767	1,459,712	1,606,163	+224,396	+146,451			
Fugitive operations	183,200	186,145	194,645	+11,445	+8,500			
Criminal Alien program	137,494	168,329	178,829	+41,335	+10,500			
Alternatives to Detention	43,600	43,889	43,889	+289				
Transportation and removal program	238,284	249,084	282,526	+44,242	+33,442			
Subtotal, Detention and removal operations	1,984,345	2,107,159	2,306,052	+321,707	+198,893			
Subtotal, Salaries and expenses	3,887,000	4,162,000	4,401,643	+514,643	+239,643			
Federal protective service:								
Basic security	123,310	186,673	186,673	+63,363				
Building specific security (including capital equipment replacement/acquisition)	392,701	426,327	426,327	+33,626				
Subtotal, Federal Protective Service	516,011	613,000	613,000	+96,989				
Offsetting fee collections	-516,011	-613,000	-613,000	-96,989				
Automation modernization: ATLAS	15,000		15,000		+15,000			
Construction	26,281	6,000	16,250	-10,031	+10,250			
Emergency appropriations	30,000			-30,000				
Subtotal, Construction	56,281	6,000	16,250	-40,031	+10,250			
Total direct appropriations for Immigration and Customs Enforcement	3,958,281	4,168,000	4,432,893	+474,612	+264,893			
Fee accounts:								
Immigration inspection user fee	(108,000)	(113,500)	(113,500)	(+5,500)				
Breached bond/detention fund	(90,000)	(63,800)	(63,800)	(-26,200)				
Student exchange and visitor fee	(54,349)	(56,200)	(56,200)	(+1,851)				
Subtotal, fee accounts	(252,349)	(233,500)	(233,500)	(-18,849)				
Subtotal, Immigration and Customs Enforcement (gross)	(4,726,641)	(5,014,500)	(5,279,393)	(+552,752)	(+264,893)			

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2007 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2008—Continued  
[In thousands of dollars]

Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2007 appropriation	Budget estimate
Offsetting fee collections .....	(-5,16,011)	(-613,000)	(-613,000)	(-96,989)	.....
Total, Immigration and Customs Enforcement .....	(4,210,630)	(4,401,500)	(4,666,393)	(+455,763)	(+264,893)
Appropriations .....	(3,928,281)	(4,168,000)	(4,432,893)	(+504,612)	(+264,893)
Emergency appropriations .....	(30,000)	.....	.....	(-30,000)	.....
Fee accounts .....	(252,349)	(233,500)	(233,500)	(-18,849)	.....
Transportation Security Administration					
Aviation security:					
Screening operations:					
Screener workforce:					
Privatized screening .....	148,600	143,385	143,385	-5,215	.....
Passenger & Baggage screener—personnel, compensation, and benefits .....	2,470,200	2,601,404	2,601,404	+131,204	.....
Subtotal, Screener workforce .....	2,618,800	2,744,789	2,744,789	+125,989	.....
Screening training and other .....	244,466	200,466	200,466	-44,000	.....
Human resource services .....	207,234	182,234	182,234	-25,000	.....
Checkpoint support .....	173,366	136,000	136,000	-37,366	.....
EDS/ETD Systems:					
EDS procurement and installation .....	279,400	440,000	529,400	+250,000	+89,400
EDS/ETD maintenance and other equipment .....	222,000	264,000	257,000	+35,000	-7,000
Operation integration .....	23,000	25,000	25,000	+2,000	.....
Subtotal, EDS/ETD Systems .....	524,400	729,000	811,400	+287,000	+82,400
Subtotal, Screening operations .....	3,768,266	3,992,489	4,074,889	+306,623	+82,400
Aviation security direction and enforcement:					
Aviation regulation and other enforcement .....	217,516	223,653	223,653	+6,137	.....
Airport management, IT, and support .....	666,032	655,933	645,933	-20,099	-10,000

FFDO and flight crew training .....	25,091	25,091	25,091	+ 91	.....
Air cargo .....	55,000	55,768	65,768	+ 10,768	+ 10,000
Airport perimeter security .....	.....	.....	4,000	+ 4,000	+ 4,000
Subtotal, Aviation security direction and enforcement .....	963,548	960,445	964,445	+ 897	+ 4,000
Discretionary fees:	.....	.....	.....	.....	.....
General aviation at DCA .....	.....	200	200	+ 200	.....
Indirect air cargo .....	.....	25	25	+ 25	.....
Total, Discretionary fees .....	.....	225	225	+ 225	.....
(by transfer) (Public Law 110-5, sec. 21101) .....	(7,300)	.....	.....	(- 7,300)	.....
Aviation security capital fund .....	(250,000)	.....	.....	(- 250,000)	.....
Total, Aviation security (gross) (including transfers) .....	4,739,114	4,953,159	5,039,559	+ 300,445	+ 86,400
Offsetting fee collections (non-mandatory) .....	- 2,420,000	- 2,710,000	- 2,710,000	- 290,000	.....
Discretionary fees—offsetting collections (non-mandatory) .....	.....	- 225	- 225	- 225	.....
Total, Aviation security (net) .....	2,319,114	2,242,934	2,329,334	+ 10,220	+ 86,400
Appropriation .....	(2,311,814)	(2,242,934)	(2,329,334)	(+ 17,520)	(+ 86,400)
by transfer .....	(7,300)	.....	.....	(- 7,300)	.....
Aviation security capital fund .....	(250,000)	.....	.....	(- 250,000)	.....
Surface transportation security:	.....	.....	.....	.....	.....
Staffing and operations .....	24,000	24,485	24,485	+ 485	.....
Rail security inspectors and canines .....	13,200	16,928	16,928	+ 3,728	.....
Subtotal, Surface transportation security .....	37,200	41,413	41,413	+ 4,213	.....
Transportation Threat Assessment and Credentialing:	.....	.....	.....	.....	.....
Secure Flight .....	15,000	53,000	28,000	+ 13,000	- 25,000
Transfer to Aviation Security (Public Law 110-5, sec. 21101) .....	(- 2,000)	.....	.....	(+ 2,000)	.....
Crew vetting .....	14,700	14,990	14,990	+ 290	.....
Screening administration and operations .....	10,000	9,500	9,500	- 500	.....
TWC direct appropriations .....	.....	.....	15,000	+ 15,000	+ 15,000
Registered Traveler Program fees .....	(35,101)	(35,101)	(35,101)	.....	.....
TWC fees .....	(20,000)	(26,500)	(26,500)	(+ 6,500)	.....
Hazardous materials fees .....	(19,000)	(19,000)	(19,000)	.....	.....
Alien Flight School (by transfer from DOD)—fees .....	(2,000)	(2,000)	(2,000)	.....	.....

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Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2007 appropriation	Budget estimate
Subtotal, Transportation Threat Assessment and Credentialing (Gross) (including transfers)	(113,801)	(160,091)	(150,091)	(+ 36,290)	(- 10,000)
Fee funded programs	(76,101)	(82,601)	(82,601)	(+ 6,500)	
Subtotal, Transportation Threat Assessment and Credentialing (net) (including transfers)	37,700	77,490	67,490	+ 29,790	- 10,000
Appropriations	(39,700)	(77,490)	(67,490)	(+ 27,790)	(- 10,000)
(transfer out)	(- 2,000)			(+ 2,000)	
Transportation security support:					
Administration:					
Headquarters administration	294,191	294,191	294,191		
Information technology	210,092	209,324	209,324	- 768	
Subtotal, Administration	504,283	503,515	503,515	- 768	
Intelligence	21,000	21,000	21,000		
Subtotal, Transportation security support	525,283	524,515	524,515	- 768	
Federal Air Marshals:					
Management and administration	628,494	644,173	644,173	+ 15,679	
Travel and training	85,800	77,827	77,827	- 7,973	
Subtotal, Federal Air Marshals	714,294	722,000	722,000	+ 7,706	
Rescission of unobligated balances	- 66,712			+ 66,712	
Total, Transportation Security Administration (gross) (including transfers)	6,312,980	6,401,178	6,477,578	+ 164,598	+ 76,400
Offsetting fee collections	- 2,420,000	- 2,710,225	- 2,710,225	- 290,225	
Aviation security capital fund	(250,000)			(- 250,000)	
Fee accounts	(76,101)	(82,601)	(82,601)	(+ 6,500)	
Total, Transportation Security Administration (net) (including transfers)	3,566,879	3,608,352	3,684,752	+ 117,873	+ 76,400
Appropriations	(3,628,291)	(3,608,352)	(3,684,752)	(+ 56,461)	(+ 76,400)

	(- 66,712) (7,300) (- 2,000)				(+ 66,712) (- 7,300) (+ 2,000)	
Rescissions by transfer						
transfer out						
United States Coast Guard						
Operating expenses:						
Military pay and allowances	2,788,276	2,958,622				
Civilian pay and benefits	569,434	630,669				+ 2,650
Training and recruiting	180,876	186,548				+ 63,885
Operating funds and unit level maintenance	1,011,374	1,138,199				+ 5,672
Centrally managed accounts	201,968	226,215				+ 126,825
Intermediate and depot level maintenance	710,729	754,042				+ 27,847
Port Security enhancements	15,000	30,000				+ 43,313
Less adjustment for defense function	- 340,000	- 340,000				+ 15,000
Defense function	340,000	340,000				
Subtotal, Operating expenses	5,477,657	5,930,545				+ 452,888
Appropriations	(5,137,657)	(5,590,545)				(+ 36,250)
Defense function	(340,000)	(340,000)				
Environmental compliance and restoration	10,880	12,079				+ 1,199
Reserve training	122,448	126,883				+ 4,435
Acquisition, construction, and improvements:						
Vessels:						
Response boat medium (41 ft UTB and NSB replacement)	24,750	9,200				- 15,550
Special purpose craft—Law enforcement (emergency)	1,800					- 1,800
Subtotal, Vessels	26,550	9,200				- 17,350
Aircraft:						
HH-60 replacement	15,000					- 15,000
Other equipment:						
Automatic identification system	11,238	12,000				+ 762
Defense messaging system		5,000				+ 5,000
National distress and response system modernization (Rescue Z1)	39,600	80,800				+ 41,200
HF Recap	2,475	2,500				+ 25
National Capital Region Air Defense	48,510	11,500				- 37,010
Emergency appropriations	18,000					- 18,000

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Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2007 appropriation	Budget estimate
Subtotal .....	66,510	11,500	11,500	- 55,010	.....
Maritime security response team—shoothouse .....	.....	1,800	1,800	+ 1,800	.....
Interagency operational centers for Port Security .....	.....	.....	60,000	+ 60,000	+ 60,000
Rescission .....	- 4,100	.....	.....	+ 4,100	.....
Subtotal, Other equipment .....	115,723	113,600	173,600	+ 57,877	+ 60,000
Personnel compensation and benefits:	.....	.....	.....	.....	.....
Core acquisition costs .....	500	505	505	+ 5	.....
Direct personnel cost .....	80,500	.....	.....	- 80,500	.....
Subtotal, Personnel compensation and benefits .....	81,000	505	505	- 80,495	.....
Integrated deepwater systems:	.....	.....	.....	.....	.....
Aircraft:	.....	.....	.....	.....	.....
Maritime Patrol Aircraft (MPA) .....	47,616	170,016	170,016	+ 122,400	.....
Emergency appropriations .....	100,500	.....	.....	- 100,500	.....
VTOL unmanned aerial vehicles (UAVs) .....	4,950	.....	.....	- 4,950	.....
HH-60 conversions .....	49,302	57,300	52,300	+ 2,998	- 5,000
HC-130H conversion/sustainment .....	48,955	18,900	13,900	- 35,055	- 5,000
HH-65 conversion project .....	32,373	50,800	50,800	+ 18,427	.....
Armed helicopter equipment .....	55,740	24,600	24,600	- 31,140	.....
C-130J fleet introduction .....	4,950	5,800	5,800	+ 850	.....
Rescission .....	.....	.....	.....	.....	.....
Subtotal, Aircraft .....	344,386	327,416	317,416	- 26,970	- 10,000
Surface ships:	.....	.....	.....	.....	.....
National Security Cutter (NSC) .....	362,280	165,700	165,700	- 196,580	.....
Emergency appropriations .....	55,500	.....	.....	- 55,500	.....
Fast Response Cutter (FRC-A) .....	41,580	.....	.....	- 41,580	.....
Replacement Patrol Boat (FRC-B) .....	48,000	53,600	53,600	+ 5,600	.....



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Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2007 appropriation	Budget estimate
Protection:					
Protection of persons and facilities .....	651,247	696,635	693,535	+42,288	-3,100
Protective intelligence activities .....	55,509	57,704	57,704	+2,195	.....
National special security events .....	1,000	1,000	1,000	.....	.....
NSSE reappropriation (H.R. 5441, sec. 560) .....	2,500	.....	.....	-2,500	.....
NSSE rescission of unobligated balances .....	-2,500	.....	.....	+2,500	.....
Presidential candidate nominee protection .....	18,400	85,250	85,250	+66,850	.....
White House mail screening .....	16,201	26,601	26,601	+10,400	.....
Subtotal, Protection .....	742,357	867,190	864,090	+121,733	-3,100
Investigations:					
Domestic field operations .....	.....	.....	219,742	+219,742	+219,742
International field office administration, operations .....	.....	.....	27,520	+27,520	+27,520
Electronic crimes special agent program and electronic crimes task forces .....	.....	.....	44,565	+44,565	+44,565
Support for missing and exploited children .....	.....	.....	8,366	+8,366	+8,366
Subtotal, Investigations .....	.....	.....	300,193	+300,193	+300,193
Training: Rowley training center .....	50,052	51,954	51,954	+1,902	.....
Subtotal, Salaries and expenses .....	961,779	1,095,078	1,392,171	+430,392	+297,093
Investigations and Field Operations:					
Domestic field operations .....	236,093	219,742	.....	-236,093	-219,742
International field administration and operations .....	22,616	27,520	.....	-22,616	-27,520
Electronic crimes special agent program and electronic crimes task forces .....	44,079	44,565	.....	-44,079	-44,565
Forensic support and grants to NCMEC .....	8,366	8,366	.....	-8,366	-8,366
Subtotal, Investigations and Field operations .....	311,154	300,193	.....	-311,154	-300,193
Acquisition, construction, improvements, and related expenses (Rowley training center) .....	3,725	3,725	3,725	.....	.....

Total, United States Secret Service .....	1,276,658	1,398,996	1,395,896	+ 119,238	- 3,100
Appropriations .....	(1,279,158)	(1,398,996)	(1,395,896)	(+ 116,738)	(- 3,100)
Rescission .....	(- 2,500)			(+ 2,500)	
Total, title II, Security, Enforcement, and Investigations (including transfers) .....	25,130,331	26,415,592	26,914,220	+ 1,783,889	+ 498,628
Appropriations .....	(23,490,036)	(26,464,379)	(26,971,007)	(+ 3,480,971)	(+ 506,628)
Emergency appropriations .....	(1,807,000)			(- 1,807,000)	
Rescission .....	(- 172,005)	(- 48,787)	(- 56,787)	(+ 115,218)	(- 8,000)
by transfer .....	(7,300)			(- 7,300)	
transfer out .....	(- 2,000)			(+ 2,000)	
(Fee Accounts) .....	(1,593,681)	(1,701,026)	(1,701,026)	(+ 107,345)	
<b>TITLE III—PROTECTION, PREPAREDNESS, RESPONSE AND RECOVERY</b>					
National Protection and Programs					
Management and administration:					
Administrative activities .....	37,812	46,290	30,000	- 7,812	- 16,290
Risk management and analysis .....					
Total, Management and administration .....	37,812	46,290	30,000	- 7,812	- 16,290
Infrastructure Protection and Information Security Management and administration .....	54,580			- 54,580	
Infrastructure protection:					
Identification and analysis .....	69,064	68,970	74,522	+ 5,458	+ 5,552
Coordination and information sharing .....	80,772	57,821	54,930	- 25,842	- 2,891
Mitigation programs .....	74,991	108,793	118,353	+ 43,362	+ 9,560
Risk analysis .....	2,316	4,532	4,305	+ 1,989	- 227
Total, Infrastructure protection .....	227,143	240,116	252,110	+ 24,967	+ 11,994
Cyber security .....	92,000	97,688	92,000		- 5,688
Office of Emergency Communications .....	17,000	35,700	45,915	+ 28,915	+ 10,215
National Security/Emergency Preparedness Telecommunications:					
Priority telecommunications .....	105,568	82,821	78,680	- 26,888	- 4,141
Next generation networks .....	14,080	52,064	30,000	+ 15,920	- 22,064
Programs to study and enhance telecommunications .....	14,125	16,733	15,896	+ 1,771	- 837
Critical infrastructure protection .....	8,341	10,905	10,360	+ 2,019	- 545
Risk analysis .....	1,158	2,250	2,138	+ 980	- 112
Total, National Security/Emergency Preparedness Telecommunications .....	143,272	164,773	137,074	- 6,198	- 27,699

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[In thousands of dollars]

Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2007 appropriation	Budget estimate
Subtotal, Infrastructure Protection and Information Security .....	533,995	538,277	527,099	- 6,896	- 11,178
U.S. Visitor and Immigrant Status Indicator Technology .....	362,494	462,000	362,000	- 494	- 100,000
Total, National Protection and Programs .....	934,301	1,046,567	919,099	- 15,202	- 127,468
Office of Health Affairs					
Chief Medical Officer .....	4,980	.....	.....	- 4,980	.....
Biowatch .....	78,120	79,108	79,108	+ 988	.....
National biosurveillance integration system .....	8,000	8,000	8,000	.....	.....
Rapidly deployable chemical detection system .....	2,600	2,600	2,600	.....	.....
Planning and coordination .....	.....	4,475	4,475	+ 4,475	.....
Salaries and expenses .....	5,598	23,750	20,817	+ 15,219	- 2,933
Total, Office of Health Affairs .....	99,298	117,933	115,000	+ 15,702	- 2,933
Federal Emergency Management Agency					
Management and administration:					
Operations activities .....	219,000	420,020	426,020	+ 207,020	+ 6,000
Management activities .....	282,000	216,580	216,580	- 65,420	.....
Urban search and rescue teams .....	25,000	25,000	30,000	+ 5,000	+ 5,000
Office of National Capitol Region Coordination .....	2,741	6,000	6,000	+ 3,259	.....
National Preparedness Integration Program .....	6,459	.....	.....	- 6,459	.....
(transfer from Disaster relief) .....	.....	(48,000)	(48,000)	(+ 48,000)	.....
Subtotal, Management and administration (including transfers) .....	535,200	715,600	726,600	+ 191,400	+ 11,000
by transfer .....	.....	(48,000)	(48,000)	(+ 48,000)	.....
Appropriations .....	(535,200)	(667,600)	(678,600)	(+ 143,400)	(+ 11,000)
(Non-defense appropriations) .....	(479,360)	(618,360)	(589,670)	(+ 110,310)	(- 28,690)
(Defense appropriations) .....	55,840	49,240	88,930	+ 33,090	+ 39,690

State and Local Programs:								
State and Local Assistance								
State grants:								
State Homeland Security Grant Program	525,000	250,000	525,000					+ 275,000
Law enforcement terrorism prevention grants	375,000		375,000					+ 375,000
Subtotal, State grants	900,000	250,000	900,000					+ 650,000
Discretionary grants:								
UASI: High-threat, high-density urban area	770,000	800,000	820,000			+ 50,000		+ 20,000
Regional catastrophic preparedness grants			50,000			+ 50,000		+ 50,000
Buffer Zone Protection Program	50,000	50,000	50,000					
Port security grants	210,000	210,000	400,000			+ 190,000		+ 190,000
Rail and transit security grants	175,000	175,000	400,000			+ 225,000		+ 225,000
Trucking security grants	12,000	9,000	16,000			+ 4,000		+ 7,000
Intercity bus security grants	12,000	12,000	12,000					
Metropolitan Medical Response System grants	33,000		33,000					+ 33,000
Citizen Corps grants	15,000	15,000	15,000					
REAL ID grants								
Interoperable communications grants								
Commercial equipment direct assistance program	50,000		40,000			- 10,000		+ 40,000
Subtotal, Discretionary grants	1,327,000	1,271,000	1,836,000			+ 509,000		+ 565,000
National Programs:								
National Domestic Preparedness Consortium	88,000	38,000	88,000					+ 50,000
Center for Domestic Preparedness	57,000	48,500	57,000					+ 8,500
Noble Training Center	5,500	5,500	5,500					
National exercise program	49,000	50,000	50,000			+ 1,000		
Technical assistance	6,000	6,000	14,000			+ 8,000		+ 8,000
Demonstration/Competitive	61,000		30,000			- 31,000		+ 30,000
Continuing training grants		3,000	31,000			+ 31,000		+ 28,000
Evaluations and assessments	19,000	19,000	19,000					
Rural Domestic Preparedness Consortium	12,000					- 12,000		
Subtotal, National Programs	297,500	170,000	294,500			- 3,000		+ 124,500
Management and administration								
		5,000						- 5,000
Subtotal, State and Local Programs	2,524,500	1,696,000	3,030,500			+ 506,000		+ 1,334,500

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Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
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Firefighter assistance grants:					
Fire grants .....	547,000	300,000	560,000	+13,000	+260,000
Staffing for Adequate Fire and Emergency Response (SAFER) Act grants .....	115,000	.....	140,000	+25,000	+140,000
Subtotal, Firefighter Assistance grants .....	662,000	300,000	700,000	+38,000	+400,000
Emergency management performance grants .....	200,000	200,000	300,000	+100,000	+100,000
Subtotal, State and Local Assistance .....	3,386,500	2,196,000	4,030,500	+644,000	+1,834,500
Radiological Emergency Preparedness Program .....	-477	-505	-505	-28	.....
United States Fire Administration .....	41,349	43,300	43,300	+1,951	.....
Public health programs .....	33,885	.....	.....	-33,885	.....
Disaster relief .....	1,500,000	1,700,000	1,700,000	+200,000	.....
(transfer to Management and administration) .....	.....	(-48,000)	(-48,000)	(-48,000)	.....
(transfer to Inspector General) .....	(-13,500)	.....	(-13,500)	.....	(-13,500)
Subtotal, Disaster Relief .....	1,486,500	1,652,000	1,638,500	+152,000	-13,500
Disaster assistance direct loan program account:					
(Limitation on direct loans) .....	(25,000)	(25,000)	(25,000)	.....	.....
Direct loan subsidy .....	.....	295	295	+295	.....
Administrative expenses .....	569	580	580	+11	.....
Flood map modernization fund .....	198,980	194,881	200,000	+1,020	+5,119
National flood insurance fund:					
Salaries and expenses .....	38,230	45,642	45,642	+7,412	.....
Flood hazard mitigation .....	90,358	99,358	99,358	+9,000	.....
Offsetting fee collections .....	-128,588	-145,000	-145,000	-16,412	.....
Transfer to National flood mitigation fund .....	(-31,000)	(-34,000)	(-34,000)	(-3,000)	.....

National flood mitigation fund (by transfer) .....	(31,000)	(34,000)	(34,000)	(+ 3,000)	.....
National pre-disaster mitigation fund .....	100,000	100,053	120,000	+ 20,000	+ 19,947
Emergency food and shelter .....	151,470	140,000	153,000	+ 1,530	+ 13,000
<b>Total, Federal Emergency Management Agency (including transfers) .....</b>	<b>5,933,976</b>	<b>5,042,204</b>	<b>6,912,270</b>	<b>+ 978,294</b>	<b>+ 1,870,066</b>
Appropriations .....	(5,947,476)	(5,042,204)	(6,925,770)	(+ 978,294)	(+ 1,883,566)
by transfer .....	(31,000)	(82,000)	(82,000)	(+ 51,000)	.....
transfer out .....	(- 44,500)	(- 82,000)	(- 95,500)	(- 51,000)	(- 13,500)
(Limitation on direct loans) .....	(25,000)	(25,000)	(25,000)	.....	.....
Rescission, Counter Terrorism Fund .....	- 16,000	.....	.....	+ 16,000	.....
<b>Total, title III, Protection, Preparedness, Response and Recovery (including transfers) .....</b>	<b>6,951,575</b>	<b>6,206,704</b>	<b>7,946,369</b>	<b>+ 994,794</b>	<b>+ 1,739,665</b>
Appropriation .....	6,981,075	6,206,704	7,959,869	+ 978,794	+ 1,753,165
Rescission .....	(- 16,000)	.....	.....	(+ 16,000)	.....
By transfer .....	(31,000)	(82,000)	(82,000)	(+ 51,000)	.....
Transfer out .....	(- 44,500)	(- 82,000)	(- 95,500)	(- 51,000)	(- 13,500)
(Limitation on direct loans) .....	(25,000)	(25,000)	(25,000)	.....	.....
<b>TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES</b>					
U.S. Citizenship and Immigration Services					
Business transformation .....	47,000	.....	.....	- 47,000	.....
Systematic Alien Verification for Entitlements (SAVE) .....	21,100	.....	.....	- 21,100	.....
Employment Eligibility Verification (EEV) program .....	113,890	30,000	30,000	- 83,890	.....
FBI background check .....	.....	.....	20,000	+ 20,000	+ 20,000
Benefit parole programs .....	.....	.....	523	+ 523	+ 523
<b>Subtotal, Citizenship and Immigration Services .....</b>	<b>181,990</b>	<b>30,000</b>	<b>50,523</b>	<b>- 131,467</b>	<b>+ 20,523</b>
Adjudication services (fee account):					
Pay and benefits .....	(624,600)	(763,962)	(763,962)	(+ 139,362)	.....
District operations .....	(385,400)	(551,701)	(551,701)	(+ 166,301)	.....
Service center operations .....	(267,000)	(354,527)	(354,527)	(+ 87,527)	.....
Asylum, refugee and international operations .....	(75,000)	(91,120)	(91,120)	(+ 16,120)	.....
Records operations .....	(67,000)	(80,589)	(80,589)	(+ 13,589)	.....
Business transformation .....	.....	(139,000)	(139,000)	(+ 139,000)	.....
<b>Subtotal, Adjudication services .....</b>	<b>(1,419,000)</b>	<b>(1,980,899)</b>	<b>(1,980,899)</b>	<b>(+ 561,899)</b>	.....
Information and customer services (fee account):					
Pay and benefits .....	(81,000)	(93,132)	(93,132)	(+ 12,132)	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2007 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
 FOR FISCAL YEAR 2008—Continued  
 (In thousands of dollars)

Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2007 appropriation	Budget estimate
Operating expenses:					
National Customer Service Center	(48,000)	(49,357)	(49,357)	(+ 1,357)	
Information services	(15,000)	(19,375)	(19,375)	(+ 4,375)	
Subtotal, Information and customer services	(144,000)	(161,864)	(161,864)	(+ 17,864)	
Administration (fee account):					
Pay and benefits	(45,000)	(79,268)	(79,268)	(+ 34,268)	
Operating expenses	(196,000)	(295,289)	(295,289)	(+ 99,289)	
Subtotal, Administration	(241,000)	(374,557)	(374,557)	(+ 133,557)	
Systematic Alien Verification for Entitlements (SAVE) (fee accounts)		(21,552)	(21,552)	(+ 21,552)	
Total U.S. Citizenship and Immigration Services	(1,985,990)	(2,568,872)	(2,589,395)	(+ 603,405)	(+ 20,523)
Appropriations	(181,990)	(30,000)	(50,523)	(- 131,467)	(+ 20,523)
Total Fees	(1,804,000)	(2,538,872)	(2,538,872)	(+ 734,872)	
(Immigration Examination Fee Account)	(1,760,000)	(2,494,872)	(2,494,872)	(+ 734,872)	
(Fraud prevention and detection fee account)	(31,000)	(31,000)	(31,000)		
(HIB Non-Immigrant Petitioner fee account)	(13,000)	(13,000)	(13,000)		
Federal Law Enforcement Training Center					
Salaries and expenses:					
Law enforcement training	209,743	219,786	219,786	+ 10,043	
Accreditation	1,290		1,290		+ 1,290
Subtotal, Salaries and expenses	211,033	219,786	221,076	+ 10,043	+ 1,290
Acquisition, Construction, Improvements, and Related expenses:					
Direct appropriation	42,246	43,270	44,470	+ 2,224	+ 1,200
Construction (emergency)	22,000			- 22,000	

Subtotal .....	64,246	43,270	44,470	- 19,776	+ 1,200
Total, Federal Law Enforcement Training Center .....	275,279	263,056	265,546	- 9,733	+ 2,490
Appropriations .....	(253,279)	(263,056)	(265,546)	(+ 12,267)	(+ 2,490)
Emergency appropriations .....	(22,000)			(- 22,000)	
Science and Technology					
Management and administration .....	134,000	142,632	140,632	+ 6,632	- 2,000
Research, development, acquisition, and operations:					
Borders and maritime .....	33,436	25,936	25,479	- 7,957	- 457
Chemical and biological .....	229,453	228,949	216,038	- 13,415	- 12,911
Command, control and interoperability .....	57,612	63,600	61,763	+ 4,151	- 1,837
Explosives .....	105,231	63,749	81,726	- 23,505	+ 17,977
Human factors .....	6,800	12,600	6,706	- 94	- 5,894
Infrastructure and geophysical .....	74,781	24,000	64,000	- 10,781	+ 40,000
Innovation .....	38,000	59,900	46,000	+ 8,000	- 13,900
Laboratory facilities .....	105,649	88,814	103,814	- 1,835	+ 15,000
Test and evaluation/standards .....	25,432	25,520	24,219	- 1,213	- 1,301
Transition .....	24,040	24,700	23,901	- 139	- 799
University programs .....	48,575	38,700	38,718	- 9,857	+ 18
Homeland Security Institute:					
Non-add .....	(10,000)	(10,000)		(- 10,000)	
Appropriation .....			5,000	+ 5,000	+ 5,000
Subtotal, Research, development, acquisition, and operations .....	749,009	656,468	697,364	- 51,645	+ 40,896
(Non-defense related appropriations) .....	(453,009)	(481,468)	(522,364)	(+ 69,355)	(+ 40,896)
(Defense related appropriations) .....	(296,000)	(175,000)	(175,000)	(- 121,000)	
Rescission of unobligated balances .....	- 125,000			+ 125,000	
Total, Science and Technology .....	758,009	799,100	837,996	+ 79,987	+ 38,896
Domestic Nuclear Detection Office					
Management and administration .....	30,468	34,000	32,000	+ 1,532	- 2,000
Research, development, and operations:					
Systems engineering and architecture .....	26,500	25,100	22,400	- 4,100	- 2,700
Systems development .....	99,500	108,100	132,100	+ 32,600	+ 24,000
Transformational research and development .....	72,600	100,000	100,000	+ 27,400	
Assessments .....	25,600	32,000	32,000	+ 6,400	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2007 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2008—Continued  
[In thousands of dollars]

Item	2007 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2007 appropriation	Budget estimate
Operational support .....					
National Technical Nuclear Forensics Center .....	35,000	37,800	34,500	-500	-3,300
Research, development, and operations .....	13,300	16,900	15,000	+1,700	-1,900
Systems acquisition:					
Radiation Portal Monitors/Advanced Spectroscopic Portal Program .....	272,500	319,900	336,000	+63,500	+16,100
Securing the Cities .....	165,500	171,500	144,000	-21,500	-27,500
Human Portal Radiation Detection System Program .....	12,500	30,000	25,000	+25,000	-5,000
Subtotal, Systems acquisition .....	178,000	208,000	182,000	+4,000	-26,000
Total, Domestic Nuclear Detection Office .....	480,968	561,900	550,000	+69,032	-11,900
Total, title IV, Research and Development, Training, and Services .....	1,696,246	1,654,056	1,704,065	+7,819	+50,009
Appropriations .....	(1,799,246)	(1,654,056)	(1,704,065)	(-95,181)	(+50,009)
Emergency appropriations .....	(22,000)			(-22,000)	
(Fee Accounts) .....	(1,804,000)	(2,538,872)	(2,538,872)	(+734,872)	
TITLE V—GENERAL PROVISIONS					
Sec. 522 Rescission of unobligated balances .....			-45,000	-45,000	-45,000
Sec. 533 Citizenship and Immigration services (C50) .....					
Total, title V, General Provisions .....			-45,000	-45,000	-45,000
Grand total .....	34,797,323	35,373,333	37,623,424	+2,826,101	+2,250,091
Appropriations .....	(33,281,328)	(35,422,120)	(37,725,211)	(+4,443,883)	(+2,303,091)
Emergency appropriations .....	(1,829,000)			(-1,829,000)	
Rescissions .....					
Fee funded programs .....	(-313,005)	(-48,787)	(-101,787)	(+211,218)	(-53,000)
	(3,397,681)	(4,239,898)	(4,239,898)	(+842,217)	

(Limitation on direct loans) .....	(25,000)	(25,000)	(25,000)	(25,000)	(-13,500)
(Transfer out) .....	(-51,800)	(-82,000)	(-95,500)	(-43,700)	(+13,500)
(By transfer) .....	(51,800)	(82,000)	(95,500)	(+43,700)	(+13,500)

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