

## Calendar No. 391

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 4939****[Report No. 109-230]**

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IN THE SENATE OF THE UNITED STATES

MARCH 27, 2006

Received; read twice and referred to the Committee on Appropriations

APRIL 5, 2006

Reported by Mr. COCHRAN, with an amendment

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

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**AN ACT**

Making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 ~~That the following sums are appropriated, out of any~~  
4 ~~money in the Treasury not otherwise appropriated, for the~~  
5 ~~fiscal year ending September 30, 2006, and for other pur-~~  
6 ~~poses, namely:~~

1 TITLE I—GLOBAL WAR ON TERROR  
2 SUPPLEMENTAL APPROPRIATIONS  
3 CHAPTER 1  
4 DEPARTMENT OF AGRICULTURE  
5 FOREIGN AGRICULTURAL SERVICE  
6 PUBLIC LAW 480 TITLE II GRANTS

7 For an additional expenses for “Public Law 480 Title  
8 II Grants”, during the current fiscal year, not otherwise  
9 recoverable, and unrecovered prior years’ costs, including  
10 interest thereon, under the Agricultural Trade Develop-  
11 ment and Assistance Act of 1954, for commodities sup-  
12 plied in connection with dispositions abroad under title II  
13 of said Act, \$350,000,000, to remain available until ex-  
14 pended: *Provided*, That the amount provided under this  
15 heading is designated as an emergency requirement pursu-  
16 ant to section 402 of H. Con. Res. 95 (109th Congress),  
17 the concurrent resolution on the budget for fiscal year  
18 2006.

19 CHAPTER 2  
20 DEPARTMENT OF DEFENSE  
21 DEPARTMENT OF DEFENSE—MILITARY  
22 MILITARY PERSONNEL  
23 MILITARY PERSONNEL, ARMY

24 For an additional amount for “Military Personnel,  
25 Army”, \$6,506,223,000: *Provided*, That the amount pro-

1 vided under this heading is designated as an emergency  
2 requirement pursuant to section 402 of H. Con. Res. 95  
3 (109th Congress), the concurrent resolution on the budget  
4 for fiscal year 2006.

5                   MILITARY PERSONNEL, NAVY

6           For an additional amount for “Military Personnel,  
7 Navy”, \$1,061,724,000: *Provided*, That the amount pro-  
8 vided under this heading is designated as an emergency  
9 requirement pursuant to section 402 of H. Con. Res. 95  
10 (109th Congress), the concurrent resolution on the budget  
11 for fiscal year 2006.

12                   MILITARY PERSONNEL, MARINE CORPS

13           For an additional amount for “Military Personnel,  
14 Marine Corps”, \$834,122,000: *Provided*, That the amount  
15 provided under this heading is designated as an emergency  
16 requirement pursuant to section 402 of H. Con. Res. 95  
17 (109th Congress), the concurrent resolution on the budget  
18 for fiscal year 2006.

19                   MILITARY PERSONNEL, AIR FORCE

20           For an additional amount for “Military Personnel,  
21 Air Force”, \$1,145,363,000: *Provided*, That the amount  
22 provided under this heading is designated as an emergency  
23 requirement pursuant to section 402 of H. Con. Res. 95  
24 (109th Congress), the concurrent resolution on the budget  
25 for fiscal year 2006.

## 1                   RESERVE PERSONNEL, ARMY

2           For an additional amount for “Reserve Personnel,  
3 Army”, \$166,070,000: *Provided*, That the amount pro-  
4 vided under this heading is designated as an emergency  
5 requirement pursuant to section 402 of H. Con. Res. 95  
6 (109th Congress), the concurrent resolution on the budget  
7 for fiscal year 2006.

## 8                   RESERVE PERSONNEL, NAVY

9           For an additional amount for “Reserve Personnel,  
10 Navy”, \$110,412,000: *Provided*, That the amount pro-  
11 vided under this heading is designated as an emergency  
12 requirement pursuant to section 402 of H. Con. Res. 95  
13 (109th Congress), the concurrent resolution on the budget  
14 for fiscal year 2006.

## 15                   RESERVE PERSONNEL, MARINE CORPS

16           For an additional amount for “Reserve Personnel,  
17 Marine Corps”, \$10,327,000: *Provided*, That the amount  
18 provided under this heading is designated as an emergency  
19 requirement pursuant to section 402 of H. Con. Res. 95  
20 (109th Congress), the concurrent resolution on the budget  
21 for fiscal year 2006.

## 22                   RESERVE PERSONNEL, AIR FORCE

23           For an additional amount for “Reserve Personnel,  
24 Air Force”, \$1,940,000: *Provided*, That the amount pro-  
25 vided under this heading is designated as an emergency

1 requirement pursuant to section 402 of H. Con. Res. 95  
2 (109th Congress), the concurrent resolution on the budget  
3 for fiscal year 2006.

4 NATIONAL GUARD PERSONNEL, ARMY

5 For an additional amount for “National Guard Per-  
6 sonnel, Army”, \$96,000,000: *Provided*, That the amount  
7 provided under this heading is designated as an emergency  
8 requirement pursuant to section 402 of H. Con. Res. 95  
9 (109th Congress), the concurrent resolution on the budget  
10 for fiscal year 2006.

11 NATIONAL GUARD PERSONNEL, AIR FORCE

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

18 OPERATION AND MAINTENANCE

19 OPERATION AND MAINTENANCE, ARMY

20 For an additional amount for “Operation and Main-  
21 tenance, Army”, \$18,380,310,000: *Provided*, That the  
22 amount provided under this heading is designated as an  
23 emergency requirement pursuant to section 402 of H.  
24 Con. Res. 95 (109th Congress), the concurrent resolution  
25 on the budget for fiscal year 2006.

## 1           OPERATION AND MAINTENANCE, NAVY

2                   (INCLUDING TRANSFER OF FUNDS)

3           For an additional amount for “Operation and Main-  
4 tenance, Navy”, \$2,793,600,000: *Provided*, That up to  
5 \$75,020,000 shall be available for the Department of  
6 Homeland Security, “United States Coast Guard, Oper-  
7 ating Expenses”: *Provided further*, That the amount pro-  
8 vided under this heading is designated as an emergency  
9 requirement pursuant to section 402 of H. Con. Res. 95  
10 (109th Congress), the concurrent resolution on the budget  
11 for fiscal year 2006.

## 12           OPERATION AND MAINTENANCE, MARINE CORPS

13           For an additional amount for “Operation and Main-  
14 tenance, Marine Corps”, \$1,722,911,000: *Provided*, That  
15 the amount provided under this heading is designated as  
16 an emergency requirement pursuant to section 402 of H.  
17 Con. Res. 95 (109th Congress), the concurrent resolution  
18 on the budget for fiscal year 2006.

## 19           OPERATION AND MAINTENANCE, AIR FORCE

20           For an additional amount for “Operation and Main-  
21 tenance, Air Force”, \$5,328,869,000: *Provided*, That the  
22 amount provided under this heading is designated as an  
23 emergency requirement pursuant to section 402 of H.  
24 Con. Res. 95 (109th Congress), the concurrent resolution  
25 on the budget for fiscal year 2006.

1        ~~OPERATION AND MAINTENANCE, DEFENSE-WIDE~~

2        For an additional amount for “~~Operation and Main-~~  
3 ~~tenance, Defense-Wide~~”, ~~\$3,259,929,000~~, of which—

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

8            (2) not to exceed \$10,000,000 can be used for  
9        emergencies and extraordinary expenses, to be ex-  
10       pended on the approval or authority of the Secretary  
11       of Defense, and payments may be made on his cer-  
12       tificate of necessity for confidential military pur-  
13       poses;

14           (3) not to exceed \$1,200,000,000 to remain  
15       available until expended, may be used for payments  
16       to reimburse Pakistan, Jordan, and other key co-  
17       operating nations, for logistical, military, and other  
18       support provided, or to be provided, to United States  
19       military operations, notwithstanding any other provi-  
20       sion of law: *Provided*, That such payments may be  
21       made in such amounts as the Secretary of Defense,  
22       with the concurrence of the Secretary of State, and  
23       in consultation with the Director of the Office of  
24       Management and Budget, may determine, in his dis-  
25       cretion, based on documentation determined by the

1 Secretary of Defense to adequately account for the  
2 support provided, and such determination is final  
3 and conclusive upon the accounting officers of the  
4 United States, and 15 days following notification to  
5 the appropriate congressional committees: *Provided*  
6 *further*, That the Secretary of Defense shall provide  
7 quarterly reports to the congressional defense com-  
8 mittees on the use of funds provided in this para-  
9 graph; and

10 (4) not to exceed \$44,500,000 for Cooperative  
11 Threat Reduction;

12 *Provided further*, That the amount provided under this  
13 heading is designated as an emergency requirement pursu-  
14 ant to section 402 of H. Con. Res. 95 (109th Congress),  
15 the concurrent resolution on the budget for fiscal year  
16 2006.

17 OPERATION AND MAINTENANCE, ARMY RESERVE

18 For an additional amount for “Operation and Main-  
19 tenance, Army Reserve”, \$100,100,000: *Provided*, That  
20 the amount provided under this heading is designated as  
21 an emergency requirement pursuant to section 402 of H.  
22 Con. Res. 95 (109th Congress), the concurrent resolution  
23 on the budget for fiscal year 2006.





1 stan, including the provision of equipment, supplies, serv-  
2 ices, training, facility and infrastructure repair, renova-  
3 tion, and construction, and funding: *Provided further,*  
4 That the authority to provide assistance under this head-  
5 ing is in addition to any other authority to provide assist-  
6 ance to foreign nations: *Provided further,* That the Sec-  
7 retary of Defense may transfer such funds to appropria-  
8 tions for military personnel; operation and maintenance;  
9 Overseas Humanitarian, Disaster, and Civic Aid; procure-  
10 ment; research; development; test and evaluation; and de-  
11 fense working capital funds to accomplish the purposes  
12 provided herein: *Provided further,* That this transfer au-  
13 thority is in addition to any other transfer authority avail-  
14 able to the Department of Defense: *Provided further,* That  
15 upon a determination that all or part of the funds so  
16 transferred from this appropriation are not necessary for  
17 the purposes provided herein, such amounts may be trans-  
18 ferred back to this appropriation: *Provided further,* That  
19 contributions of funds for the purposes provided herein  
20 from any person, foreign government, or international or-  
21 ganization may be credited to this Fund, and used for  
22 such purposes: *Provided further,* That the Secretary shall  
23 notify the congressional defense committees in writing  
24 upon the receipt and upon the transfer of any contribution  
25 delineating the sources and amounts of the funds received

1 and the specific use of such contributions: *Provided fur-*  
2 *ther*, That the Secretary of Defense shall, not fewer than  
3 five days prior to making transfers from this appropria-  
4 tion account, notify the congressional defense committees  
5 in writing of the details of any such transfer: *Provided*  
6 *further*, That the Secretary shall submit a report no later  
7 than 30 days after the end of each fiscal quarter to the  
8 congressional defense committees summarizing the details  
9 of the transfer of funds from this appropriation: *Provided*  
10 *further*, That the amount provided under this heading is  
11 designated as an emergency requirement pursuant to sec-  
12 tion 402 of H. Con. Res. 95 (109th Congress), the concur-  
13 rent resolution on the budget for fiscal year 2006.

14 IRAQ SECURITY FORCES FUND

15 (INCLUDING TRANSFER OF FUNDS)

16 For the “Iraq Security Forces Fund”,  
17 \$3,007,000,000, to remain available until September 30,  
18 2007: *Provided*, That such funds shall be available to the  
19 Secretary of Defense, notwithstanding any other provision  
20 of law, for the purpose of allowing the Commander, Multi-  
21 National Security Transition Command—Iraq, or the Sec-  
22 retary’s designee, to provide assistance, with the concur-  
23 rence of the Secretary of State, to the security forces of  
24 Iraq, including the provision of equipment, supplies, serv-  
25 ices, training, facility and infrastructure repair, renova-

1 tion, and construction, and funding: *Provided further,*  
2 That the authority to provide assistance under this head-  
3 ing is in addition to any other authority to provide assist-  
4 ance to foreign nations: *Provided further,* That the Sec-  
5 retary of Defense may transfer such funds to appropria-  
6 tions for military personnel; operation and maintenance;  
7 Overseas Humanitarian, Disaster, and Civic Aid; procure-  
8 ment; research, development, test and evaluation; and de-  
9 fense working capital funds to accomplish the purposes  
10 provided herein: *Provided further,* That this transfer au-  
11 thority is in addition to any other transfer authority avail-  
12 able to the Department of Defense: *Provided further,* That  
13 upon a determination that all or part of the funds so  
14 transferred from this appropriation are not necessary for  
15 the purposes provided herein, such amounts may be trans-  
16 ferred back to this appropriation: *Provided further,* That  
17 contributions of funds for the purposes provided herein  
18 from any person, foreign government, or international or-  
19 ganization may be credited to this Fund, and used for  
20 such purposes: *Provided further,* That the Secretary shall  
21 notify the congressional defense committees in writing  
22 upon the receipt and upon the transfer of any contribution  
23 delineating the sources and amounts of the funds received  
24 and the specific use of such contributions: *Provided fur-*  
25 *ther,* That the Secretary of Defense shall, not fewer than

1 five days prior to making transfers from this appropria-  
2 tion account, notify the congressional defense committees  
3 in writing of the details of any such transfer: *Provided*  
4 *further*, That the Secretary shall submit a report no later  
5 than 30 days after the end of each fiscal quarter to the  
6 congressional defense committees summarizing the details  
7 of the transfer of funds from this appropriation: *Provided*  
8 *further*, That the amount provided under this heading is  
9 designated as an emergency requirement pursuant to sec-  
10 tion 402 of H. Con. Res. 95 (109th Congress), the concur-  
11 rent resolution on the budget for fiscal year 2006.

## 12 PROCUREMENT

### 13 AIRCRAFT PROCUREMENT, ARMY

14 For an additional amount for “Aircraft Procurement,  
15 Army”, \$533,200,000, to remain available until Sep-  
16 tember 30, 2008: *Provided*, That the amount provided  
17 under this heading is designated as an emergency require-  
18 ment pursuant to section 402 of H. Con. Res. 95 (109th  
19 Congress), the concurrent resolution on the budget for fis-  
20 cal year 2006.

### 21 MISSILE PROCUREMENT, ARMY

22 For an additional amount for “Missile Procurement,  
23 Army”, \$203,300,000, to remain available until Sep-  
24 tember 30, 2008: *Provided*, That the amount provided  
25 under this heading is designated as an emergency require-





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

5                   OTHER PROCUREMENT, NAVY

6       For an additional amount for “Other Procurement,  
7 Navy”, \$111,719,000, to remain available until September  
8 30, 2008: *Provided*, That the amount provided under this  
9 heading is designated as an emergency requirement pursu-  
10 ant to section 402 of H. Con. Res. 95 (109th Congress);  
11 the concurrent resolution on the budget for fiscal year  
12 2006.

13                   PROCUREMENT, MARINE CORPS

14       For an additional amount for “Procurement, Marine  
15 Corps”, \$3,260,582,000, to remain available until Sep-  
16 tember 30, 2008: *Provided*, That the amount provided  
17 under this heading is designated as an emergency require-  
18 ment pursuant to section 402 of H. Con. Res. 95 (109th  
19 Congress); the concurrent resolution on the budget for fis-  
20 cal year 2006.

21                   AIRCRAFT PROCUREMENT, AIR FORCE

22       For an additional amount for “Aircraft Procurement,  
23 Air Force”, \$663,595,000, to remain available until Sep-  
24 tember 30, 2008: *Provided*, That the amount provided  
25 under this heading is designated as an emergency require-

1 ment pursuant to section 402 of H. Con. Res. 95 (109th  
2 Congress); the concurrent resolution on the budget for fis-  
3 cal year 2006.

4           PROCUREMENT OF AMMUNITION, AIR FORCE

5           For an additional amount for “Procurement of Am-  
6 munition, Air Force”, \$29,047,000, to remain available  
7 until September 30, 2008: *Provided*, That the amount pro-  
8 vided under this heading is designated as an emergency  
9 requirement pursuant to section 402 of H. Con. Res. 95  
10 (109th Congress); the concurrent resolution on the budget  
11 for fiscal year 2006.

12           OTHER PROCUREMENT, AIR FORCE

13           For an additional amount for “Other Procurement,  
14 Air Force”, \$1,489,192,000, to remain available until  
15 September 30, 2008: *Provided*, That the amount provided  
16 under this heading is designated as an emergency require-  
17 ment pursuant to section 402 of H. Con. Res. 95 (109th  
18 Congress); the concurrent resolution on the budget for fis-  
19 cal year 2006.

20           PROCUREMENT, DEFENSE-WIDE

21           For an additional amount for “Procurement, De-  
22 fense-Wide”, \$331,353,000, to remain available until Sep-  
23 tember 30, 2008: *Provided*, That the amount provided  
24 under this heading is designated as an emergency require-  
25 ment pursuant to section 402 of H. Con. Res. 95 (109th



1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
2 AIR FORCE

3 For an additional amount for “Research, Develop-  
4 ment, Test and Evaluation, Air Force”, \$305,110,000, to  
5 remain available until September 30, 2007: *Provided*,  
6 That the amount provided under this heading is des-  
7 ignated as an emergency requirement pursuant to section  
8 402 of H. Con. Res. 95 (109th Congress), the concurrent  
9 resolution on the budget for fiscal year 2006.

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
11 DEFENSE-WIDE

12 For an additional amount for “Research, Develop-  
13 ment, Test and Evaluation, Defense-Wide”,  
14 \$145,921,000, to remain available until September 30,  
15 2007: *Provided*, That the amount provided under this  
16 heading is designated as an emergency requirement pursu-  
17 ant to section 402 of H. Con. Res. 95 (109th Congress),  
18 the concurrent resolution on the budget for fiscal year  
19 2006.

20 REVOLVING AND MANAGEMENT FUNDS

21 DEFENSE WORKING CAPITAL FUNDS

22 For an additional amount for “Defense Working  
23 Capital Funds”, \$502,700,000: *Provided*, That the  
24 amount provided under this heading is designated as an  
25 emergency requirement pursuant to section 402 of H.

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

3 OTHER DEPARTMENT OF DEFENSE PROGRAMS

4 DEFENSE HEALTH PROGRAM

5 For an additional amount for “Defense Health Pro-  
6 gram”, \$1,153,562,000 (reduced by \$20,000,000) (in-  
7 creased by \$20,000,000) for operation and maintenance:  
8 *Provided*, That the amount provided under this heading  
9 is designated as an emergency requirement pursuant to  
10 section 402 of H. Con. Res. 95 (109th Congress), the con-  
11 current resolution on the budget for fiscal year 2006.

12 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

13 DEFENSE

14 (INCLUDING TRANSFER OF FUNDS)

15 For an additional amount for “Drug Interdiction and  
16 Counter-Drug Activities, Defense”, \$156,800,000, to re-  
17 main available until expended: *Provided*, That these funds  
18 may be used only for such activities related to Afghanistan  
19 and the Central Asia area: *Provided further*, That the Sec-  
20 retary of Defense may transfer such funds only to appro-  
21 priations for military personnel; operation and mainte-  
22 nance; procurement; and research; development; test and  
23 evaluation: *Provided further*, That the funds transferred  
24 shall be merged with and be available for the same pur-  
25 poses and for the same time period as the appropriation

1 to which transferred: *Provided further*, That the transfer  
2 authority provided in this paragraph is in addition to any  
3 other transfer authority available to the Department of  
4 Defense: *Provided further*, That upon a determination that  
5 all or part of the funds transferred from this appropriation  
6 are not necessary for the purposes provided herein, such  
7 amounts may be transferred back to this appropriation:  
8 *Provided further*, That the amount provided under this  
9 heading is designated as an emergency requirement pursu-  
10 ant to section 402 of H. Con. Res. 95 (109th Congress);  
11 the concurrent resolution on the budget for fiscal year  
12 2006.

#### 13 OFFICE OF THE INSPECTOR GENERAL

14 For an additional amount for “Office of the Inspector  
15 General”, \$6,120,000, to remain available until September  
16 30, 2007: *Provided*, That the amount provided under this  
17 heading is designated as an emergency requirement pursu-  
18 ant to section 402 of H. Con. Res. 95 (109th Congress);  
19 the concurrent resolution on the budget for fiscal year  
20 2006.

#### 21 RELATED AGENCIES

##### 22 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

23 For an additional amount for the “Intelligence Com-  
24 munity Management Account”, \$158,875,000: *Provided*,  
25 That the amount provided under this heading is des-

1 ignated as an emergency requirement pursuant to section  
2 402 of H. Con. Res. 95 (109th Congress), the concurrent  
3 resolution on the budget for fiscal year 2006.

4           GENERAL PROVISIONS—THIS CHAPTER

5                           (TRANSFER OF FUNDS)

6           SEC. 1201. Upon his determination that such action  
7 is necessary in the national interest, the Secretary of De-  
8 fense may transfer between appropriations up to  
9 \$2,000,000,000 of the funds made available to the De-  
10 partment of Defense in this chapter: *Provided*, That the  
11 Secretary shall notify the Congress promptly of each  
12 transfer made pursuant to this authority: *Provided further*,  
13 That the transfer authority provided in this section is in  
14 addition to any other transfer authority available to the  
15 Department of Defense: *Provided further*, That the au-  
16 thority in this section is subject to the same terms and  
17 conditions as the authority provided in section 8005 of the  
18 Department of Defense Appropriations Act, 2006, except  
19 for the fourth proviso.

20           SEC. 1202. (a) AUTHORITY TO PROVIDE SUP-  
21 PORT.—Of the amount appropriated by this Act under the  
22 heading “Drug Interdiction and Counter-Drug Activities,  
23 Defense”, not to exceed \$40,000,000 may be made avail-  
24 able for support for counter-drug activities of the Govern-  
25 ments of Afghanistan and Pakistan: *Provided*, That such

1 support shall be in addition to support provided for the  
2 counter-drug activities of such Governments under any  
3 other provision of the law.

4 (b) TYPES OF SUPPORT.—(1) Except as specified in  
5 subsections (b)(2) and (b)(3) of this section, the support  
6 that may be provided under the authority in this section  
7 shall be limited to the types of support specified in section  
8 1033(e)(1) of the National Defense Authorization Act for  
9 Fiscal Year 1998 (Public Law 105–85, as amended by  
10 Public Law 106–398 and Public Law 108–136), and con-  
11 ditions on the provision of support as contained in such  
12 section 1033 shall apply for fiscal year 2006.

13 (2) The Secretary of Defense may transfer vehicles,  
14 aircraft, and detection, interception, monitoring and test-  
15 ing equipment to such Governments for counter-drug ac-  
16 tivities.

17 (3) For the Government of Afghanistan, the Sec-  
18 retary of Defense may also provide individual and crew-  
19 served weapons, and ammunition for counter-drug secu-  
20 rity forces.

21 SEC. 1203. Notwithstanding 10 U.S.C. 2208(l), the  
22 total amount of advance billings rendered or imposed for  
23 all working capital funds of the Department of Defense  
24 in fiscal year 2006 shall not exceed \$1,500,000,000. *Pro-*  
25 *vided,* That the amounts made available pursuant to this

1 section are designated as an emergency requirement pur-  
2 suant to section 402 of H. Con. Res. 95 (109th Congress),  
3 the concurrent resolution on the budget for fiscal year  
4 2006.

5       SEC. 1204. In addition to amounts authorized in sec-  
6 tion 1202(a) of Public Law 109-163, from funds made  
7 available in this chapter to the Department of Defense,  
8 not to exceed \$423,000,000 may be used to fund the Com-  
9 mander's Emergency Response Program and for a similar  
10 program to assist the people of Afghanistan, to remain  
11 available until December 31, 2007.

12       SEC. 1205. Supervision and administration costs as-  
13 sociated with a construction project funded with "Afghani-  
14 stan Security Forces Fund" or "Iraq Security Forces  
15 Fund" appropriations may be obligated at the time a con-  
16 struction contract is awarded: *Provided*, That for the pur-  
17 pose of this section, supervision and administration costs  
18 include all in-house Government costs.

19       SEC. 1206. None of the funds provided in this chap-  
20 ter may be used to finance programs or activities denied  
21 by Congress in fiscal year 2005 and 2006 appropriations  
22 to the Department of Defense or to initiate a procurement  
23 or research, development, test and evaluation new start  
24 program without prior written notification to the congres-  
25 sional defense committees.



1 ant to section 402 of H. Con. Res. 95 (109th Congress),  
2 the concurrent resolution on the budget for fiscal year  
3 2006.

4 OPERATING EXPENSES OF THE UNITED STATES AGENCY  
5 FOR INTERNATIONAL DEVELOPMENT

6 For an additional amount for “Operating Expenses  
7 of the United States Agency for International Develop-  
8 ment”, \$61,600,000, to remain available until September  
9 30, 2007: *Provided*, That the amount provided under this  
10 heading is designated as an emergency requirement pursu-  
11 ant to section 402 of H. Con. Res. 95 (109th Congress),  
12 the concurrent resolution on the budget for fiscal year  
13 2006.

14 OTHER BILATERAL ECONOMIC ASSISTANCE  
15 ECONOMIC SUPPORT FUND

16 For an additional amount for “Economic Support  
17 Fund”, \$1,584,500,000 (reduced by \$10,000,000) (in-  
18 creased by \$10,000,000), to remain available until Sep-  
19 tember 30, 2007: *Provided*, That the amount provided  
20 under this heading is designated as an emergency require-  
21 ment pursuant to section 402 of H. Con. Res. 95 (109th  
22 Congress), the concurrent resolution on the budget for fis-  
23 cal year 2006.

## 1 DEPARTMENT OF STATE

## 2 DEMOCRACY FUND

3 For an additional amount for “Democracy Fund”,  
4 \$10,000,000 for the advancement of democracy in Iran,  
5 to remain available until September 30, 2007: *Provided,*  
6 That the amount provided under this heading is des-  
7 ignated as an emergency requirement pursuant to section  
8 402 of H. Con. Res. 95 (109th Congress), the concurrent  
9 resolution on the budget for fiscal year 2006.

## 10 INTERNATIONAL NARCOTICS CONTROL AND LAW

## 11 ENFORCEMENT

12 For an additional amount for “International Nar-  
13 cotics Control and Law Enforcement”, \$107,700,000 (re-  
14 duced by \$26,300,000) (increased by \$26,300,000), to re-  
15 main available until September 30, 2007: *Provided,* That  
16 the amount provided under this heading is designated as  
17 an emergency requirement pursuant to section 402 of H.  
18 Con. Res. 95 (109th Congress), the concurrent resolution  
19 on the budget for fiscal year 2006.

## 20 MIGRATION AND REFUGEE ASSISTANCE

21 For an additional amount for “Migration and Ref-  
22 ugee Assistance”, \$51,200,000, to remain available until  
23 September 30, 2007: *Provided,* That the amount provided  
24 under this heading is designated as an emergency require-  
25 ment pursuant to section 402 of H. Con. Res. 95 (109th

1 Congress); the concurrent resolution on the budget for fis-  
 2 cal year 2006.

3 DEPARTMENT OF THE TREASURY

4 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

5 For an additional amount for “International Affairs  
 6 Technical Assistance”, \$13,000,000, to remain available  
 7 until September 30, 2007: *Provided*, That the amount pro-  
 8 vided under this heading is designated as an emergency  
 9 requirement pursuant to section 402 of H. Con. Res. 95  
 10 (109th Congress), the concurrent resolution on the budget  
 11 for fiscal year 2006.

12 MILITARY ASSISTANCE

13 FUNDS APPROPRIATED TO THE PRESIDENT

14 PEACEKEEPING OPERATIONS

15 For an additional amount for “Peacekeeping Oper-  
 16 ations”, \$123,000,000 (increased by \$50,000,000), to re-  
 17 main available until September 30, 2007: *Provided*, That  
 18 the amount provided under this heading is designated as  
 19 an emergency requirement pursuant to section 402 of H.  
 20 Con. Res. 95 (109th Congress), the concurrent resolution  
 21 on the budget for fiscal year 2006.

22 GENERAL PROVISIONS—THIS CHAPTER

23 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

24 SEC. 1301. Funds appropriated or made available by  
 25 transfer in this chapter may be obligated and expended



1 Law 108-106, requirements of section 2207 of Public  
2 Law 108-106 shall expire on October 1, 2008.

3 CHAPTER 4

4 DEPARTMENT OF HOMELAND SECURITY

5 UNITED STATES COAST GUARD

6 OPERATING EXPENSES

7 For an additional amount for “Operating Expenses”,  
8 \$26,692,000: *Provided*, That the amount provided under  
9 this heading is designated as an emergency requirement  
10 pursuant to section 402 of H. Con. Res. 95 (109th Con-  
11 gress), the concurrent resolution on the budget for fiscal  
12 year 2006.

13 CHAPTER 5

14 DEPARTMENT OF DEFENSE

15 MILITARY CONSTRUCTION

16 MILITARY CONSTRUCTION, ARMY

17 For an additional amount for “Military Construction,  
18 Army”, \$287,100,000, to remain available until Sep-  
19 tember 30, 2007: *Provided*, That notwithstanding any  
20 other provision of law, such funds may be obligated and  
21 expended to carry out planning and design and military  
22 construction projects not otherwise authorized by law:  
23 *Provided further*, That the amount provided under this  
24 heading is designated as an emergency requirement pursu-  
25 ant to section 402 of H. Con. Res. 95 (109th Congress),

1 the concurrent resolution on the budget for fiscal year  
2 2006: *Provided further*, That none of the funds provided  
3 under this heading may be obligated or expended until  
4 after that date on which the Secretary of Defense submits  
5 an updated master plan for overseas military infrastruc-  
6 ture to the Committees on Appropriations of the House  
7 of Representatives and Senate: *Provided further*, That,  
8 subject to the preceding proviso, \$60,000,000 of the funds  
9 provided under this heading may not be obligated or ex-  
10 pended until after that date on which the Secretary of De-  
11 fense submits a detailed plan for Counter IED/Urban By-  
12 pass Roads, Iraq, to the Committees on Appropriations  
13 of the House of Representatives and Senate.

14           MILITARY CONSTRUCTION, AIR FORCE

15       For an additional amount for “Military Construction,  
16 Air Force”, \$35,600,000, to remain available until Sep-  
17 tember 30, 2007: *Provided*, That notwithstanding any  
18 other provision of law, such funds may be obligated and  
19 expended to carry out planning and design and military  
20 construction projects not otherwise authorized by law:  
21 *Provided further*, That the amount provided under this  
22 heading is designated as an emergency requirement pursu-  
23 ant to section 402 of H. Con. Res. 95 (109th Congress),  
24 the concurrent resolution on the budget for fiscal year  
25 2006: *Provided further*, That none of the funds provided

1 under this heading may be obligated or expended until  
 2 after that date on which the Secretary of Defense submits  
 3 an updated master plan for overseas military infrastruc-  
 4 ture to the Committees on Appropriations of the House  
 5 of Representatives and Senate.

6           GENERAL PROVISION—THIS CHAPTER

7           SEC. 1501. The matter under the heading “Veterans  
 8 Health Administration—Medical Services” in chapter 7 of  
 9 title I of division B of Public Law 109–148 is amended  
 10 by inserting after “calendar year 2005” the following:  
 11 “and for unanticipated costs related to the Global War  
 12 on Terror”: *Provided*, That the provisions of this section  
 13 are designated as an emergency requirement pursuant to  
 14 section 402 of H. Con. Res. 95 (109th Congress), the con-  
 15 current resolution on the budget for fiscal year 2006.

16   CHAPTER 6

17   DEPARTMENT OF JUSTICE

18   LEGAL ACTIVITIES

19           SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

20           For an additional amount for “Salaries and Ex-  
 21 penses, United States Attorneys”, \$3,000,000: *Provided*,  
 22 That the amount provided under this heading is des-  
 23 ignated as an emergency requirement pursuant to section  
 24 402 of H. Con. Res. 95 (109th Congress), the concurrent  
 25 resolution on the budget for fiscal year 2006.

## 1 FEDERAL BUREAU OF INVESTIGATION

## 2 SALARIES AND EXPENSES

3 For an additional amount for “Salaries and Ex-  
4 penses”, \$99,000,000, to remain available until September  
5 30, 2007: *Provided*, That no funding provided in this Act  
6 shall be available for obligation for a new or enhanced in-  
7 formation technology program unless the Deputy Attorney  
8 General and the investment review board certify to the  
9 Committees on Appropriations that the information tech-  
10 nology program has appropriate program management  
11 and contractor oversight mechanisms in place, and that  
12 the program is compatible with the enterprise architecture  
13 of the Department of Justice and Federal Bureau of In-  
14 vestigation: *Provided further*, That the amount provided  
15 under this heading is designated as an emergency require-  
16 ment pursuant to section 402 of H. Con. Res. 95 (109th  
17 Congress), the concurrent resolution on the budget for fis-  
18 cal year 2006.

## 19 DRUG ENFORCEMENT ADMINISTRATION

## 20 SALARIES AND EXPENSES

21 For an additional amount for “Salaries and Ex-  
22 penses”, \$5,000,000 (increased by \$9,200,000), to remain  
23 available until September 30, 2007: *Provided*, That the  
24 amount provided under this heading is designated as an  
25 emergency requirement pursuant to section 402 of H.



1 gress), the concurrent resolution on the budget for fiscal  
 2 year 2006.

3 OFFICE OF INSPECTOR GENERAL

4 (INCLUDING TRANSFER OF FUNDS)

5 For an additional amount for “Office of Inspector  
 6 General”, \$25,300,000, to remain available until Sep-  
 7 tember 2007, of which \$24,000,000 shall be transferred  
 8 to the Special Inspector General for Iraq Reconstruction  
 9 for reconstruction oversight: *Provided*, That the amount  
 10 provided under this heading is designated as an emergency  
 11 requirement pursuant section 402 of H. Con. Res. 95  
 12 (109th Congress), the concurrent resolution on the budget  
 13 for fiscal year 2006.

14 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

15 For an additional amount for “Educational and Cul-  
 16 tural Exchange Programs”, \$5,000,000, to remain avail-  
 17 able until expended: *Provided*, That the amount provided  
 18 under this heading is designated as an emergency require-  
 19 ment pursuant section 402 of H. Con. Res. 95 (109th  
 20 Congress), the concurrent resolution on the budget for fis-  
 21 cal year 2006.

22 INTERNATIONAL ORGANIZATIONS

23 CONTRIBUTIONS TO INTERNATIONAL PEACEKEEPING

24 ACTIVITIES

25 For an additional amount for “Contributions for  
 26 International Peacekeeping Activities”, \$129,800,000, to

1 remain available until September 30, 2007: *Provided*,  
2 That the amount provided under this heading is des-  
3 ignated as an emergency requirement pursuant section  
4 402 of H. Con. Res. 95 (109th Congress), the concurrent  
5 resolution on the budget for fiscal year 2006.

6 **RELATED AGENCY**

7 **BROADCASTING BOARD OF GOVERNORS**

8 **INTERNATIONAL BROADCASTING OPERATIONS**

9 For an additional amount for “International Broad-  
10 casting Operations”, \$7,600,000, to remain available until  
11 expended: *Provided*, That the amount provided under this  
12 heading is designated as an emergency requirement pursu-  
13 ant section 402 of H. Con. Res. 95 (109th Congress), the  
14 concurrent resolution on the budget for fiscal year 2006.

15 **BROADCASTING CAPITAL IMPROVEMENTS**

16 For an additional amount for “Broadcasting Capital  
17 Improvements”, \$28,500,000, to remain available until ex-  
18 pended: *Provided*, That the amount provided under this  
19 heading is designated as an emergency requirement pursu-  
20 ant section 402 of H. Con. Res. 95 (109th Congress), the  
21 concurrent resolution on the budget for fiscal year 2006.

22 **GENERAL PROVISION—THIS CHAPTER**

23 **SEC. 1601.** Funds appropriated by this Act for the  
24 Broadcasting Board of Governors and the Department of  
25 State may be obligated and expended notwithstanding sec-  
26 tion 15 of the State Department Basic Authorities Act

1 of 1956, section 313 of the Foreign Relations Authoriza-  
2 tion Act, Fiscal Years 1994 and 1995 (Public Law 103-  
3 236), and section 504(a)(1) of the National Security Act  
4 of 1947.

## 5 CHAPTER 7

### 6 DEPARTMENT OF THE TREASURY

#### 7 DEPARTMENTAL OFFICES

#### 8 SALARIES AND EXPENSES

9 For an additional amount for “Salaries and Ex-  
10 penses”, \$1,800,000, to remain available until September  
11 30, 2007: *Provided*, That the amount provided under this  
12 heading is designated as an emergency requirement pursu-  
13 ant to section 402 of H. Con. Res. 95 (109th Congress),  
14 the concurrent resolution on the budget for fiscal year  
15 2006.

## 16 TITLE II—FURTHER HURRICANE DISASTER

### 17 RELIEF AND RECOVERY

## 18 CHAPTER 1

### 19 DEPARTMENT OF AGRICULTURE

#### 20 EXECUTIVE OPERATIONS

#### 21 WORKING CAPITAL FUND

22 For an additional amount for “Working Capital  
23 Fund” for necessary expenses related to the consequences  
24 of Hurricane Katrina and other hurricanes of the 2005  
25 season, \$25,000,000, to remain available until September

1 30, 2007: *Provided*, That the amount provided under this  
2 heading is designated as an emergency requirement pursu-  
3 ant to section 402 of H. Con. Res. 95 (109th Congress),  
4 the concurrent resolution on the budget for fiscal year  
5 2006.

6                   AGRICULTURAL RESEARCH SERVICE

7                                 BUILDINGS AND FACILITIES

8           For an additional amount for “Agricultural Research  
9 Service, Buildings and Facilities” for necessary expenses  
10 related to the consequences of Hurricane Katrina and  
11 other hurricanes of the 2005 season, \$20,000,000, to re-  
12 main available until expended: *Provided*, That the amount  
13 provided under this heading is designated as an emergency  
14 requirement pursuant to section 402 of H. Con. Res. 95  
15 (109th Congress), the concurrent resolution on the budget  
16 for fiscal year 2006.

17                   NATURAL RESOURCES CONSERVATION SERVICE

18                                 EMERGENCY WATERSHED PROTECTION PROGRAM

19           For an additional amount for “Emergency Watershed  
20 Protection Program” \$10,000,000, to remain available  
21 until September 30, 2008, for the purchase of easements  
22 on floodplain lands in disaster areas affected by Hurricane  
23 Katrina and other hurricanes of the 2005 season: *Pro-*  
24 *vided*, That the amount provided under this heading is  
25 designated as an emergency requirement pursuant to sec-

1 tion 402 of H. Con. Res. 95 (109th Congress), the concur-  
2 rent resolution on the budget for fiscal year 2006.

3 CHAPTER 2

4 DEPARTMENT OF DEFENSE

5 DEPARTMENT OF DEFENSE—MILITARY

6 MILITARY PERSONNEL

7 MILITARY PERSONNEL, ARMY

8 For an additional amount for “Military Personnel,  
9 Army”, \$2,125,000, for necessary expenses related to the  
10 consequences of Hurricane Katrina and other hurricanes  
11 of the 2005 season: *Provided*, That the amount provided  
12 under this heading is designated as an emergency require-  
13 ment pursuant to section 402 of H. Con. Res. 95 (109th  
14 Congress), the concurrent resolution on the budget for fis-  
15 cal year 2006.

16 MILITARY PERSONNEL, NAVY

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

## 1           MILITARY PERSONNEL, MARINE CORPS

2           For an additional amount for “Military Personnel,  
3 Marine Corps”, \$3,992,000, for necessary expenses re-  
4 lated to the consequences of Hurricane Katrina and other  
5 hurricanes of the 2005 season: *Provided*, That the amount  
6 provided under this heading is designated as an emergency  
7 requirement pursuant to section 402 of H. Con. Res. 95  
8 (109th Congress), the concurrent resolution on the budget  
9 for fiscal year 2006.

## 10           MILITARY PERSONNEL, AIR FORCE

11          For an additional amount for “Military Personnel,  
12 Air Force”, \$21,610,000, for necessary expenses related  
13 to the consequences of Hurricane Katrina and other hurri-  
14 canes of the 2005 season: *Provided*, That the amount pro-  
15 vided under this heading is designated as an emergency  
16 requirement pursuant to section 402 of H. Con. Res. 95  
17 (109th Congress), the concurrent resolution on the budget  
18 for fiscal year 2006.

## 19           RESERVE PERSONNEL, ARMY

20          For an additional amount for “Reserve Personnel,  
21 Army”, \$4,071,000, for necessary expenses related to the  
22 consequences of Hurricane Katrina and other hurricanes  
23 of the 2005 season: *Provided*, That the amount provided  
24 under this heading is designated as an emergency require-  
25 ment pursuant to section 402 of H. Con. Res. 95 (109th

1 Congress); the concurrent resolution on the budget for fis-  
2 cal year 2006.

3 ~~RESERVE PERSONNEL, NAVY~~

4 For an additional amount for “Reserve Personnel,  
5 Navy”, \$10,200,000 for necessary expenses related to the  
6 consequences of Hurricane Katrina and other hurricanes  
7 of the 2005 season: *Provided*, That the amount provided  
8 under this heading is designated as an emergency require-  
9 ment pursuant to section 402 of H. Con. Res. 95 (109th  
10 Congress); the concurrent resolution on the budget for fis-  
11 cal year 2006.

12 ~~RESERVE PERSONNEL, MARINE CORPS~~

13 For an additional amount for “Reserve Personnel,  
14 Marine Corps”, \$2,176,000, for necessary expenses re-  
15 lated to the consequences of Hurricane Katrina and other  
16 hurricanes of the 2005 season: *Provided*, That the amount  
17 provided under this heading is designated as an emergency  
18 requirement pursuant to section 402 of H. Con. Res. 95  
19 (109th Congress); the concurrent resolution on the budget  
20 for fiscal year 2006.

21 ~~RESERVE PERSONNEL, AIR FORCE~~

22 For an additional amount for “Reserve Personnel,  
23 Air Force”, \$94,000, for necessary expenses related to the  
24 consequences of Hurricane Katrina and other hurricanes  
25 of the 2005 season: *Provided*, That the amount provided

1 under this heading is designated as an emergency require-  
2 ment pursuant to section 402 of H. Con. Res. 95 (109th  
3 Congress); the concurrent resolution on the budget for fis-  
4 cal year 2006.

5 NATIONAL GUARD PERSONNEL, ARMY

6 For an additional amount for “National Guard Per-  
7 sonnel, Army”, \$1,304,000, for necessary expenses related  
8 to the consequences of Hurricane Katrina and other hurri-  
9 canes of the 2005 season: *Provided*, That the amount pro-  
10 vided under this heading is designated as an emergency  
11 requirement pursuant to section 402 of H. Con. Res. 95  
12 (109th Congress); the concurrent resolution on the budget  
13 for fiscal year 2006.

14 NATIONAL GUARD PERSONNEL, AIR FORCE

15 For an additional amount for “National Guard Per-  
16 sonnel, Air Force”, \$1,408,000, for necessary expenses re-  
17 lated to the consequences of Hurricane Katrina and other  
18 hurricanes of the 2005 season: *Provided*, That the amount  
19 provided under this heading is designated as an emergency  
20 requirement pursuant to section 402 of H. Con. Res. 95  
21 (109th Congress); the concurrent resolution on the budget  
22 for fiscal year 2006.

## 1           OPERATION AND MAINTENANCE

## 2           OPERATION AND MAINTENANCE, NAVY

3           For an additional amount for “Operation and Main-  
4 tenance, Navy”, \$29,913,000, to remain available until  
5 September 30, 2007, for necessary expenses related to the  
6 consequences of Hurricane Katrina and other hurricanes  
7 of the 2005 season: *Provided*, That the amount provided  
8 under this heading is designated as an emergency require-  
9 ment pursuant to section 402 of H. Con. Res. 95 (109th  
10 Congress); the concurrent resolution on the budget for fis-  
11 cal year 2006.

## 12           OPERATION AND MAINTENANCE, AIR FORCE

13           For an additional amount for “Operation and Main-  
14 tenance, Air Force”, \$37,359,000, to remain available  
15 until September 30, 2007, for necessary expenses related  
16 to the consequences of Hurricane Katrina and other hurri-  
17 canes of the 2005 season: *Provided*, That the amount pro-  
18 vided under this heading is designated as an emergency  
19 requirement pursuant to section 402 of H. Con. Res. 95  
20 (109th Congress); the concurrent resolution on the budget  
21 for fiscal year 2006.

## 22           OPERATION AND MAINTENANCE, NAVY RESERVE

23           For an additional amount for “Operation and Main-  
24 tenance, Navy Reserve”, \$12,755,000, to remain available  
25 until September 30, 2007, for necessary expenses related

1 to the consequences of Hurricane Katrina and other hurri-  
2 canes of the 2005 season: *Provided*, That the amount pro-  
3 vided under this heading is designated as an emergency  
4 requirement pursuant to section 402 of H. Con. Res. 95  
5 (109th Congress), the concurrent resolution on the budget  
6 for fiscal year 2006.

7 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

8 For an additional amount for “Operation and Main-  
9 tenance, Air Force Reserve”, \$1,277,000, to remain avail-  
10 able until September 30, 2007, for necessary expenses re-  
11 lated to the consequences of Hurricane Katrina and other  
12 hurricanes of the 2005 season: *Provided*, That the amount  
13 provided under this heading is designated as an emergency  
14 requirement pursuant to section 402 of H. Con. Res. 95  
15 (109th Congress), the concurrent resolution on the budget  
16 for fiscal year 2006.

17 OPERATION AND MAINTENANCE, ARMY NATIONAL  
18 GUARD

19 For an additional amount for “Operation and Main-  
20 tenance, Army National Guard”, \$42,307,000, to remain  
21 available until September 30, 2007, for necessary expenses  
22 related to the consequences of Hurricane Katrina and  
23 other hurricanes of the 2005 season: *Provided*, That the  
24 amount provided under this heading is designated as an  
25 emergency requirement pursuant to section 402 of H.

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

3 **PROCUREMENT**

4 **PROCUREMENT OF AMMUNITION, ARMY**

5 For an additional amount for “Procurement of Am-  
6 munition, Army”, \$700,000, to remain available until Sep-  
7 tember 30, 2008, for necessary expenses related to the  
8 consequences of Hurricane Katrina and other hurricanes  
9 of the 2005 season: *Provided*, That the amount provided  
10 under this heading is designated as an emergency require-  
11 ment pursuant to section 402 of H. Con. Res. 95 (109th  
12 Congress), the concurrent resolution on the budget for fis-  
13 cal year 2006.

14 **OTHER PROCUREMENT, ARMY**

15 For an additional amount for “Other Procurement,  
16 Army”, \$9,136,000, to remain available until September  
17 30, 2008, for necessary expenses related to the con-  
18 sequences of Hurricane Katrina and other hurricanes of  
19 the 2005 season: *Provided*, That the amount provided  
20 under this heading is designated as an emergency require-  
21 ment pursuant to section 402 of H. Con. Res. 95 (109th  
22 Congress), the concurrent resolution on the budget for fis-  
23 cal year 2006.



1 September 30, 2010, for necessary expenses related to the  
2 consequences of Hurricane Katrina and other hurricanes  
3 of the 2005 season, which shall be available for transfer  
4 within this account to replace destroyed or damaged  
5 equipment; prepare and recover naval vessels under con-  
6 tract; and provide for cost adjustments for naval vessels  
7 for which funds have been previously appropriated: *Pro-*  
8 *vided*, That this transfer authority is in addition to any  
9 other transfer authority available to the Department of  
10 Defense: *Provided further*, That the Secretary of Defense  
11 shall, not fewer than 15 days prior to making transfers  
12 within this appropriation, notify the congressional defense  
13 committees in writing of the details of any such transfer:  
14 *Provided further*, That the amount provided under this  
15 heading is designated as an emergency requirement pursu-  
16 ant to section 402 of H. Con. Res. 95 (109th Congress);  
17 the concurrent resolution on the budget for fiscal year  
18 2006.

19 OTHER PROCUREMENT, NAVY

20 For an additional amount for “Other Procurement,  
21 Navy”, \$85,040,000, to remain available until September  
22 30, 2008, for necessary expenses related to the con-  
23 sequences of Hurricane Katrina and other hurricanes of  
24 the 2005 season: *Provided*, That the amount provided  
25 under this heading is designated as an emergency require-

1 ment pursuant to section 402 of H. Con. Res. 95 (109th  
2 Congress); the concurrent resolution on the budget for fis-  
3 cal year 2006.

4 AIRCRAFT PROCUREMENT, AIR FORCE

5 For an additional amount for “Aircraft Procurement,  
6 Air Force”, \$13,000,000, to remain available until Sep-  
7 tember 30, 2008, for necessary expenses related to the  
8 consequences of Hurricane Katrina and other hurricanes  
9 of the 2005 season: *Provided*, That the amount provided  
10 under this heading is designated as an emergency require-  
11 ment pursuant to section 402 of H. Con. Res. 95 (109th  
12 Congress); the concurrent resolution on the budget for fis-  
13 cal year 2006.

14 PROCUREMENT, DEFENSE-WIDE

15 For an additional amount for “Procurement, De-  
16 fense-Wide”, \$2,797,000 (increased by \$2,000,000), to re-  
17 main available until September 30, 2008, for necessary ex-  
18 penses related to the consequences of Hurricane Katrina  
19 and other hurricanes of the 2005 season: *Provided*, That  
20 the amount provided under this heading is designated as  
21 an emergency requirement pursuant to section 402 of H.  
22 Con. Res. 95 (109th Congress); the concurrent resolution  
23 on the budget for fiscal year 2006.



1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
2 DEFENSE-WIDE

3 For an additional amount for “Research, Develop-  
4 ment, Test and Evaluation, Defense-Wide”, \$730,000, to  
5 remain available until September 30, 2007, for necessary  
6 expenses related to the consequences of Hurricane Katrina  
7 and other hurricanes of the 2005 season: *Provided*, That  
8 the amount provided under this heading is designated as  
9 an emergency requirement pursuant to section 402 of H.  
10 Con. Res. 95 (109th Congress), the concurrent resolution  
11 on the budget for fiscal year 2006.

12 REVOLVING AND MANAGEMENT FUNDS

13 DEFENSE WORKING CAPITAL FUNDS

14 For an additional amount for “Defense Working  
15 Capital Funds”, \$1,222,000, for necessary expenses re-  
16 lated to the consequences of Hurricane Katrina and other  
17 hurricanes of the 2005 season: *Provided*, That the amount  
18 provided under this heading is designated as an emergency  
19 requirement pursuant to section 402 of H. Con. Res. 95  
20 (109th Congress), the concurrent resolution on the budget  
21 for fiscal year 2006.

22 NATIONAL DEFENSE SEALIFT FUND

23 For an additional amount for “National Defense Sea-  
24 lift Fund”, \$10,000,000, to remain available until ex-  
25 pended, for necessary expenses related to the consequences

1 of Hurricane Katrina and other hurricanes of the 2005  
 2 season: *Provided*, That the amount provided under this  
 3 heading is designated as an emergency requirement pursu-  
 4 ant to section 402 of H. Con. Res. 95 (109th Congress);  
 5 the concurrent resolution on the budget for fiscal year  
 6 2006.

#### 7 TRUST FUNDS

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

10 For an additional amount for “General Fund Pay-  
 11 ment, Surcharge Collections, Sales of Commissary Stores,  
 12 Defense”, \$10,530,000, to remain available until Sep-  
 13 tember 30, 2010, for necessary expenses related to the  
 14 consequences of Hurricane Katrina and other hurricanes  
 15 of the 2005 season: *Provided*, That the amount provided  
 16 under this heading is designated as an emergency require-  
 17 ment pursuant to section 402 of H. Con. Res. 95 (109th  
 18 Congress); the concurrent resolution on the budget for fis-  
 19 cal year 2006.

20 OTHER DEPARTMENT OF DEFENSE PROGRAMS

#### 21 DEFENSE HEALTH PROGRAM

22 For an additional amount for “Defense Health Pro-  
 23 gram”, \$33,881,000, to remain available until September  
 24 30, 2007, for necessary expenses related to the con-  
 25 sequences of Hurricane Katrina and other hurricanes of

1 the 2005 season: *Provided*, That the amount provided  
 2 under this heading is designated as an emergency require-  
 3 ment pursuant to section 402 of H. Con. Res. 95 (109th  
 4 Congress); the concurrent resolution on the budget for fis-  
 5 cal year 2006.

6           GENERAL PROVISION—THIS CHAPTER

7           SEC. 2201. None of the funds provided in this chap-  
 8 ter may be used to finance programs or activities denied  
 9 by Congress in fiscal year 2005 and 2006 appropriations  
 10 to the Department of Defense or to initiate a procurement  
 11 or research, development, test and evaluation new start  
 12 program without prior written notification to the congres-  
 13 sional defense committees.

14   CHAPTER 3

15                           DEPARTMENT OF DEFENSE—CIVIL

16   DEPARTMENT OF THE ARMY

17   CORPS OF ENGINEERS—CIVIL

18   CONSTRUCTION

19           For additional amounts for “Construction” to reduce  
 20 the risk of storm damage to the greater New Orleans met-  
 21 ropolitan area by restoring the surrounding wetlands,  
 22 \$100,000,000, to remain available until expended: *Pro-*  
 23 *vided*, That such sums shall be subject to authorization:  
 24 *Provided further*, That the Chief of Engineers, acting  
 25 through the Assistant Secretary of the Army for Civil

1 Works, shall provide, at a minimum, a monthly report to  
2 the House and Senate Committees on Appropriations de-  
3 tailing the allocation and obligation of these funds, begin-  
4 ning not later than July 30, 2006: *Provided further*, That  
5 the amount provided under this heading is designated as  
6 an emergency requirement pursuant to section 402 of H.  
7 Con. Res. 95 (109th Congress), the concurrent resolution  
8 on the budget for fiscal year 2006.

9 FLOOD CONTROL AND COASTAL EMERGENCIES

10 For additional amounts for “Flood Control and  
11 Coastal Emergencies”, as authorized by section of the  
12 Flood Control Act of August 18, 1941, as amended (33  
13 U.S.C. 701n), for necessary expenses related to the con-  
14 sequences of Hurricane Katrina and other hurricanes of  
15 the 2005 season, \$1,360,000,000, to remain available  
16 until expended: *Provided*, That such sums shall be subject  
17 to authorization: *Provided further*, That the Chief of Engi-  
18 neers, acting through the Assistant Secretary of the Army  
19 for Civil Works, shall provide, at a minimum, a monthly  
20 report to the House and Senate Committees on Appropria-  
21 tions detailing the allocation and obligation of these funds,  
22 beginning not later than July 30, 2006: *Provided further*,  
23 That none of the funds provided herein shall be available  
24 until the non-federal interests have entered into binding  
25 agreements with the Secretary of the Army to pay 100  
26 percent of the operation, maintenance, repair, replacement

1 and rehabilitation costs of the projects: *Provided further,*  
2 That the amount provided under this heading is des-  
3 ignated as an emergency requirement pursuant to section  
4 402 of H. Con. Res. 95 (109th Congress), the concurrent  
5 resolution on the budget for fiscal year 2006.

6 CHAPTER 4

7 DEPARTMENT OF HOMELAND SECURITY

8 OFFICE OF INSPECTOR GENERAL

9 (INCLUDING TRANSFERS OF FUNDS)

10 For an additional amount for “Salaries and Ex-  
11 penses” for necessary expenses related to the con-  
12 sequences of Hurricane Katrina and other hurricanes of  
13 the 2005 season, \$13,500,000, to remain available until  
14 September 30, 2007: *Provided,* That these amounts shall  
15 be transferred to the Offices of Inspector General of the  
16 Departments of Agriculture, Defense, Education, Health  
17 and Human Services, Housing and Urban Development,  
18 Justice, Labor and Transportation, and the Environ-  
19 mental Protection Agency, the General Services Adminis-  
20 tration, and the Social Security Administration to carry  
21 out necessary audits and investigations of funding and  
22 programs undertaken by the respective agencies for re-  
23 sponse and recovery from the 2005 Gulf Coast hurricanes:  
24 *Provided further,* That the amount provided under this  
25 heading is designated as an emergency requirement pursu-

1 ant to section 402 of H. Con. Res. 95 (109th Congress),  
2 the concurrent resolution on the budget for fiscal year  
3 2006.

#### 4 CUSTOMS AND BORDER PROTECTION

##### 5 SALARIES AND EXPENSES

6 For an additional amount for ‘Salaries and Expenses’  
7 to provide for the relocation of personnel and equipment  
8 related to the New Orleans laboratory facility and for the  
9 repair and replacement of critical equipment and property  
10 damaged or caused by Hurricane Katrina and other hurri-  
11 canes of the 2005 season, \$12,900,000: *Provided*, That  
12 the amount provided under this heading is designated as  
13 an emergency requirement pursuant to section 402 of H.  
14 Con. Res. 95 (109th Congress), the concurrent resolution  
15 on the budget for fiscal year 2006.

##### 16 CONSTRUCTION

17 For an additional amount for “Construction” to re-  
18 build and repair structures damaged by Hurricane  
19 Katrina and other hurricanes of the 2005 season,  
20 \$4,800,000, to remain available until expended: *Provided*,  
21 That the amount provided under this heading is des-  
22 ignated as an emergency requirement pursuant to section  
23 402 of H. Con. Res. 95 (109th Congress), the concurrent  
24 resolution on the budget for fiscal year 2006.

1 UNITED STATES COAST GUARD  
2 OPERATING EXPENSES  
3 (INCLUDING TRANSFER OF FUNDS)

4 For an additional amount for “Operating Expenses”  
5 for necessary expenses related to the consequences of Hur-  
6 ricane Katrina and other hurricanes of the 2005 season,  
7 \$14,300,000, to remain available until September 30,  
8 2007, of which up to \$267,000 may be transferred to “En-  
9 vironmental Compliance and Restoration” to be used for  
10 environmental cleanup and restoration of Coast Guard fa-  
11 cilities; and of which up to \$500,000 may be transferred  
12 to “Research, Development, Test, and Evaluation” to be  
13 used for salvage and repair of research and development  
14 equipment and facilities: *Provided*, That the amount pro-  
15 vided under this heading is designated as an emergency  
16 requirement pursuant to section 402 of H. Con. Res. 95  
17 (109th Congress), the concurrent resolution on the budget  
18 for fiscal year 2006.

19 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

20 For an additional amount for “Acquisition, Construc-  
21 tion, and Improvements” for necessary expenses related  
22 to the consequences of Hurricane Katrina and other hurri-  
23 canes of the 2005 season, \$80,755,000, to remain avail-  
24 able until expended: *Provided*, That the amount provided  
25 under this heading is designated as an emergency require-  
26 ment pursuant to section 402 of H. Con. Res. 95 (109th

1 Congress); the concurrent resolution on the budget for fis-  
 2 cal year 2006.

3 FEDERAL EMERGENCY MANAGEMENT AGENCY

4 ADMINISTRATIVE AND REGIONAL OPERATIONS

5 For an additional amount for “Administrative and  
 6 Regional Operations” for necessary expenses related to the  
 7 consequences of Hurricane Katrina and other hurricanes  
 8 of the 2005 season, \$70,000,000, to remain available until  
 9 expended: *Provided*, That the amount provided under this  
 10 heading is designated as an emergency requirement pursu-  
 11 ant to section 402 of H. Con. Res. 95 (109th Congress),  
 12 the concurrent resolution on the budget for fiscal year  
 13 2006.

14 PREPAREDNESS, MITIGATION, RESPONSE AND RECOVERY

15 For an additional amount for “Preparedness, Mitiga-  
 16 tion, Response and Recovery” for necessary expenses re-  
 17 lated to the consequences of Hurricane Katrina and other  
 18 hurricanes of the 2005 season, \$10,000,000: *Provided*,  
 19 That the amount provided under this heading is des-  
 20 ignated as an emergency requirement pursuant to section  
 21 402 of H. Con. Res. 95 (109th Congress), the concurrent  
 22 resolution on the budget for fiscal year 2006.

23 DISASTER RELIEF

24 For an additional amount for “Disaster Relief” for  
 25 necessary expenses under the Robert T. Stafford Disaster  
 26 Relief and Emergency Assistance Act (42 U.S.C. 5121 et

1 seq.); \$9,550,000,000 (reduced by \$2,000,000), to remain  
2 available until expended: *Provided*, That the amount pro-  
3 vided under this heading is designated as an emergency  
4 requirement pursuant to section 402 of H. Con. Res. 95  
5 (109th Congress), the concurrent resolution on the budget  
6 for fiscal year 2006.

7 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT  
8 (INCLUDING TRANSFER OF FUNDS)

9 For an additional amount for “Disaster Assistance  
10 Direct Loan Program Account” for the cost of direct loans  
11 as authorized under section 417 of the Robert T. Stafford  
12 Disaster Relief and Emergency Assistance Act (42 U.S.C.  
13 5184), \$151,000,000, to be used to assist local govern-  
14 ments that were affected by Hurricane Katrina and other  
15 hurricanes of the 2005 season in providing essential serv-  
16 ices, of which \$1,000,000 is for administrative expenses  
17 to carry out the direct loan program: *Provided*, That such  
18 funds may be used to subsidize gross obligations for the  
19 principal amount of direct loans not to exceed  
20 \$200,000,000: *Provided further*, That notwithstanding  
21 section 417(b) of such Act, the amount of any such loan  
22 issued pursuant to this section may exceed \$5,000,000:  
23 *Provided further*, That notwithstanding section 417(e)(1)  
24 of such Act, such loans may not be canceled: *Provided fur-*  
25 *ther*, That the cost of modifying such loans shall be as  
26 defined in section 502 of the Congressional Budget Act

1 of 1974 (2 U.S.C. 661a): *Provided further*, That of the  
2 amount provided in this chapter under the heading: Dis-  
3 aster Relief<sup>2</sup>, up to \$150,000,000 may be transferred to  
4 and merged with the funds provided under this heading,  
5 to be used to subsidize gross obligations for the principal  
6 amount of direct loans not to exceed \$200,000,000: *Pro-*  
7 *vided further*, That the amounts provided or transferred  
8 under this heading are designated as an emergency re-  
9 quirement pursuant to section 402 of H. Con. Res. 95  
10 (109th Congress), the concurrent resolution on the budget  
11 for fiscal year 2006.

12           GENERAL PROVISIONS—THIS CHAPTER

13           SEC. 2401. The Federal Emergency Management  
14 Agency may provide funds to a State or local government  
15 or, as necessary, assume an existing agreement from such  
16 unit of government, to pay for utility costs resulting from  
17 the provision of temporary housing units to evacuees from  
18 Hurricanes Katrina and Rita if the State or local govern-  
19 ment has previously arranged to pay for such utilities on  
20 behalf of the evacuees for the term of any leases, not to  
21 exceed 12 months, contracted by or prior to February 7,  
22 2006, notwithstanding section 408 of the Robert T. Staf-  
23 ford Disaster Relief and Emergency Assistance Act (42  
24 U.S.C. 5174): *Provided*, That the Federal share of the  
25 costs eligible to be paid shall be 100 percent.



## 1 NATIONAL PARK SERVICE

## 2 HISTORIC PRESERVATION FUND

3 For an additional amount for the “Historic Preserva-  
4 tion Fund” for necessary expenses related to the con-  
5 sequences of Hurricane Katrina and other hurricanes of  
6 the 2005 season, \$3,000,000, to remain available until  
7 September 30, 2007: *Provided*, That the amount provided  
8 under this heading is designated as an emergency require-  
9 ment pursuant to section 402 of H. Con. Res. 95 (109th  
10 Congress); the concurrent resolution on the budget for fis-  
11 cal year 2006.

## 12 CONSTRUCTION

13 For an additional amount for “Construction” for nec-  
14 essary expenses related to the consequences of Hurricane  
15 Katrina and other hurricanes of the 2005 season,  
16 \$55,400,000, to remain available until expended: *Pro-*  
17 *vided*, That the amount provided under this heading is  
18 designated as an emergency requirement pursuant to sec-  
19 tion 402 of H. Con. Res. 95 (109th Congress); the concur-  
20 rent resolution on the budget for fiscal year 2006.

## 21 UNITED STATES GEOLOGICAL SURVEY

## 22 SURVEYS, INVESTIGATIONS, AND RESEARCH

23 For an additional amount for “Surveys, Investiga-  
24 tions, and Research” for necessary expenses related to the  
25 consequences of Hurricane Katrina and other hurricanes  
26 of the 2005 season and for repayment of advances to other

1 appropriation accounts from which funds were transferred  
2 for such purposes, \$10,200,000, to remain available until  
3 expended: *Provided*, That the amount provided under this  
4 heading is designated as an emergency requirement pursu-  
5 ant to section 402 of H. Con. Res. 95 (109th Congress),  
6 the concurrent resolution on the budget for fiscal year  
7 2006.

8                   MINERALS MANAGEMENT SERVICE

9           ROYALTY AND OFFSHORE MINERALS MANAGEMENT

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

21           ENVIRONMENTAL PROTECTION AGENCY

22           ENVIRONMENTAL PROGRAMS AND MANAGEMENT

23           For an additional amount for “Environmental Pro-  
24 grams and Management” for necessary expenses related  
25 to the consequences of Hurricane Katrina and other hurri-

1 canes of the 2005 season, \$6,000,000, to remain available  
2 until September 30, 2007: *Provided*, That the amount pro-  
3 vided under this heading is designated as an emergency  
4 requirement pursuant to section 402 of H. Con. Res. 95  
5 (109th Congress), the concurrent resolution on the budget  
6 for fiscal year 2006.

7 LEAKING UNDERGROUND STORAGE TANK PROGRAM

8 For an additional amount for the “Leaking Under-  
9 ground Storage Tank Program” for necessary expenses  
10 related to the consequences of Hurricane Katrina and  
11 other hurricanes of the 2005 season, \$7,000,000, to re-  
12 main available until September 30, 2007: *Provided*, That  
13 the amount provided under this heading is designated as  
14 an emergency requirement pursuant to section 402 of H.  
15 Con. Res. 95 (109th Congress), the concurrent resolution  
16 on the budget for fiscal year 2006.

17 DEPARTMENT OF AGRICULTURE

18 FOREST SERVICE

19 NATIONAL FOREST SYSTEM

20 For an additional amount for the “National Forest  
21 System” for necessary expenses related to the con-  
22 sequences of Hurricane Katrina and other hurricanes of  
23 the 2005 season, \$20,000,000, to remain available until  
24 expended: *Provided*, That the amount provided under this  
25 heading is designated as an emergency requirement pursu-  
26 ant to section 402 of H. Con. Res. 95 (109th Congress),

1 the concurrent resolution on the budget for fiscal year  
2 2006.

3 CHAPTER 6

4 DEPARTMENT OF DEFENSE

5 MILITARY CONSTRUCTION

6 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

7 For an additional amount for “Military Construction,  
8 Navy and Marine Corps”, for necessary expenses related  
9 to the consequences of Hurricane Katrina and other hurri-  
10 canes of the 2005 season, \$28,880,000 (increased by  
11 \$15,890,000), to remain available until September 30,  
12 2010: *Provided*, That notwithstanding any other provision  
13 of law, such funds may be obligated or expended to carry  
14 out planning and design and military construction projects  
15 not otherwise authorized by law: *Provided further*, That  
16 the amount provided under this heading is designated as  
17 an emergency requirement pursuant to section 402 of H.  
18 Con. Res. 95 (109th Congress), the concurrent resolution  
19 on the budget for fiscal year 2006.

20 MILITARY CONSTRUCTION, AIR FORCE

21 For an additional amount for “Military Construction,  
22 Air Force”, for necessary expenses related to the con-  
23 sequences of Hurricane Katrina and other hurricanes of  
24 the 2005 season, \$57,300,000 (increased by  
25 \$40,000,000), to remain available until September 30,

1 2010: *Provided*, That notwithstanding any other provision  
2 of law, such funds may be obligated or expended to carry  
3 out planning and design and military construction projects  
4 not otherwise authorized by law: *Provided further*, That  
5 the amount provided under this heading is designated as  
6 an emergency requirement pursuant to section 402 of H.  
7 Con. Res. 95 (109th Congress), the concurrent resolution  
8 on the budget for fiscal year 2006.

9       MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

10       For an additional amount for “Military Construction,  
11 Army National Guard”, for necessary expenses related to  
12 consequences of Hurricane Katrina and other hurricanes  
13 of the 2005 season, \$67,800,000, to remain available until  
14 September 30, 2010: *Provided*, That notwithstanding any  
15 other provision of law, such funds may be obligated or ex-  
16 pended to carry out planning and design and military con-  
17 struction projects not otherwise authorized by law: *Pro-*  
18 *vided further*, That the amount provided under this head-  
19 ing in the chapter 7 of title I of division B of Public Law  
20 109–148 (119 Stat. 2770) shall remain available until  
21 September 30, 2010: *Provided further*, That the amounts  
22 provided under this heading are designated as an emer-  
23 gency requirement pursuant to section 402 of H. Con.  
24 Res. 95 (109th Congress), the concurrent resolution on  
25 the budget for fiscal year 2006.

## 1       MILITARY CONSTRUCTION, AIR NATIONAL GUARD

2       For an additional amount for “Military Construction,  
3 Air National Guard”, for necessary expenses related to  
4 consequences of Hurricane Katrina and other hurricanes  
5 of the 2005 season, \$5,800,000, to remain available until  
6 September 30, 2010: *Provided*, That notwithstanding any  
7 other provision of law, such funds may be obligated or ex-  
8 pended to carry out planning and design and military con-  
9 struction projects not otherwise authorized by law: *Pro-*  
10 *vided further*, That the amount provided under this head-  
11 ing is designated as an emergency requirement pursuant  
12 to section 402 of H. Con. Res. 95 (109th Congress), the  
13 concurrent resolution on the budget for fiscal year 2006.

## 14       MILITARY CONSTRUCTION, NAVY RESERVE

15               (INCLUDING RESCISSION OF FUNDS)

16       For an additional amount for “Military Construction,  
17 Navy Reserve”, for necessary expenses related to con-  
18 sequences of Hurricane Katrina and other hurricanes of  
19 the 2005 season, \$24,270,000, to remain available until  
20 September 30, 2010: *Provided*, That notwithstanding any  
21 other provision of law, such funds may be obligated or ex-  
22 pended to carry out planning and design and military con-  
23 struction projects not otherwise authorized by law: *Pro-*  
24 *vided further*, That the amount provided under the head-  
25 ing “Military Construction, Naval Reserve” in chapter 7

1 of title I of division B of Public Law 109–148 (119 Stat.  
2 2771) shall remain available until September 30, 2010,  
3 except that, of such amount \$49,530,000 are rescinded:  
4 *Provided further*, That the amounts provided under this  
5 heading are designated as an emergency requirement pur-  
6 suant to section 402 of H. Con. Res. 95 (109th Congress),  
7 the concurrent resolution on the budget for fiscal year  
8 2006.

9 DEPARTMENT OF VETERANS AFFAIRS

10 DEPARTMENTAL ADMINISTRATION

11 CONSTRUCTION, MAJOR PROJECTS

12 (INCLUDING TRANSFER OF FUNDS)

13 For an additional amount for “Construction, Major  
14 Projects”, for necessary expenses related to the con-  
15 sequences of Hurricane Katrina and other hurricanes of  
16 the 2005 season, \$550,000,000, to remain available until  
17 expended: *Provided*, That the foregoing amount shall only  
18 be available upon enactment, by June 30, 2006, of author-  
19 ity under section 8104 of title 38, United States Code:  
20 *Provided further*, That up to \$275,000,000 of the amount  
21 provided under this heading may (at any time after the  
22 enactment of this Act and without regard to the preceding  
23 proviso) be transferred by the Secretary of Veterans Af-  
24 fairs to the “Medical Services” account, to be available  
25 only for unanticipated costs related to the Global War on  
26 Terror: *Provided further*, That the Secretary of Veterans

1 Affairs shall, not fewer than 15 days prior to making a  
2 transfer under the authority in the preceding proviso, no-  
3 tify the Committees on Appropriations of the Senate and  
4 House of Representatives in writing of the transfer: *Pro-*  
5 *vided further*, That the amount provided under this head-  
6 ing is designated as an emergency requirement pursuant  
7 to section 402 of H. Con. Res. 95 (109th Congress), the  
8 concurrent resolution on the budget for fiscal year 2006.

## 9 CHAPTER 7

### 10 DEPARTMENT OF JUSTICE

#### 11 LEGAL ACTIVITIES

##### 12 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

13 For an additional amount for “Salaries and Ex-  
14 penses, General Legal Activities”, \$2,000,000, to remain  
15 available until September 30, 2007: *Provided*, That the  
16 amount provided under this heading is designated as an  
17 emergency requirement pursuant to section 402 of H.  
18 Con. Res. 95 (109th Congress), the concurrent resolution  
19 on the budget for fiscal year 2006.

##### 20 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

21 For an additional amount for “Salaries and Ex-  
22 penses, United States Attorneys”, \$5,000,000, to remain  
23 available until September 30, 2007: *Provided*, That the  
24 amount provided under this heading is designated as an  
25 emergency requirement pursuant to section 402 of H.

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

3 DEPARTMENT OF COMMERCE

4 NATIONAL OCEANIC AND ATMOSPHERIC

5 ADMINISTRATION

6 PROCUREMENT, ACQUISITION AND CONSTRUCTION

7 For an additional amount for “Procurement, Acquisi-  
8 tion and Construction”, for necessary expenses related to  
9 the consequences of Hurricane Katrina and other hurri-  
10 canes of the 2005 season, \$11,800,000, to remain avail-  
11 able until expended: *Provided*, That the amount provided  
12 under this heading is designated as an emergency require-  
13 ment pursuant to section 402 of H. Con. Res. 95 (109th  
14 Congress), the concurrent resolution on the budget for fis-  
15 cal year 2006.

16 SCIENCE

17 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

18 EXPLORATION CAPABILITIES

19 For an additional amount for “Exploration Capabili-  
20 ties”, for necessary expenses related to the consequences  
21 of Hurricane Katrina and other hurricanes of the 2005  
22 season, \$30,000,000, to remain available until expended:  
23 *Provided*, That the amount provided under this heading  
24 is designated as an emergency requirement pursuant to

1 section 402 of H. Con. Res. 95 (109th Congress), the con-  
2 current resolution on the budget for fiscal year 2006.

3 **RELATED AGENCIES**

4 **SMALL BUSINESS ADMINISTRATION**

5 **DISASTER LOANS PROGRAM ACCOUNT**

6 **(INCLUDING TRANSFERS OF FUNDS)**

7 For an additional amount for “Disaster Loans Pro-  
8 gram Account” for the cost of direct loans authorized by  
9 section 7(b) of the Small Business Act, \$1,254,000,000,  
10 to remain available until expended: *Provided*, That such  
11 costs, including the cost of modifying such loans, shall be  
12 as defined in section 502 of the Congressional Budget Act  
13 of 1974: *Provided further*, That, of the amount provided  
14 under this heading, up to \$190,000,000 may be trans-  
15 ferred to and merged with appropriations for “Small Busi-  
16 ness Administration, Salaries and Expenses” for adminis-  
17 trative expenses to carry out the disaster loan program:  
18 *Provided further*, That none of the funds provided under  
19 this heading may be used for indirect administrative ex-  
20 penses: *Provided further*, That, of the amount provided  
21 under this heading, \$712,000,000 is hereby transferred to  
22 “Federal Emergency Management Agency, Disaster Re-  
23 lief” to reimburse that account for funds transferred to  
24 this account by Public Law 109–174: *Provided further*,  
25 That the amount provided under this heading is des-  
26 ignated as an emergency requirement pursuant to section

1 402 of H. Con. Res. 95 (109th Congress), the concurrent  
2 resolution on the budget for fiscal year 2006.

3 CHAPTER 8

4 DEPARTMENT OF HOUSING AND URBAN

5 DEVELOPMENT

6 COMMUNITY PLANNING AND DEVELOPMENT

7 COMMUNITY DEVELOPMENT FUND

8 (INCLUDING TRANSFER OF FUNDS)

9 For an additional amount for the “Community devel-  
10 opment fund”, for necessary expenses related to disaster  
11 relief, long-term recovery, and restoration of infrastruc-  
12 ture in the most impacted and distressed areas related to  
13 the consequences of hurricanes in the Gulf of Mexico in  
14 2005 in States for which the President declared a major  
15 disaster under title IV of the Robert T. Stafford Disaster  
16 Relief and Emergency Assistance Act (42 U.S.C. 5121 et  
17 seq.) in conjunction with Hurricane Katrina, Rita, or  
18 Wilma, \$4,200,000,000, to remain available until ex-  
19 pended, for activities authorized under title I of the Hous-  
20 ing and Community Development Act of 1974 (Public  
21 Law 93–383): *Provided*, That funds made available under  
22 this heading shall be distributed to address the most crit-  
23 ical recovery requirements notwithstanding funding limita-  
24 tions under this heading in title I of division B of Public  
25 Law 109–148: *Provided further*, That funds provided  
26 under this heading shall be administered through an entity

1 or entities designated by the Governor of each State: *Pro-*  
2 *vided further,* That such funds may not be used for activi-  
3 ties reimbursable by or for which funds are made available  
4 by the Federal Emergency Management Agency or the  
5 Army Corps of Engineers: *Provided further,* That funds  
6 allocated under this heading shall not adversely affect the  
7 amount of any formula assistance received by a State  
8 under this heading: *Provided further,* That each State may  
9 use up to five percent of its allocation for administrative  
10 costs: *Provided further,* That not less than \$1,000,000,000  
11 from funds made available under this heading shall be  
12 used for repair, rehabilitation, and reconstruction (includ-  
13 ing demolition, site clearance and remediation) of the af-  
14 fordable rental housing stock (including public and other  
15 HUD-assisted housing) in the impacted areas: *Provided*  
16 *further,* That in administering the funds under this head-  
17 ing, the Secretary of Housing and Urban Development  
18 may waive, or specify alternative requirements for, any  
19 provision of any statute or regulation that the Secretary  
20 administers in connection with the obligation by the Sec-  
21 retary or the use by the recipient of these funds or guaran-  
22 tees (except for requirements related to fair housing, non-  
23 discrimination, labor standards, and the environment),  
24 upon a request by the State that such waiver is required  
25 to facilitate the use of such funds or guarantees, and a

1 finding by the Secretary that such waiver would not be  
2 inconsistent with the overall purpose of the statute, as  
3 modified: *Provided further*, That the Secretary may waive  
4 the requirement that activities benefit persons of low and  
5 moderate income, except that at least 50 percent of the  
6 funds made available under this heading must benefit pri-  
7 marily persons of low and moderate income unless the Sec-  
8 retary otherwise makes a finding of compelling need: *Pro-*  
9 *vided further*, That the Secretary shall publish in the Fed-  
10 eral Register any waiver of any statute or regulation that  
11 the Secretary administers pursuant to title I of the Hous-  
12 ing and Community Development Act of 1974 no later  
13 than 5 days before the effective date of such waiver: *Pro-*  
14 *vided further*, That every waiver made by the Secretary  
15 must be reconsidered according to the three previous pro-  
16 visos on the two-year anniversary of the day the Secretary  
17 published the waiver in the Federal Register: *Provided fur-*  
18 *ther*, That prior to the obligation of funds each State shall  
19 submit a plan to the Secretary detailing the proposed use  
20 of all funds, including criteria for eligibility and how the  
21 use of these funds will address long-term recovery and res-  
22 toration of infrastructure: *Provided further*, That prior to  
23 the obligation of funds to each State, the Secretary shall  
24 ensure that such plan gives priority to infrastructure de-  
25 velopment and rehabilitation and the rehabilitation and re-

1 construction of the affordable rental housing stock includ-  
2 ing public and other HUD-assisted housing: *Provided fur-*  
3 *ther,* That each State will report quarterly to the Commit-  
4 tees on Appropriations on all awards and uses of funds  
5 made available under this heading, including specifically  
6 identifying all awards of sole-source contracts and the ra-  
7 tionale for making the award on a sole-source basis: *Pro-*  
8 *vided further,* That the Secretary shall notify the Commit-  
9 tees on Appropriations on any proposed allocation of any  
10 funds and any related waivers made pursuant to these pro-  
11 visions under this heading no later than 5 days before such  
12 waiver is made: *Provided further,* That the Secretary shall  
13 establish procedures to prevent recipients from receiving  
14 any duplication of benefits and report quarterly to the  
15 Committees on Appropriations with regard to all steps  
16 taken to prevent fraud and abuse of funds made available  
17 under this heading including duplication of benefits: *Pro-*  
18 *vided further,* That of the amounts made available under  
19 this heading, the Secretary may transfer a total of up to  
20 \$15,000,000 to the Office of Inspector General and “Man-  
21 agement and Administration, Salaries and Expenses” for  
22 costs associated with administration and oversight: *Pro-*  
23 *vided further,* That none of the funds provided under this  
24 heading may be used by a State or locality as a matching  
25 requirement, share, or contribution for any other Federal

1 program: *Provided further*, That the amounts provided  
 2 under this heading are designated as an emergency re-  
 3 quirement pursuant to section 402 of H. Con. Res. 95  
 4 (109th Congress), the concurrent resolution on the budget  
 5 for fiscal year 2006.

## 6 INDEPENDENT AGENCY

### 7 GENERAL SERVICES ADMINISTRATION

#### 8 FEDERAL BUILDINGS FUND

9 For an additional amount for “Federal Buildings  
 10 Fund” for necessary expenses related to the consequences  
 11 of Hurricane Katrina and other hurricanes of the 2005  
 12 season, \$37,000,000, from the General Fund and to re-  
 13 main available until expended: *Provided*, That notwith-  
 14 standing 40 U.S.C. 3307, the Administrator of General  
 15 Services is authorized to proceed with repairs and alter-  
 16 ations for affected buildings: *Provided further*, That he  
 17 amount provided under this heading is designated as an  
 18 emergency requirement pursuant to section 402 of H.  
 19 Con. Res. 95 (109th Congress), the concurrent resolution  
 20 on the budget for fiscal year 2006.

## 21 TITLE III—GENERAL PROVISIONS AND

### 22 TECHNICAL CORRECTIONS

23 SEC. 3001. No part of any appropriation contained  
 24 in this Act shall remain available for obligation beyond  
 25 the current fiscal year unless expressly so provided herein.

1       SEC. 3002. Notwithstanding subsection (b) of section  
2 102 of title I of division B of Public Law 109–148 (119  
3 Stat. 2748), the Secretary of Agriculture may provide fi-  
4 nancial and technical assistance in carrying out such sec-  
5 tion in an amount up to 100 percent Federal share, as  
6 provided in regulations implementing the emergency wa-  
7 tershed protection program: *Provided*, That the amount  
8 provided under this heading is designated as an emergency  
9 requirement pursuant to section 402 of H. Con. Res. 95  
10 (109th Congress), the concurrent resolution on the budget  
11 for fiscal year 2006.

12       SEC. 3003. Funds appropriated pursuant to this Act,  
13 or made available by the transfer of funds in or pursuant  
14 to this Act, for intelligence activities are deemed to be spe-  
15 cifically authorized by the Congress for purposes of section  
16 504 of the National Security Act of 1947 (50 U.S.C. 414).

17                   (INCLUDING RESCISSION OF FUNDS)

18       SEC. 3004. (a) RESCISSION.—Of the unobligated bal-  
19 ances available for “Immigration and Customs Enforce-  
20 ment—Automation Modernization”, \$43,620,000 are re-  
21 scinded.

22       (b) APPROPRIATION.—For an additional amount for  
23 “United States Secret Service—Salaries and Expenses”  
24 for critical investigative and protective operations,  
25 \$43,620,000: *Provided*, That none of the funds appro-  
26 priated in this section or under the heading United States

1 Secret Service “Salaries and Expenses” in any other Act  
2 may be used to support the position of the Chief Financial  
3 Officer until the Committees on Appropriations receive:  
4 (1) a comprehensive workload re-balancing report that in-  
5 cludes funding and position requirements for current in-  
6 vestigative and protective operations; (2) a comprehensive  
7 analysis of the methodology used to estimate current  
8 workloads and develop annual operating budgets; and (3)  
9 a budget formulation model for National Special Security  
10 Events. *Provided further*, That none of the funds appro-  
11 priated in this section may be obligated until the Commit-  
12 tees on Appropriations receive a revised Program, Project  
13 and Activity schedule based on current investigative and  
14 protective workload requirements, including a comprehen-  
15 sive analysis of the methodology used to estimate those  
16 requirements.

17 SEC. 3005. (a) The matter under the heading “Ten-  
18 ant-Based Rental Assistance” in chapter 9 of title I of  
19 division B of Public Law 109-148 is amended—

20 (1) in the first proviso, by striking “or the  
21 Stewart B. McKinney Homeless Assistance Act  
22 (Public Law 100-77)” and inserting “the McKin-  
23 ney-Vento Homeless Assistance Act, section  
24 221(d)(3), 221(d)(5), or 236 of the National Hous-

1 ing Act, or section 101 of the Housing and Urban  
2 Development Act of 1965"; and

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

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

10 SEC. 3006. Notwithstanding 49 U.S.C. 5336, any  
11 funds remaining available under Federal Transit Adminis-  
12 tration grant numbers NY-03-345-00, NY-03-0325-00,  
13 NY-03-0405, NY-90-X398-00, NY-90-X373-00, NY-  
14 90-X418-00, NY-90-X465-00 together with an amount  
15 not to exceed \$19,200,000 in urbanized area formula  
16 funds that were allocated by the New York Metropolitan  
17 Transportation Council to the New York City Department  
18 of Transportation as a designated recipient under 49  
19 U.S.C. 5307 may be made available to the New York Met-  
20 ropolitan Transportation Authority for eligible capital  
21 projects authorized under 49 U.S.C. 5307 and 5309.

22 SEC. 3007. The referenced statement of the man-  
23 agers under the heading “Community Development Fund”  
24 in title H of division I of Public Law 108-447 is deemed  
25 to be amended—

1           (1) with respect to item number 536, by strik-  
2           ing “an economic development planning study” and  
3           inserting “the Main Street Revitalization Project”;  
4           and

5           (2) with respect to item number 444, by strik-  
6           ing “City of St. Petersburg, Florida for facilities  
7           construction and renovation for the Mid-Pinellas  
8           Science Center” and inserting “St. Petersburg Col-  
9           lege, City of Seminole, Florida for the development  
10          of a Science and Nature Park at St. Petersburg Col-  
11          lege”.

12          SEC. 3008. (a) The second paragraph under the  
13          heading “Community Development Fund” in title III of  
14          division A of Public Law 109–115 is amended by striking  
15          “statement of managers accompanying this Act” and in-  
16          serting “statement of managers correction for H.R. 3058  
17          relating to the Economic Development Initiative submitted  
18          to the House of Representatives by the Chairman of the  
19          Committee on Appropriations of the House on November  
20          18, 2005, and printed in the House section of the Con-  
21          gressional Record on such date”.

22          (b) Section 5023 of title V of division B of Public  
23          Law 109–148 is amended by striking “in title III of Public  
24          Law 109–115 (as in effect pursuant to H. Con. Res. 308,

1 109th Congress)” and inserting “in title III of division  
2 A of Public Law 109–115”.

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

6 SEC. 3009. The statement of managers correction  
7 referenced in the second paragraph under the heading  
8 “Community Development Fund” in title III of division  
9 A of Public Law 109–115 is deemed to be amended—

10 (1) with respect to item number 714, by strik-  
11 ing “construction of a senior center;” and inserting  
12 “renovation and buildout of a multipurpose center;”;

13 (2) with respect to item number 850, by strik-  
14 ing “City of Lancaster, Pennsylvania” and inserting  
15 “in Pennsylvania”; and

16 (3) with respect to item number 925, by strik-  
17 ing “Greenwood Partnership Alliance, South Caro-  
18 lina for the renovation of Old Federal Courthouse;”  
19 and inserting “City of Greenwood, South Carolina  
20 for the Emerald Triangle Project;”.

21 SEC. 3010. Section 9001 of the Deficit Reduction Act  
22 of 2005 is amended—

23 (1) in subsection (a), by striking “for a 1-time  
24 only obligation and expenditure”;

25 (2) in subsection (a)(2)—

1 (A) by striking “for fiscal year 2007”; and

2 (B) by inserting before the period at the  
3 end the following: “, to remain available until  
4 September 30, 2007”; and

5 (3) by striking subsection (b) and inserting the  
6 following:

7 “(b) EMERGENCY DESIGNATION.—The amount pro-  
8 vided under subsection (a)(2) is designated as an emer-  
9 gency requirement pursuant to section 402 of H. Con-  
10 Res. 95 (109th Congress), the concurrent resolution on  
11 the budget for fiscal year 2006.”.

12 SEC. 3011. (a) None of the funds made available in  
13 this Act or any other Act may be used to take any action  
14 under section 721 of the Defense Production Act of 1950  
15 (50 U.S.C. App. 2170) or any other provision of law to  
16 approve or otherwise allow the acquisition of any leases,  
17 contracts, rights, or other obligations of P&O Ports by  
18 Dubai Ports World or any other legal entity affiliated with  
19 or controlled by Dubai Ports World.

20 (b) Notwithstanding any other provision of law or any  
21 prior action or decision by or on behalf of the President  
22 under section 721 of the Defense Production Act of 1950  
23 (50 U.S.C. App. 2170), the acquisition of any leases, con-  
24 tracts, rights, or other obligations of P&O Ports by Dubai  
25 Ports World or any other legal entity affiliated with or

1 controlled by Dubai Ports World is hereby prohibited and  
2 shall have no effect.

3 (c) The limitation in subsection (a) and the prohibi-  
4 tion in subsection (b) apply with respect to the acquisition  
5 of any leases, contracts, rights, or other obligations on or  
6 after January 1, 2006.

7 (d) In this section:

8 (1) The term “P&O Ports” means P&O Ports,  
9 North America, a United States subsidiary of the  
10 Peninsular and Oriental Steam Navigation Com-  
11 pany, a company that is a national of the United  
12 Kingdom.

13 (2) The term “Dubai Ports World” means  
14 Dubai Ports World, a company that is partly owned  
15 and controlled by the Government of the United  
16 Arab Emirates.

17 SEC. 3012. (a) None of the funds appropriated in  
18 Public Law 109–102 or any prior Act making appropria-  
19 tions for foreign operations, export financing and related  
20 programs may be obligated or expended for assistance to  
21 the Palestinian Authority or a successor entity until the  
22 Secretary of State certifies to the Committees on Appro-  
23 priations that such entity has demonstrated its commit-  
24 ment to the principles of nonviolence, the recognition of

1 Israel, and the acceptance of previous agreements and ob-  
2 ligations, including the Roadmap.

3 (b) None of the funds appropriated under the heading  
4 “Economic Support Fund” in Public Law 109–102 or any  
5 prior Act making appropriations for foreign operations,  
6 export financing and related programs may be obligated  
7 or expended for assistance to the West Bank and Gaza  
8 until the Secretary of State reviews the current assistance  
9 program, consults with the Committees on Appropriations,  
10 and submits a revised plan for such assistance: *Provided*,  
11 That such plan shall be submitted not later than April  
12 30, 2006, and shall contain specific and appropriate steps  
13 to ensure that United States assistance is not provided  
14 to or through any individual, private or government entity,  
15 or educational institution that the Secretary knows or has  
16 reason to believe advocates, plans, sponsors, engages in,  
17 or has engaged in, terrorist activity.

18 SEC. 3013. None of the funds made available by this  
19 Act may be used to prohibit registered and legal, but dis-  
20 placed, residents of the Gulf Coast region from the right  
21 to legally vote in any officially designated election of the  
22 Gulf Coast region.

23 SEC. 3014. None of the funds made available in this  
24 Act may be used by the Government of the United States

1 to enter into a basing rights agreement between the  
2 United States and Iraq.

3 This Act may be cited as the “Emergency Supple-  
4 mental Appropriations Act for Defense, the Global War  
5 on Terror, and Hurricane Recovery, 2006”.

6 *That the following sums are appropriated, out of any*  
7 *money in the Treasury not otherwise appropriated, for the*  
8 *fiscal year ending September 30, 2006, and for other pur-*  
9 *poses, namely:*

10

*TITLE I*

11

*GLOBAL WAR ON TERROR SUPPLEMENTAL*

12

*APPROPRIATIONS*

13

*CHAPTER 1*

14

*DEPARTMENT OF AGRICULTURE*

15

*FOREIGN AGRICULTURAL SERVICE*

16

*PUBLIC LAW 480 TITLE II GRANTS*

17

*For an additional amount for “Public Law 480 Title*  
18 *II Grants”, during the current fiscal year, not otherwise*  
19 *recoverable, and unrecovered prior years’ costs, including*  
20 *interest thereon, under the Agricultural Trade Development*  
21 *and Assistance Act of 1954, for commodities supplied in*  
22 *connection with dispositions abroad under title II of said*  
23 *Act, \$350,000,000, to remain available until expended: Pro-*  
24 *vided, That from this amount, to the maximum extent pos-*  
25 *sible, funding shall be used to support the previously ap-*

1 *proved fiscal year 2006 programs under section 204(a)(2)*  
2 *of the Agricultural Trade Development and Assistance Act*  
3 *of 1954: Provided further, That the amount provided under*  
4 *this heading is designated as an emergency requirement*  
5 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
6 *gress), the concurrent resolution on the budget for fiscal year*  
7 *2006.*

8 *CHAPTER 2*

9 *DEPARTMENT OF JUSTICE*

10 *LEGAL ACTIVITIES*

11 *SALARIES AND EXPENSES, UNITED STATES ATTORNEYS*

12 *For an additional amount for “Salaries and Ex-*  
13 *penses”, \$3,000,000, to remain available until September*  
14 *30, 2007: Provided, That the amount provided under this*  
15 *heading is designated as an emergency requirement pursu-*  
16 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
17 *concurrent resolution on the budget for fiscal year 2006.*

18 *UNITED STATES MARSHALS SERVICE*

19 *SALARIES AND EXPENSES*

20 *For an additional amount for “Salaries and Ex-*  
21 *penses”, \$1,500,000, to remain available until September*  
22 *30, 2007: Provided, That the amount provided under this*  
23 *heading is designated as an emergency requirement pursu-*  
24 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
25 *concurrent resolution on the budget for fiscal year 2006.*

1                    *FEDERAL BUREAU OF INVESTIGATION*2                    *SALARIES AND EXPENSES*

3            *For an additional amount for “Salaries and Ex-*  
4 *penses”, \$82,000,000, to remain available until September*  
5 *30, 2007: Provided, That the amount provided under this*  
6 *heading is designated as an emergency requirement pursu-*  
7 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
8 *concurrent resolution on the budget for fiscal year 2006.*

9                    *DRUG ENFORCEMENT ADMINISTRATION*10                   *SALARIES AND EXPENSES*

11           *For an additional amount for “Salaries and Ex-*  
12 *penses”, \$5,000,000, to remain available until September*  
13 *30, 2007: Provided, That the amount provided under this*  
14 *heading is designated as an emergency requirement pursu-*  
15 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
16 *concurrent resolution on the budget for fiscal year 2006.*

17                   *BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND*18                   *EXPLOSIVES*19                   *SALARIES AND EXPENSES*

20           *For an additional amount for “Salaries and Ex-*  
21 *penses”, \$4,000,000, to remain available until September*  
22 *30, 2007: Provided, That the amount provided under this*  
23 *heading is designated as an emergency requirement pursu-*  
24 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
25 *concurrent resolution on the budget for fiscal year 2006.*

1 *DEPARTMENT OF STATE AND RELATED AGENCY*2 *DEPARTMENT OF STATE*3 *ADMINISTRATION OF FOREIGN AFFAIRS*4 *DIPLOMATIC AND CONSULAR PROGRAMS*

5 *For an additional amount for “Diplomatic and Con-*  
6 *sular Programs”, \$1,452,600,000, to remain available until*  
7 *September 30, 2007: Provided, That the amount provided*  
8 *under this heading is designated as an emergency require-*  
9 *ment pursuant to section 402 of H. Con. Res. 95 (109th*  
10 *Congress), the concurrent resolution on the budget for fiscal*  
11 *year 2006.*

12 *OFFICE OF INSPECTOR GENERAL*13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For an additional amount for “Office of Inspector*  
15 *General”, \$25,300,000, to remain available until September*  
16 *30, 2007, of which \$24,000,000 shall be transferred to the*  
17 *Special Inspector General for Iraq Reconstruction: Pro-*  
18 *vided, That the amounts provided under this heading are*  
19 *designated as an emergency requirement pursuant to sec-*  
20 *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
21 *rent resolution on the budget for fiscal year 2006.*

22 *EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS*

23 *For an additional amount for “Educational and Cul-*  
24 *tural Exchange Programs”, \$5,000,000, to remain available*  
25 *until expended: Provided, That the amount provided under*

1 *this heading is designated as an emergency requirement*  
2 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
3 *gress), the concurrent resolution on the budget for fiscal year*  
4 *2006.*

5 *INTERNATIONAL ORGANIZATIONS*

6 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

7 *ACTIVITIES*

8 *For an additional amount for “Contributions for*  
9 *International Peacekeeping Activities”, \$69,800,000, to re-*  
10 *main available until September 30, 2007: Provided, That*  
11 *the amount provided under this heading is designated as*  
12 *an emergency requirement pursuant to section 402 of H.*  
13 *Con. Res. 95 (109th Congress), the concurrent resolution on*  
14 *the budget for fiscal year 2006.*

15 *RELATED AGENCY*

16 *BROADCASTING BOARD OF GOVERNORS*

17 *INTERNATIONAL BROADCASTING OPERATIONS*

18 *For an additional amount for “International Broad-*  
19 *casting Operations” for programs and activities promoting*  
20 *democracy in Iran, \$30,250,000, to remain available until*  
21 *expended: Provided, That the amount provided under this*  
22 *heading is designated as an emergency requirement pursu-*  
23 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
24 *concurrent resolution on the budget for fiscal year 2006.*

1            *GENERAL PROVISION—THIS CHAPTER*2                            *AUTHORIZATION OF FUNDS*

3            *SEC. 1201. Funds appropriated or made available by*  
4 *transfer in this chapter may be obligated and expended not-*  
5 *withstanding section 15 of the State Department Basic Au-*  
6 *thorities Act of 1956, section 10 of Public Law 91–672 (22*  
7 *U.S.C. 2412), section 504(a)(1) of the National Security Act*  
8 *of 1947 (50 U.S.C. 414(a)(1)) and section 313 of the For-*  
9 *ign Relations Authorization Act, Fiscal Years 1994 and*  
10 *1995 (Public Law 103–236).*

11                            *CHAPTER 3*12            *DEPARTMENT OF DEFENSE—MILITARY*13                            *MILITARY PERSONNEL*14                            *MILITARY PERSONNEL, ARMY*

15            *For an additional amount for “Military Personnel,*  
16 *Army”, \$6,665,284,000: Provided, That the amount pro-*  
17 *vided under this heading is designated as an emergency re-*  
18 *quirement pursuant to section 402 of H. Con. Res. 95*  
19 *(109th Congress), the concurrent resolution on the budget*  
20 *for fiscal year 2006.*

21                            *MILITARY PERSONNEL, NAVY*

22            *For an additional amount for “Military Personnel,*  
23 *Navy”, \$1,071,474,000: Provided, That the amount pro-*  
24 *vided under this heading is designated as an emergency re-*  
25 *quirement pursuant to section 402 of H. Con. Res. 95*

1 *(109th Congress), the concurrent resolution on the budget*  
2 *for fiscal year 2006.*

3 *MILITARY PERSONNEL, MARINE CORPS*

4 *For an additional amount for “Military Personnel,*  
5 *Marine Corps”, \$860,872,000: Provided, That the amount*  
6 *provided under this heading is designated as an emergency*  
7 *requirement pursuant to section 402 of H. Con. Res. 95*  
8 *(109th Congress), the concurrent resolution on the budget*  
9 *for fiscal year 2006.*

10 *MILITARY PERSONNEL, AIR FORCE*

11 *For an additional amount for “Military Personnel,*  
12 *Air Force”, \$1,195,713,000: Provided, That the amount*  
13 *provided under this heading is designated as an emergency*  
14 *requirement pursuant to section 402 of H. Con. Res. 95*  
15 *(109th Congress), the concurrent resolution on the budget*  
16 *for fiscal year 2006.*

17 *RESERVE PERSONNEL, ARMY*

18 *For an additional amount for “Reserve Personnel,*  
19 *Army”, \$150,570,000: Provided, That the amount provided*  
20 *under this heading is designated as an emergency require-*  
21 *ment pursuant to section 402 of H. Con. Res. 95 (109th*  
22 *Congress), the concurrent resolution on the budget for fiscal*  
23 *year 2006.*



1 *requirement pursuant to section 402 of H. Con. Res. 95*  
2 *(109th Congress), the concurrent resolution on the budget*  
3 *for fiscal year 2006.*

4 *NATIONAL GUARD PERSONNEL, AIR FORCE*

5 *For an additional amount for “National Guard Per-*  
6 *sonnel, Air Force”, \$6,200,000: Provided, That the amount*  
7 *provided under this heading is designated as an emergency*  
8 *requirement pursuant to section 402 of H. Con. Res. 95*  
9 *(109th Congress), the concurrent resolution on the budget*  
10 *for fiscal year 2006.*

11 *OPERATION AND MAINTENANCE*

12 *OPERATION AND MAINTENANCE, ARMY*

13 *For an additional amount for “Operation and Mainte-*  
14 *nance, Army”, \$17,594,410,000: Provided, That the amount*  
15 *provided under this heading is designated as an emergency*  
16 *requirement pursuant to section 402 of H. Con. Res. 95*  
17 *(109th Congress), the concurrent resolution on the budget*  
18 *for fiscal year 2006.*

19 *OPERATION AND MAINTENANCE, NAVY*

20 *For an additional amount for “Operation and Mainte-*  
21 *nance, Navy”, \$2,826,693,000: Provided, That the amount*  
22 *provided under this heading is designated as an emergency*  
23 *requirement pursuant to section 402 of H. Con. Res. 95*  
24 *(109th Congress), the concurrent resolution on the budget*  
25 *for fiscal year 2006.*

1           *OPERATION AND MAINTENANCE, MARINE CORPS*

2           *For an additional amount for “Operation and Mainte-*  
3 *nance, Marine Corps”, \$1,589,911,000: Provided, That the*  
4 *amount provided under this heading is designated as an*  
5 *emergency requirement pursuant to section 402 of H. Con.*  
6 *Res. 95 (109th Congress), the concurrent resolution on the*  
7 *budget for fiscal year 2006.*

8           *OPERATION AND MAINTENANCE, AIR FORCE*

9           *For an additional amount for “Operation and Mainte-*  
10 *nance, Air Force”, \$6,057,408,000: Provided, That the*  
11 *amount provided under this heading is designated as an*  
12 *emergency requirement pursuant to section 402 of H. Con.*  
13 *Res. 95 (109th Congress), the concurrent resolution on the*  
14 *budget for fiscal year 2006.*

15           *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

16                   *(INCLUDING TRANSFER OF FUNDS)*

17           *For an additional amount for “Operation and Mainte-*  
18 *nance, Defense-Wide”, \$2,879,899,000, of which—*

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

23                   (2) *not to exceed \$740,000,000, to remain avail-*  
24 *able until expended, may be used for payments to re-*  
25 *imburse Pakistan, Jordan, and other key cooperating*

1        *nations, for logistical, military, and other support*  
2        *provided, or to be provided, to United States military*  
3        *operations, notwithstanding any other provision of*  
4        *law: Provided, That such payments may be made in*  
5        *such amounts as the Secretary of Defense, with the*  
6        *concurrence of the Secretary of State, and in con-*  
7        *sultation with the Director of the Office of Manage-*  
8        *ment and Budget, may determine, in his discretion,*  
9        *based on documentation determined by the Secretary*  
10       *of Defense to adequately account for the support pro-*  
11       *vided, and such determination is final and conclusive*  
12       *upon the accounting officers of the United States, and*  
13       *15 days following notification to the appropriate con-*  
14       *gressional committees: Provided further, That the Sec-*  
15       *retary of Defense shall provide quarterly reports to*  
16       *the congressional defense committees on the use of*  
17       *funds provided in this paragraph;*

18                *(3) not to exceed \$36,500,000 for Cooperative*  
19        *Threat Reduction; and*

20                *(4) \$75,000,000 shall be transferred to the Coast*  
21        *Guard "Operating Expenses" account:*

22        *Provided, That the amount provided under this heading is*  
23        *designated as an emergency requirement pursuant to sec-*  
24        *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
25        *rent resolution on the budget for fiscal year 2006.*

1           *OPERATION AND MAINTENANCE, ARMY RESERVE*

2           *For an additional amount for “Operation and Mainte-*  
3 *nance, Army Reserve”, \$100,100,000: Provided, That the*  
4 *amount provided under this heading is designated as an*  
5 *emergency requirement pursuant to section 402 of H. Con.*  
6 *Res. 95 (109th Congress), the concurrent resolution on the*  
7 *budget for fiscal year 2006.*

8           *OPERATION AND MAINTENANCE, NAVY RESERVE*

9           *For an additional amount for “Operation and Mainte-*  
10 *nance, Navy Reserve”, \$236,509,000: Provided, That the*  
11 *amount provided under this heading is designated as an*  
12 *emergency requirement pursuant to section 402 of H. Con.*  
13 *Res. 95 (109th Congress), the concurrent resolution on the*  
14 *budget for fiscal year 2006.*

15          *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

16          *For an additional amount for “Operation and Mainte-*  
17 *nance, Marine Corps Reserve”, \$87,875,000: Provided, That*  
18 *the amount provided under this heading is designated as*  
19 *an emergency requirement pursuant to section 402 of H.*  
20 *Con. Res. 95 (109th Congress), the concurrent resolution on*  
21 *the budget for fiscal year 2006.*

22          *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

23          *For an additional amount for “Operation and Mainte-*  
24 *nance, Air Force Reserve”, \$18,563,000: Provided, That the*  
25 *amount provided under this heading is designated as an*

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

4 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

5 *For an additional amount for “Operation and Mainte-*  
6 *nance, Army National Guard”, \$178,600,000: Provided,*  
7 *That the amount provided under this heading is designated*  
8 *as an emergency requirement pursuant to section 402 of*  
9 *H. Con. Res. 95 (109th Congress), the concurrent resolution*  
10 *on the budget for fiscal year 2006.*

11 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

12 *For an additional amount for “Operation and Mainte-*  
13 *nance, Air National Guard”, \$30,400,000: Provided, That*  
14 *the amount provided under this heading is designated as*  
15 *an emergency requirement pursuant to section 402 of H.*  
16 *Con. Res. 95 (109th Congress), the concurrent resolution on*  
17 *the budget for fiscal year 2006.*

18 *AFGHANISTAN SECURITY FORCES FUND*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For the “Afghanistan Security Forces Fund”,*  
21 *\$1,908,133,000, to remain available until September 30,*  
22 *2007: Provided, That such funds shall be available to the*  
23 *Secretary of Defense, notwithstanding any other provision*  
24 *of law, for the purpose of allowing the Commander, Office*  
25 *of Security Cooperation—Afghanistan, or the Secretary’s*

1 *designee, to provide assistance, with the concurrence of the*  
2 *Secretary of State, to the security forces of Afghanistan, in-*  
3 *cluding the provision of equipment, supplies, services,*  
4 *training, facility and infrastructure repair, renovation,*  
5 *and construction, and funding: Provided further, That the*  
6 *authority to provide assistance under this section is in ad-*  
7 *dition to any other authority to provide assistance to for-*  
8 *eign nations: Provided further, That the Secretary of De-*  
9 *fense may transfer such funds to appropriations for mili-*  
10 *tary personnel; operation and maintenance; Overseas Hu-*  
11 *manitarian, Disaster, and Civic Aid; procurement; re-*  
12 *search, development, test and evaluation; and defense work-*  
13 *ing capital funds to accomplish the purposes provided here-*  
14 *in: Provided further, That this transfer authority is in ad-*  
15 *dition to any other transfer authority available to the De-*  
16 *partment of Defense: Provided further, That upon a deter-*  
17 *mination that all or part of the funds so transferred from*  
18 *this appropriation are not necessary for the purposes pro-*  
19 *vided herein, such amounts may be transferred back to this*  
20 *appropriation: Provided further, That contributions of*  
21 *funds for the purposes provided herein from any person,*  
22 *foreign government, or international organization may be*  
23 *credited to this Fund, and used for such purposes: Provided*  
24 *further, That the Secretary shall notify the congressional*  
25 *defense committees in writing upon the receipt and upon*

1 *the transfer of any contribution, delineating the sources and*  
2 *amounts of the funds received and the specific use of such*  
3 *contributions: Provided further, That the Secretary of De-*  
4 *fense shall, not fewer than five days prior to making trans-*  
5 *fers from this appropriation account, notify the congres-*  
6 *sional defense committees in writing of the details of any*  
7 *such transfer: Provided further, That the Secretary shall*  
8 *submit a report no later than 30 days after the end of each*  
9 *fiscal quarter to the congressional defense committees sum-*  
10 *marizing the details of the transfer of funds from this ap-*  
11 *propriation: Provided further, That the amount provided*  
12 *under this heading is designated as an emergency require-*  
13 *ment pursuant to section 402 of H. Con. Res. 95 (109th*  
14 *Congress), the concurrent resolution on the budget for fiscal*  
15 *year 2006.*

16 *IRAQ SECURITY FORCES FUND*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For the “Iraq Security Forces Fund”, \$3,703,000,000,*  
19 *to remain available until September 30, 2007: Provided,*  
20 *That such funds shall be available to the Secretary of De-*  
21 *fense, notwithstanding any other provision of law, for the*  
22 *purpose of allowing the Commander, Multi-National Secu-*  
23 *rity Transition Command—Iraq, or the Secretary’s des-*  
24 *ignee, to provide assistance, with the concurrence of the Sec-*  
25 *retary of State, to the security forces of Iraq, including the*

1 *provision of equipment, supplies, services, training, facility*  
2 *and infrastructure repair, renovation, and construction,*  
3 *and funding: Provided further, That the authority to pro-*  
4 *vide assistance under this section is in addition to any*  
5 *other authority to provide assistance to foreign nations:*  
6 *Provided further, That the Secretary of Defense may trans-*  
7 *fer such funds to appropriations for military personnel; op-*  
8 *eration and maintenance; Overseas Humanitarian, Dis-*  
9 *aster, and Civic Aid; procurement; research, development,*  
10 *test and evaluation; and defense working capital funds to*  
11 *accomplish the purposes provided herein: Provided further,*  
12 *That this transfer authority is in addition to any other*  
13 *transfer authority available to the Department of Defense:*  
14 *Provided further, That upon a determination that all or*  
15 *part of the funds so transferred from this appropriation are*  
16 *not necessary for the purposes provided herein, such*  
17 *amounts may be transferred back to this appropriation:*  
18 *Provided further, That contributions of funds for the pur-*  
19 *poses provided herein from any person, foreign government,*  
20 *or international organization may be credited to this Fund,*  
21 *and used for such purposes: Provided further, That the Sec-*  
22 *retary shall notify the congressional defense committees in*  
23 *writing upon the receipt and upon the transfer of any con-*  
24 *tribution, delineating the sources and amounts of the funds*  
25 *received and the specific use of such contributions: Provided*

1 *further, That the Secretary of Defense shall, not fewer than*  
2 *five days prior to making transfers from this appropriation*  
3 *account, notify the congressional defense committees in*  
4 *writing of the details of any such transfer: Provided further,*  
5 *That the Secretary shall submit a report no later than 30*  
6 *days after the end of each fiscal quarter to the congressional*  
7 *defense committees summarizing the details of the transfer*  
8 *of funds from this appropriation: Provided further, That*  
9 *the amount provided under this heading is designated as*  
10 *an emergency requirement pursuant to section 402 of H.*  
11 *Con. Res. 95 (109th Congress), the concurrent resolution on*  
12 *the budget for fiscal year 2006.*

13 *IRAQ FREEDOM FUND*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For an additional amount for “Iraq Freedom Fund”,*  
16 *\$25,000,000, to remain available for transfer until Sep-*  
17 *tember 30, 2007: Provided, That the amount provided under*  
18 *this heading is designated as an emergency requirement*  
19 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
20 *gress), the concurrent resolution on the budget for fiscal year*  
21 *2006.*

22 *JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For the “Joint Improvised Explosive Device Defeat*  
25 *Fund”, \$1,958,089,000, to remain available until Sep-*

1 tember 30, 2008: *Provided, That such funds shall be avail-*  
2 *able to the Secretary of Defense, notwithstanding any other*  
3 *provision of law, for the purpose of allowing the Director*  
4 *of the Joint Improvised Explosive Device Defeat Organiza-*  
5 *tion to investigate, develop and provide equipment, sup-*  
6 *plies, services, training, facilities, personnel and funds to*  
7 *assist U.S. forces in the defeat of improvised explosive de-*  
8 *vices: Provided further, That within 90 days of the enact-*  
9 *ment of this Act, a plan for the intended management and*  
10 *use of the Fund is provided to the congressional defense*  
11 *committees: Provided further, That the Secretary of Defense*  
12 *shall submit a report not later than 30 days after the end*  
13 *of each fiscal quarter to the congressional defense commit-*  
14 *tees providing assessments of the evolving threats, indi-*  
15 *vidual service requirements to counter the threats, and de-*  
16 *tails on the execution of this Fund: Provided further, That*  
17 *the Secretary of Defense may transfer funds provided herein*  
18 *to appropriations for military personnel; operation and*  
19 *maintenance; procurement; research, development, test and*  
20 *evaluation; and defense working capital funds to accom-*  
21 *plish the purpose provided herein: Provided further, That*  
22 *this transfer authority is in addition to any other transfer*  
23 *authority available to the Department of Defense: Provided*  
24 *further, That upon determination that all or part of the*  
25 *funds so transferred from this appropriation are not nec-*

1 *essary for the purpose provided herein, such amounts may*  
2 *be transferred back to this appropriation: Provided further,*  
3 *That the Secretary of Defense shall, not fewer than 5 days*  
4 *prior to making transfers from this appropriation, notify*  
5 *the congressional defense committees in writing of the de-*  
6 *tails of any such transfer: Provided further, That the*  
7 *amount provided under this heading is designated as an*  
8 *emergency requirement pursuant to section 402 of H. Con.*  
9 *Res. 95 (109th Congress), the concurrent resolution on the*  
10 *budget for fiscal year 2006.*

11 *PROCUREMENT*

12 *AIRCRAFT PROCUREMENT, ARMY*

13 *For an additional amount for “Aircraft Procurement,*  
14 *Army”, \$533,200,000, to remain available until September*  
15 *30, 2008: Provided, That the amount provided under this*  
16 *heading is designated as an emergency requirement pursu-*  
17 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
18 *concurrent resolution on the budget for fiscal year 2006.*

19 *MISSILE PROCUREMENT, ARMY*

20 *For an additional amount for “Missile Procurement,*  
21 *Army”, \$203,300,000, to remain available until September*  
22 *30, 2008: Provided, That the amount provided under this*  
23 *heading is designated as an emergency requirement pursu-*  
24 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
25 *concurrent resolution on the budget for fiscal year 2006.*



1                    *AIRCRAFT PROCUREMENT, NAVY*

2            *For an additional amount for “Aircraft Procurement,*  
3 *Navy”, \$412,169,000, to remain available until September*  
4 *30, 2008: Provided, That the amount provided under this*  
5 *heading is designated as an emergency requirement pursu-*  
6 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
7 *concurrent resolution on the budget for fiscal year 2006.*

8                    *WEAPONS PROCUREMENT, NAVY*

9            *For an additional amount for “Weapons Procurement,*  
10 *Navy”, \$63,351,000, to remain available until September*  
11 *30, 2008: Provided, That the amount provided under this*  
12 *heading is designated as an emergency requirement pursu-*  
13 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
14 *concurrent resolution on the budget for fiscal year 2006.*

15            *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*16                    *CORPS*

17            *For an additional amount for “Procurement of Am-*  
18 *munition, Navy and Marine Corps”, \$327,126,000, to re-*  
19 *main available until September 30, 2008: Provided, That*  
20 *the amount provided under this heading is designated as*  
21 *an emergency requirement pursuant to section 402 of H.*  
22 *Con. Res. 95 (109th Congress), the concurrent resolution on*  
23 *the budget for fiscal year 2006.*

1                    *OTHER PROCUREMENT, NAVY*

2            *For an additional amount for “Other Procurement,*  
3 *Navy”, \$140,144,000, to remain available until September*  
4 *30, 2008: Provided, That the amount provided under this*  
5 *heading is designated as an emergency requirement pursu-*  
6 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
7 *concurrent resolution on the budget for fiscal year 2006.*

8                    *PROCUREMENT, MARINE CORPS*

9            *For an additional amount for “Procurement, Marine*  
10 *Corps”, \$2,576,467,000, to remain available until Sep-*  
11 *tember 30, 2008: Provided, That the amount provided under*  
12 *this heading is designated as an emergency requirement*  
13 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
14 *gress), the concurrent resolution on the budget for fiscal year*  
15 *2006.*

16                    *AIRCRAFT PROCUREMENT, AIR FORCE*

17            *For an additional amount for “Aircraft Procurement,*  
18 *Air Force”, \$679,515,000, to remain available until Sep-*  
19 *tember 30, 2008: Provided, That the amount provided under*  
20 *this heading is designated as an emergency requirement*  
21 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
22 *gress), the concurrent resolution on the budget for fiscal year*  
23 *2006.*

1            *PROCUREMENT OF AMMUNITION, AIR FORCE*

2            *For an additional amount for “Procurement of Am-*  
3 *munition, Air Force”, \$29,047,000 to remain available*  
4 *until September 30, 2008: Provided, That the amount pro-*  
5 *vided under this heading is designated as an emergency re-*  
6 *quirement pursuant to section 402 of H. Con. Res. 95*  
7 *(109th Congress), the concurrent resolution on the budget*  
8 *for fiscal year 2006.*

9            *OTHER PROCUREMENT, AIR FORCE*

10          *For an additional amount for “Other Procurement,*  
11 *Air Force”, \$1,452,651,000, to remain available until Sep-*  
12 *tember 30, 2008: Provided, That the amount provided under*  
13 *this heading is designated as an emergency requirement*  
14 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
15 *gress), the concurrent resolution on the budget for fiscal year*  
16 *2006.*

17            *PROCUREMENT, DEFENSE-WIDE*

18          *For an additional amount for “Procurement, Defense-*  
19 *Wide”, \$331,353,000, to remain available until September*  
20 *30, 2008: Provided, That the amount provided under this*  
21 *heading is designated as an emergency requirement pursu-*  
22 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
23 *concurrent resolution on the budget for fiscal year 2006.*



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

3 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*  
4 *DEFENSE-WIDE*

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

12 *REVOLVING AND MANAGEMENT FUNDS*

13 *DEFENSE WORKING CAPITAL FUNDS*

14 *For an additional amount for “Defense Working Cap-*  
15 *ital Funds”, \$516,700,000: Provided, That the amount pro-*  
16 *vided under this heading is designated as an emergency re-*  
17 *quirement pursuant to section 402 of H. Con. Res. 95*  
18 *(109th Congress), the concurrent resolution on the budget*  
19 *for fiscal year 2006.*

20 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

21 *DEFENSE HEALTH PROGRAM*

22 *For an additional amount for “Defense Health Pro-*  
23 *gram”, \$1,153,562,000 for operation and maintenance:*  
24 *Provided, That the amount provided under this heading is*  
25 *designated as an emergency requirement pursuant to sec-*

1 *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
2 *rent resolution on the budget for fiscal year 2006.*

3 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For an additional amount for “Drug Interdiction and*  
6 *Counter-Drug Activities”, \$154,596,000, to remain avail-*  
7 *able until expended: Provided, That these funds may be used*  
8 *only for such activities related to Afghanistan and the Cen-*  
9 *tral Asia area: Provided further, That the Secretary of De-*  
10 *fense may transfer such funds only to appropriations for*  
11 *military personnel; operation and maintenance; procure-*  
12 *ment; and research, development, test and evaluation: Pro-*  
13 *vided further, That the funds transferred shall be merged*  
14 *with and be available for the same purposes and for the*  
15 *same time period as the appropriation to which transferred:*  
16 *Provided further, That the transfer authority provided in*  
17 *this paragraph is in addition to any other transfer author-*  
18 *ity available to the Department of Defense: Provided fur-*  
19 *ther, That upon a determination that all or part of the*  
20 *funds transferred from this appropriation are not necessary*  
21 *for the purposes provided herein, such amounts may be*  
22 *transferred back to this appropriation: Provided further,*  
23 *That the amount provided under this heading is designated*  
24 *as an emergency requirement pursuant to section 402 of*

1 *H. Con. Res. 95 (109th Congress), the concurrent resolution*  
 2 *on the budget for fiscal year 2006.*

3 *OFFICE OF THE INSPECTOR GENERAL*

4 *For an additional amount for “Office of the Inspector*  
 5 *General”, \$1,815,000: Provided, That the amount provided*  
 6 *under this heading is designated as an emergency require-*  
 7 *ment pursuant to section 402 of H. Con. Res. 95 (109th*  
 8 *Congress), the concurrent resolution on the budget for fiscal*  
 9 *year 2006.*

10 *OTHER INDEPENDENT AGENCY*

11 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

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

18 *GENERAL PROVISIONS—THIS CHAPTER*

19 *SPECIAL TRANSFER AUTHORITY*

20 *(TRANSFER OF FUNDS)*

21 *SEC. 1301. Upon his determination that such action*  
 22 *is necessary in the national interest, the Secretary of De-*  
 23 *fense may transfer between appropriations up to*  
 24 *\$2,000,000,000 of the funds made available to the Depart-*  
 25 *ment of Defense in this chapter: Provided, That the Sec-*  
 26 *retary shall notify the Congress promptly of each transfer*

1 *made pursuant to this authority: Provided further, That the*  
2 *transfer authority provided in this section is in addition*  
3 *to any other transfer authority available to the Department*  
4 *of Defense: Provided further, That the authority in this sec-*  
5 *tion is subject to the same terms and conditions as the au-*  
6 *thority provided in section 8005 of the Department of De-*  
7 *fense Appropriations Act, 2006, except for the fourth pro-*  
8 *viso: Provided further, That the amount made available by*  
9 *the transfer of funds in or pursuant to this section is des-*  
10 *ignated as an emergency requirement pursuant to section*  
11 *402 of H. Con. Res. 95 (109th Congress), the concurrent*  
12 *resolution on the budget for fiscal year 2006.*

13 *GENERAL TRANSFER AUTHORITY*

14 *(TRANSFER OF FUNDS)*

15 *SEC. 1302. Section 8005 of the Department of Defense*  
16 *Appropriations Act, 2006, (Public Law 109–148; 119 Stat.*  
17 *2680), is amended by striking “\$3,750,000,000” and insert-*  
18 *ing “\$4,350,000,000”: Provided, That the amount made*  
19 *available by the transfer of funds in or pursuant to this*  
20 *section is designated as an emergency requirement pursuant*  
21 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
22 *current resolution on the budget for fiscal year 2006.*

23 *DEFENSE COOPERATION ACCOUNT*

24 *(TRANSFER OF FUNDS)*

25 *SEC. 1303. During fiscal year 2006 and from funds*  
26 *in the Defense Cooperation Account, the Secretary of De-*

1 *fense may transfer not to exceed \$5,800,000 to such appro-*  
2 *priations or funds of the Department of Defense as he shall*  
3 *determine for use consistent with the purposes for which*  
4 *such funds were contributed and accepted: Provided, That*  
5 *such amounts shall be available for the same time period*  
6 *as the appropriation to which transferred: Provided further,*  
7 *That the amount made available by the transfer of funds*  
8 *in or pursuant to this section is designated as an emergency*  
9 *requirement pursuant to section 402 of H. Con. Res. 95*  
10 *(109th Congress), the concurrent resolution on the budget*  
11 *for fiscal year 2006.*

12 *U.S. CONTRIBUTIONS TO NATO*

13 *SEC. 1304. Section 1005(c)(2) of the National Defense*  
14 *Authorization Act, Fiscal Year 2006 (Public Law 109–163)*  
15 *is amended by striking “\$289,447,000” and inserting*  
16 *“\$345,547,000”.*

17 *COUNTER-DRUG ACTIVITIES*

18 *SEC. 1305. (a) AUTHORITY TO PROVIDE SUPPORT.—*  
19 *Of the amount appropriated by this Act under the heading,*  
20 *“Drug Interdiction and Counter-Drug Activities, Defense”,*  
21 *not to exceed \$23,100,000 may be made available for sup-*  
22 *port for counter-drug activities of the Governments of Af-*  
23 *ghanistan, Pakistan, and Kyrgyzstan: Provided, That such*  
24 *support shall be in addition to support provided for the*  
25 *counter-drug activities of such Governments under any*  
26 *other provision of the law.*



1 *H. Con. Res. 95 (109th Congress), the concurrent resolution*  
2 *on the budget for fiscal year 2006.*

3 *COMMANDER'S EMERGENCY RESPONSE PROGRAM*

4 *SEC. 1307. In addition to amounts authorized in sec-*  
5 *tion 1202(a) of Public Law 109–163, from funds made*  
6 *available in this chapter to the Department of Defense, not*  
7 *to exceed \$423,000,000 may be used to fund the Com-*  
8 *mander's Emergency Response Program and for a similar*  
9 *program to assist the people of Afghanistan, to remain*  
10 *available until December 31, 2007.*

11 *SUPERVISION AND ADMINISTRATION COSTS OF*  
12 *CONSTRUCTION PROJECTS*

13 *SEC. 1308. Supervision and administration costs asso-*  
14 *ciated with a construction project funded with Afghan Secu-*  
15 *rity Forces Fund or Iraq Security Forces Fund appropria-*  
16 *tions may be obligated at the time a construction contract*  
17 *is awarded: Provided, That for the purpose of this section,*  
18 *supervision and administration costs include all in-house*  
19 *Government costs.*

20 *PROHIBITION OF NEW START PROGRAMS*

21 *SEC. 1309. None of the funds provided in this chapter*  
22 *may be used to finance programs or activities denied by*  
23 *Congress in fiscal year 2005 and 2006 appropriations to*  
24 *the Department of Defense or to initiate a procurement or*  
25 *research, development, test and evaluation new start pro-*

1 *gram without prior written notification to the congressional*  
2 *defense committees.*

3 *RETROACTIVE PAYMENT OF ADDITIONAL DEATH GRATUITY*

4 *SEC. 1310. (a) Effective as of January 6, 2006, and*  
5 *as if included in the enactment of the National Defense Au-*  
6 *thorization Act for Fiscal Year 2006 (Public Law 109–163),*  
7 *subsection (d)(2) of section 1478 of title 10, United States*  
8 *Code, as added by section 664(b) of such Act (119 Stat.*  
9 *3316), is amended by striking “May 11, 2005” and insert-*  
10 *ing “August 31, 2005”.*

11 *(b) AVAILABILITY OF FUNDS.—Of the amounts appro-*  
12 *priated or otherwise made available by this chapter for*  
13 *military personnel, an aggregate of \$48,750,000 shall be*  
14 *available for the retroactive payment of death gratuity with*  
15 *respect to members of the Armed Forces as a result of the*  
16 *amendment made by subsection (a).*

17 *VOTING ASSISTANCE*

18 *SEC. 1311. (a) Congress recognizes the importance of*  
19 *ensuring that absent uniformed services voters, Department*  
20 *of Defense personnel, and their dependents have the oppor-*  
21 *tunity to exercise their right to vote.*

22 *(b) IVAS BALLOT REQUEST PROGRAM.—*

23 *(1) The Interim Voting Assistance System*  
24 *(IVAS) Ballot Request Program shall be continued*  
25 *with respect to all Department of Defense personnel,*  
26 *and their families, covered by the Uniformed and*

1 *Overseas Citizens Absentee Voting Act (42 U.S.C.*  
2 *1973ff et seq.)*.

3 (2) *Not later than 90 days after the date of the*  
4 *enactment of this Act, the Secretary shall submit to*  
5 *the congressional defense committees a report on the*  
6 *status of the program.*

7 (c) *FUNDING.—Of the amounts provided by this Act,*  
8 *\$5,820,000 shall be available for the program referred to*  
9 *in subsection (b).*

10 *CHAPTER 4*

11 *BILATERAL ECONOMIC ASSISTANCE*

12 *FUNDS APPROPRIATED TO THE PRESIDENT*

13 *UNITED STATES AGENCY FOR INTERNATIONAL*

14 *DEVELOPMENT*

15 *CHILD SURVIVAL AND HEALTH PROGRAMS FUND*

16 *For an additional amount for “Child Survival and*  
17 *Health Programs Fund”, \$10,300,000, to remain available*  
18 *until September 30, 2007: Provided, That the amount pro-*  
19 *vided under this heading is designated as an emergency re-*  
20 *quirement pursuant to section 402 of H. Con. Res. 95*  
21 *(109th Congress), the concurrent resolution on the budget*  
22 *for fiscal year 2006.*

23 *DEVELOPMENT ASSISTANCE*

24 *For an additional amount for “Development Assist-*  
25 *ance”, \$10,500,000, to remain available until September*  
26 *30, 2007: Provided, That the amount provided under this*

1 *heading is designated as an emergency requirement pursu-*  
2 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
3 *concurrent resolution on the budget for fiscal year 2006.*

4       *INTERNATIONAL DISASTER AND FAMINE ASSISTANCE*  
5               *(INCLUDING TRANSFER OF FUNDS)*

6       *For an additional amount for “International Disaster*  
7 *and Famine Assistance”, \$136,290,000, to remain available*  
8 *until expended, of which up to \$80,000 may be transferred*  
9 *to and merged with “Operating Expenses of the United*  
10 *States Agency for International Development”, for associ-*  
11 *ated administrative costs: Provided, That the amounts pro-*  
12 *vided under this heading are designated as an emergency*  
13 *requirement pursuant to section 402 of H. Con. Res. 95*  
14 *(109th Congress), the concurrent resolution on the budget*  
15 *for fiscal year 2006.*

16       *OPERATING EXPENSES OF THE UNITED STATES AGENCY*  
17               *FOR INTERNATIONAL DEVELOPMENT*

18       *For an additional amount for “Operating Expenses of*  
19 *the United States Agency for International Development”,*  
20 *\$141,600,000, to remain available until September 30,*  
21 *2007: Provided, That the amount provided under this head-*  
22 *ing is designated as an emergency requirement pursuant*  
23 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
24 *current resolution on the budget for fiscal year 2006.*

1        *OTHER BILATERAL ECONOMIC ASSISTANCE*2                                *ECONOMIC SUPPORT FUND*3                                *(INCLUDING TRANSFER OF FUNDS)*

4        *For an additional amount for “Economic Support*  
5 *Fund”, \$1,757,500,000, to remain available until Sep-*  
6 *tember 30, 2007, of which up to \$11,000,000 may be used*  
7 *for the costs, as defined in section 502 of the Congressional*  
8 *Budget Act of 1974, of modifying direct loans and guaran-*  
9 *tees for Afghanistan or otherwise of reducing any amounts*  
10 *owed to the United States or any agency of the United*  
11 *States by Afghanistan: Provided, That such amounts for the*  
12 *costs of modifying direct loans and guarantees shall not be*  
13 *considered “assistance” for the purposes of any provision*  
14 *of law limiting assistance to a country: Provided further,*  
15 *That the last proviso under the heading “Economic Support*  
16 *Fund” in title II of Public Law 109–102 and comparable*  
17 *provisions in prior Acts making appropriations for foreign*  
18 *operations, export financing, and related programs shall no*  
19 *longer be applicable to funds appropriated under such head-*  
20 *ing in this Act or any prior Act: Provided further, That*  
21 *of the funds available under this heading for assistance for*  
22 *Afghanistan, \$5,000,000 shall be made available for agri-*  
23 *culture and rural development programs in Afghanistan to*  
24 *be administered through a national consortium of agri-*  
25 *culture colleges and land-grant universities: Provided fur-*

1 *ther, That of the funds available under this heading for as-*  
2 *sistance for Iraq, not less than \$75,000,000 shall be made*  
3 *available to the United States Agency for International De-*  
4 *velopment for continued support for its Community Action*  
5 *Program in Iraq, of which not less than \$10,000,000 shall*  
6 *be transferred to and merged with funds appropriated*  
7 *under the heading “Iraq Relief and Reconstruction Fund”*  
8 *in chapter 2 of title II of Public Law 108–106 and shall*  
9 *be made available for the Marla Ruzicka Iraqi War Victims*  
10 *Fund: Provided further, That funds made available under*  
11 *the previous proviso shall be in addition to funds appro-*  
12 *priated by this Act that are available to the United States*  
13 *Agency for International Development for Iraq: Provided*  
14 *further, That funds appropriated under this heading that*  
15 *are made available for police and judicial reform in Haiti*  
16 *shall be subject to the regular notification procedures of the*  
17 *Committees on Appropriations: Provided further, That the*  
18 *amounts provided under this heading are designated as an*  
19 *emergency requirement pursuant to section 402 of H. Con.*  
20 *Res. 95 (109th Congress), the concurrent resolution on the*  
21 *budget for fiscal year 2006.*

22 *DEPARTMENT OF STATE*

23 *DEMOCRACY FUND*

24 *For an additional amount for “Democracy Fund”,*  
25 *\$39,750,000, for programs and activities promoting democ-*

1 *racy in Iran, to remain available until September 30, 2007:*  
2  *Provided, That funds appropriated under this heading shall*  
3  *be made available notwithstanding any other provision of*  
4  *law and shall be administered by the Middle East Partner-*  
5  *ship Initiative: Provided further, That the amount provided*  
6  *under this heading is designated as an emergency require-*  
7  *ment pursuant to section 402 of H. Con. Res. 95 (109th*  
8  *Congress), the concurrent resolution on the budget for fiscal*  
9  *year 2006.*

10 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

11 *ENFORCEMENT*

12  *For an additional amount for “International Nar-*  
13  *cotics Control and Law Enforcement”, \$107,700,000, to re-*  
14  *main available until September 30, 2008: Provided, That*  
15  *the amount provided under this heading is designated as*  
16  *an emergency requirement pursuant to section 402 of H.*  
17  *Con. Res. 95 (109th Congress), the concurrent resolution on*  
18  *the budget for fiscal year 2006.*

19 *MIGRATION AND REFUGEE ASSISTANCE*

20  *For an additional amount for “Migration and Refugee*  
21  *Assistance”, \$110,200,000, to remain available until Sep-*  
22  *tember 30, 2007: Provided, That the amount provided under*  
23  *this heading is designated as an emergency requirement*  
24  *pursuant to section 402 of H. Con. Res. 95 (109th Con-*

1 *gress), the concurrent resolution on the budget for fiscal year*  
2 *2006.*

3 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*  
4 *ASSISTANCE FUND*

5 *For an additional amount for “United States Emer-*  
6 *gency Refugee and Migration Assistance Fund”,*  
7 *\$20,000,000, to remain available until September 30, 2007:*  
8 *Provided, That the amount provided under this heading is*  
9 *designated as an emergency requirement pursuant to sec-*  
10 *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
11 *rent resolution on the budget for fiscal year 2006.*

12 *DEPARTMENT OF THE TREASURY*

13 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

14 *For an additional amount for “International Affairs*  
15 *Technical Assistance”, \$13,000,000, to remain available*  
16 *until September 30, 2007: Provided, That the amount pro-*  
17 *vided under this heading is designated as an emergency re-*  
18 *quirement pursuant to section 402 of H. Con. Res. 95*  
19 *(109th Congress), the concurrent resolution on the budget*  
20 *for fiscal year 2006.*

21 *MILITARY ASSISTANCE*

22 *FUNDS APPROPRIATED TO THE PRESIDENT*

23 *PEACEKEEPING OPERATIONS*

24 *For an additional amount for “Peacekeeping Oper-*  
25 *ations”, \$181,200,000, to remain available until September*

1 30, 2007: *Provided, That the amount provided under this*  
2 *heading is designated as an emergency requirement pursu-*  
3 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
4 *concurrent resolution on the budget for fiscal year 2006.*

5 **GENERAL PROVISIONS—THIS CHAPTER**

6 **IRAQ RELIEF AND RECONSTRUCTION FUND**

7 *SEC. 1401. Chapter 2 of title II of Public Law 108-*  
8 *106 (117 Stat. 1225–1226), as amended by Public Law*  
9 *108–309 (118 Stat. 1142–1143), is further amended under*  
10 *the heading “Iraq Relief and Reconstruction Fund” by—*

11 (1)(A) *striking “\$5,090,000,000” and inserting*  
12 *“\$5,036,000,000” for security and law enforcement;*

13 (B) *striking “\$1,960,000,000” and inserting*  
14 *“\$2,349,800,000” for justice, public safety infrastruc-*  
15 *ture, and civil society;*

16 (C) *striking “\$4,455,000,000” and inserting*  
17 *“\$4,220,000,000” for the electric sector;*

18 (D) *striking “\$1,723,000,000” and inserting*  
19 *“\$1,735,600,000” for oil infrastructure;*

20 (E) *striking “\$2,361,000,000” and inserting*  
21 *“\$2,131,100,000” for water resources and sanitation;*

22 (F) *striking “\$500,000,000” and inserting*  
23 *“\$465,500,000” for transportation and telecommuni-*  
24 *cations;*



1 *the purposes of this section, supervision and administration*  
2 *costs include all in-house Government costs.*

3 *AUTHORIZATION OF FUNDS*

4 *SEC. 1403. Funds appropriated or made available by*  
5 *transfer in this chapter may be obligated and expended not-*  
6 *withstanding section 15 of the State Department Basic Au-*  
7 *thorities Act of 1956, section 10 of Public Law 91-672 (22*  
8 *U.S.C. 2412), section 504(a)(1) of the National Security Act*  
9 *of 1947 (50 U.S.C. 414(a)(1)) and section 313 of the For-*  
10 *ign Relations Authorization Act, Fiscal Years 1994 and*  
11 *1995 (Public Law 103-236).*

12 *PALESTINIAN AUTHORITY*

13 *SEC. 1404. Section 550 of Public Law 109-102 (119*  
14 *Stat. 2217) is amended to read as follows:*

15 *“PROHIBITION ON ASSISTANCE FOR THE PALESTINIAN*

16 *AUTHORITY*

17 *“SEC. 550. PROHIBITION ON ASSISTANCE.—None of*  
18 *the funds appropriated by this Act or any prior Act making*  
19 *appropriations for foreign operations, export financing,*  
20 *and related programs, may be obligated or expended for as-*  
21 *sistance for the Palestinian Authority unless the Secretary*  
22 *of State determines, and so reports to the Committees on*  
23 *Appropriations, that the Palestinian Authority has—*

24 *“(1) publicly acknowledged Israel’s right to exist*  
25 *as a Jewish state;*

26 *“(2) renounced violence; and*









1                    *AGRICULTURAL RESEARCH SERVICE*2                    *SALARIES AND EXPENSES*

3            *For an additional amount for “Salaries and Ex-*  
4 *penses”, \$15,600,000, to remain available until expended,*  
5 *for necessary expenses related to the consequences of Hurri-*  
6 *cane Katrina and other hurricanes of the 2005 season: Pro-*  
7 *vided, That the amount provided under this heading is des-*  
8 *ignated as an emergency requirement pursuant to section*  
9 *402 of H. Con. Res. 95 (109th Congress), the concurrent*  
10 *resolution on the budget for fiscal year 2006.*

11                    *BUILDINGS AND FACILITIES*

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

20                    *FARM SERVICE AGENCY*21                    *SALARIES AND EXPENSES*

22            *For an additional amount for “Salaries and Ex-*  
23 *penses”, \$5,000,000, to remain available until expended, for*  
24 *necessary expenses related to the consequences of Hurricane*  
25 *Katrina and other hurricanes of the 2005 season: Provided,*  
26 *That the amount provided under this heading is designated*

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

4 *EMERGENCY CONSERVATION PROGRAM*

5 *For an additional amount for the “Emergency Con-*  
6 *serva-tion Program”, \$32,547,000, to remain available until*  
7 *expended, to provide assistance under the emergency con-*  
8 *serva-tion program established under title IV of the Agricul-*  
9 *tural Credit Act of 1978 (16 U.S.C. 2201 et seq.), for nec-*  
10 *essary expenses related to the consequences of Hurricane*  
11 *Katrina and other hurricanes of the 2005 season: Provided,*  
12 *That the amount provided under this heading is designated*  
13 *as an emergency requirement pursuant to section 402 of*  
14 *H. Con. Res. 95 (109th Congress), the concurrent resolution*  
15 *on the budget for fiscal year 2006.*

16 *NATURAL RESOURCES CONSERVATION SERVICE*

17 *EMERGENCY WATERSHED PROTECTION PROGRAM*

18 *For an additional amount for “Emergency Watershed*  
19 *Protection Program”, \$165,000,000, to remain available*  
20 *until expended, for emergency measures in disaster areas*  
21 *affected by Hurricane Katrina and other hurricanes of the*  
22 *2005 season: Provided, That notwithstanding any other*  
23 *provision of law, the Secretary, acting through the Natural*  
24 *Resources Conservation Service, using funds made available*  
25 *under this heading may provide financial and technical as-*  
26 *sistance to remove and dispose of debris and animal car-*

1 *cases that could adversely affect health and safety on non-*  
2 *Federal land in a hurricane-affected county: Provided fur-*  
3 *ther, That the amount provided under this heading is des-*  
4 *ignated as an emergency requirement pursuant to section*  
5 *402 of H. Con. Res. 95 (109th Congress), the concurrent*  
6 *resolution on the budget for fiscal year 2006.*

7 *RURAL DEVELOPMENT*

8 *SALARIES AND EXPENSES*

9 *For an additional amount for “Salaries and Ex-*  
10 *penses”, \$1,000,000, to remain available until expended, for*  
11 *necessary expenses related to the consequences of Hurricane*  
12 *Katrina and other hurricanes of the 2005 season for State*  
13 *Rural Development offices located in Mississippi and Lou-*  
14 *isiana: Provided, That the amount provided under this*  
15 *heading is designated as an emergency requirement pursu-*  
16 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
17 *concurrent resolution on the budget for fiscal year 2006.*

18 *RURAL COMMUNITY ADVANCEMENT PROGRAM*

19 *For an additional amount for community facilities*  
20 *grants authorized under section 381E(d)(1) of the Consoli-*  
21 *dated Farm and Rural Development Act, \$150,000,000, to*  
22 *remain available until expended, for necessary expenses re-*  
23 *lated to the consequences of Hurricane Katrina and other*  
24 *hurricanes of the 2005 season: Provided, That the amount*  
25 *provided under this heading is designated as an emergency*  
26 *requirement pursuant to section 402 of H. Con. Res. 95*

1 *(109th Congress), the concurrent resolution on the budget*  
2 *for fiscal year 2006.*

3           *GENERAL PROVISIONS—THIS CHAPTER*

4           *NATURAL RESOURCES CONSERVATION SERVICE—COST*

5                           *SHARE REQUIREMENT*

6           *SEC. 2101. Notwithstanding any other provision of*  
7 *law, in carrying out the provisions of section 102 of chapter*  
8 *1 of title I of division B of Public Law 109–148 (119 Stat.*  
9 *2748–2749), the Secretary may provide financial and tech-*  
10 *nical assistance up to 100 percent Federal share: Provided,*  
11 *That the amount provided under this section is designated*  
12 *as an emergency requirement pursuant to section 402 of*  
13 *H. Con. Res. 95 (109th Congress), the concurrent resolution*  
14 *on the budget for fiscal year 2006.*

15           *NATURAL RESOURCES CONSERVATION SERVICE—VEHICLE*

16                           *DISPOSITION*

17           *SEC. 2102. Notwithstanding any other provision of*  
18 *law, the Chief of the Natural Resources Conservation Serv-*  
19 *ice (NRCS) may enter into agreements with organizations*  
20 *or State or local units of government affected by Hurricane*  
21 *Katrina and other hurricanes of the 2005 season, that pro-*  
22 *vide for NRCS to donate used vehicles to the organization*  
23 *or to the State or local unit of government.*

24           *RURAL DEVELOPMENT—EMERGENCY AUTHORITIES*

25           *SEC. 2103. The Secretary of Agriculture may continue*  
26 *to use any of the authorities provided in section 105 of*

1 *chapter 1 of title I of division B of Public Law 109–148*  
2 *(119 Stat. 2749–2750), for a period not to exceed 24 addi-*  
3 *tional months: Provided, That the amount provided under*  
4 *this section is designated as an emergency requirement pur-*  
5 *suant to section 402 of H. Con. Res. 95 (109th Congress),*  
6 *the concurrent resolution on the budget for fiscal year 2006.*

7 *FARM SERVICE AGENCY*

8 *(TRANSFER OF FUNDS)*

9 *SEC. 2104. Of the funds appropriated in section 101(a)*  
10 *of chapter 1 of title I of division B of Public Law 109–*  
11 *148 (119 Stat. 2747), to provide assistance under the emer-*  
12 *gency conservation program established under title IV of the*  
13 *Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.),*  
14 *\$38,000,000 are transferred to the National Oceanic and*  
15 *Atmospheric Administration in the Department of Com-*  
16 *merce for activities involving oysters: Provided, That the*  
17 *amount transferred under this section is designated as an*  
18 *emergency requirement pursuant to section 402 of H. Con.*  
19 *Res. 95 (109th Congress), the concurrent resolution on the*  
20 *budget for fiscal year 2006.*

21 *FARM SERVICE AGENCY—EMERGENCY CONSERVATION*

22 *PROGRAM*

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

26 *(1) in the heading, by striking “, Oyster,”;*

1           (2) *in the matter preceding paragraph (1)—*

2                   (A) *by striking “, oyster,”; and*

3                   (B) *by striking “public and private oyster*  
4 *reefs or”;*

5           (3) *in paragraph (3), by adding “and” at the*  
6 *end;*

7           (4) *by striking paragraph (4); and*

8           (5) *by redesignating paragraph (5) as para-*  
9 *graph (4).*

10           RURAL DEVELOPMENT—RURAL HOUSING

11           *SEC. 2106. There is hereby appropriated, \$35,408,000,*  
12 *to remain available until expended, for housing needs in*  
13 *the most impacted and distressed areas related to the con-*  
14 *sequences of Hurricane Katrina and other hurricanes of the*  
15 *2005 season: Provided, That the Secretary of Agriculture*  
16 *shall allocate funds provided under this section between the*  
17 *“Rural Housing Insurance Fund Program Account” and*  
18 *“Rural Housing Assistance Grants” program: Provided*  
19 *further, That the Secretary make this allocation and*  
20 *prioritizes the funding of projects with such funds within*  
21 *a State based on the priorities identified by the Governor*  
22 *of each State: Provided further, That the amount provided*  
23 *under this section is designated as an emergency require-*  
24 *ment pursuant to section 402 of H. Con. Res. 95 (109th*  
25 *Congress), the concurrent resolution on the budget for fiscal*  
26 *year 2006.*

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CHAPTER 2

DEPARTMENT OF JUSTICE

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

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

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

*For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$3,200,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the current resolution on the budget for fiscal year 2006.*

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

*For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 sea-*

1 son, \$6,500,000, to remain available until September 30,  
2 2007: Provided, That the amount provided under this head-  
3 ing is designated as an emergency requirement pursuant  
4 to section 402 of H. Con. Res. 95 (109th Congress), the con-  
5 current resolution on the budget for fiscal year 2006.

6 *OFFICE OF JUSTICE PROGRAMS*

7 *STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE*

8 *For an additional amount for “State and Local Law*  
9 *Enforcement Assistance” for necessary expenses, related to*  
10 *the direct or indirect consequences of Hurricane Katrina*  
11 *and other hurricanes of the 2005 season, \$10,000,000, to*  
12 *remain available until expended: Provided, That the*  
13 *amount provided under this heading is designated as an*  
14 *emergency requirement pursuant to section 402 of H. Con.*  
15 *Res. 95 (109th Congress), the concurrent resolution on the*  
16 *budget for fiscal year 2006: Provided further, That the At-*  
17 *torney General shall consult with the House and Senate*  
18 *Committees on Appropriations on the allocation of funds*  
19 *prior to obligation.*

20 *DEPARTMENT OF COMMERCE*

21 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*

22 *OPERATIONS, RESEARCH, AND FACILITIES*

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

1 2005 season, \$1,135,000,000, to remain available until Sep-  
2 tember 30, 2007, pursuant to section 312(a) of the Magnu-  
3 son-Stevens Fishery Conservation and Management Act,  
4 section 308(d) of the Interjurisdictional Fisheries Act, and  
5 other authorities: Provided, That the amount provided  
6 under this heading is designated as an emergency require-  
7 ment pursuant to section 402 of H. Con. Res. 95 (109th  
8 Congress), the concurrent resolution on the budget for fiscal  
9 year 2006: Provided further, That of the total amount ap-  
10 propriated, \$100,000,000 shall be for the National Marine  
11 Fisheries Service to provide technical assistance to States  
12 and industry for oyster bed and shrimp ground rehabilita-  
13 tion, debris removal and cleaning, and to prepare for spat  
14 fall by planting sufficient amounts of cultch: Provided fur-  
15 ther, That of the total amount appropriated, \$20,000,000  
16 shall be provided to utilize the National Oceanic and At-  
17 mospheric Administration's expertise to assist in rebuilding  
18 coastal communities, especially focusing on fisheries infra-  
19 structure, zoning to mitigate against future catastrophes  
20 and natural disasters, and building standards for coastal  
21 structures: Provided further, That of the total amount ap-  
22 propriated, \$10,000,000 shall be provided to coordinate and  
23 help implement planning efforts that will lead to capacity  
24 and effort reductions in Federal and State waters: Provided  
25 further, That of the total amount appropriated, \$15,000,000

1 *shall be provided to develop and implement a seafood pro-*  
2 *motion strategy for Gulf of Mexico fisheries: Provided fur-*  
3 *ther, That of the total amount appropriated, \$15,000,000*  
4 *shall be provided to institute job retraining programs for*  
5 *displaced fisheries workers into alternative occupations:*  
6 *Provided further, That of the total amount appropriated,*  
7 *\$200,000,000 shall be provided to replace fishing gear dam-*  
8 *aged or lost in the hurricanes, and deploy advanced versions*  
9 *of turtle exclusion devices and by-catch reduction devices:*  
10 *Provided further, That of the total amount appropriated,*  
11 *\$50,000,000 shall be provided to develop temporary marine*  
12 *services centers to cluster docking facilities, fuel, ice and*  
13 *provisions, offloading, processing and distribution and ma-*  
14 *rine repair facilities for seafood industries: Provided fur-*  
15 *ther, That of the total amount appropriated, \$300,000,000*  
16 *shall be provided for re-development of marinas, piers,*  
17 *docks, wharves and warehouses to support commercial and*  
18 *recreational fishing, and especially investments in public*  
19 *facilities supporting working waterfronts: Provided further,*  
20 *That of the total amount appropriated, \$50,000,000 shall*  
21 *be provided for planning and support for fishing-related*  
22 *marine industrial parks to cluster processing and marine*  
23 *support businesses in ways that increase access to key facili-*  
24 *ties and services, and enhance intermodal transportation*  
25 *of fishery products: Provided further, That of the total*

1 amount appropriated, \$90,000,000 shall be provided for re-  
2 placement of private fisheries infrastructure other than ves-  
3 sels: Provided further, That of the total amount appro-  
4 priated, \$10,000,000 shall be provided to implement rules  
5 where appropriate, and purchase and provide one year of  
6 associated fees to equip the offshore shrimp and reef fish  
7 fishery with electronic vessel monitoring systems: Provided  
8 further, That of the total amount appropriated, \$10,000,000  
9 shall be provided to equip federally permitted fishing vessels  
10 with electronic logbooks to record haul-by-haul catch data:  
11 Provided further, That of the total amount appropriated,  
12 \$20,000,000 shall be provided for one percent coverage of  
13 the shrimp and reef fish fisheries with at-sea observer cov-  
14 erage to document catch, by-catch and profitability of these  
15 fisheries, for three years: Provided further, That of the total  
16 amount appropriated, \$50,000,000 shall be provided to de-  
17 velop and fund a cooperative research program to test var-  
18 ious gears and to monitor the recovery of Gulf of Mexico  
19 fishery resources and fisheries: Provided further, That of the  
20 total amount appropriated, \$100,000,000 shall be provided  
21 for direct assistance to fishers and seafood workers to under-  
22 take cleanup activities and begin repairing damaged facili-  
23 ties: Provided further, That of the total amount appro-  
24 priated, \$20,000,000 shall be provided to assist  
25 shellfishermen in New England's coastal communities who

1 *suffered severe economic impact from last year's toxic red*  
2 *tide outbreak: Provided further, That of the total amount*  
3 *appropriated, \$25,000,000 shall be provided to employ fish-*  
4 *ers and vessel owners in marine debris and living marine*  
5 *resource assessment activities.*

6 *PROCUREMENT, ACQUISITION AND CONSTRUCTION*

7 *For an additional amount for "Procurement, Acquisi-*  
8 *tion and Construction" for necessary expenses related to the*  
9 *consequences of Hurricane Katrina and other hurricanes of*  
10 *the 2005 season, \$32,000,000, to remain available until ex-*  
11 *pende: Provided, That the amount provided under this*  
12 *heading is designated as an emergency requirement pursu-*  
13 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
14 *concurrent resolution on the budget for fiscal year 2006.*

15 *SCIENCE*

16 *NATIONAL AERONAUTICS AND SPACE ADMINISTRATION*

17 *EXPLORATION CAPABILITIES*

18 *For an additional amount for "Exploration Capabili-*  
19 *ties" for necessary expenses related to the consequences of*  
20 *Hurricane Katrina and other hurricanes of the 2005 sea-*  
21 *son, \$35,000,000 shall be for the Stennis Space Center, to*  
22 *remain available until expended: Provided, That the*  
23 *amount provided under this heading is designated as an*  
24 *emergency requirement pursuant to section 402 of H. Con.*  
25 *Res. 95 (109th Congress), the concurrent resolution on the*  
26 *budget for fiscal year 2006.*

1                                    *RELATED AGENCY*  
2                                    *SMALL BUSINESS ADMINISTRATION*  
3                                    *DISASTER LOANS PROGRAM ACCOUNT*  
4                                    *(INCLUDING TRANSFERS OF FUNDS)*

5            *For an additional amount for the “Disaster Loans*  
6 *Program Account” for the cost of direct loans authorized*  
7 *by section 7(b) of the Small Business Act, \$1,254,000,000,*  
8 *to remain available until expended: Provided, That such*  
9 *costs, including the cost of modifying such loans shall be*  
10 *as defined in section 502 of the Congressional Budget Act*  
11 *of 1974: Provided further, That up to \$190,000,000 may*  
12 *be transferred to and merged with “Salaries and Expenses”*  
13 *for administrative expenses to carry out the disaster loan*  
14 *program: Provided further, That none of the funds provided*  
15 *under this heading may be used for indirect administrative*  
16 *expenses: Provided further, That of the amount provided*  
17 *under this heading, up to \$712,000,000 may be transferred*  
18 *to “Federal Emergency Management Agency, Disaster Re-*  
19 *lief” to reimburse in whole, or in part, that account for*  
20 *funds transferred to this account by Public Law 109–174:*  
21 *Provided further, That the amounts provided under this*  
22 *heading are designated as an emergency requirement pursu-*  
23 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
24 *concurrent resolution on the budget for fiscal year 2006.*

## CHAPTER 3

## DEPARTMENT OF DEFENSE—MILITARY

## MILITARY PERSONNEL

## MILITARY PERSONNEL, ARMY

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5     *For an additional amount for “Military Personnel,*  
6 *Army”, \$2,125,000, for necessary expenses related to the*  
7 *consequences of Hurricane Katrina and other hurricanes of*  
8 *the 2005 season: Provided, That the amount provided under*  
9 *this heading is designated as an emergency requirement*  
10 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
11 *gress), the concurrent resolution on the budget for fiscal year*  
12 *2006.*

## MILITARY PERSONNEL, NAVY

13  
14     *For an additional amount for “Military Personnel,*  
15 *Navy”, \$22,002,000, for necessary expenses related to the*  
16 *consequences of Hurricane Katrina and other hurricanes of*  
17 *the 2005 season: Provided, That the amount provided under*  
18 *this heading is designated as an emergency requirement*  
19 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
20 *gress), the concurrent resolution on the budget for fiscal year*  
21 *2006.*

## MILITARY PERSONNEL, MARINE CORPS

22  
23     *For an additional amount for “Military Personnel,*  
24 *Marine Corps”, \$3,992,000, for necessary expenses related*  
25 *to the consequences of Hurricane Katrina and other hurri-*

1 canes of the 2005 season: *Provided, That the amount pro-*  
2 *vided under this heading is designated as an emergency re-*  
3 *quirement pursuant to section 402 of H. Con. Res. 95*  
4 *(109th Congress), the concurrent resolution on the budget*  
5 *for fiscal year 2006.*

6 *MILITARY PERSONNEL, AIR FORCE*

7 *For an additional amount for “Military Personnel,*  
8 *Air Force”, \$21,610,000, for necessary expenses related to*  
9 *the consequences of Hurricane Katrina and other hurri-*  
10 *canes of the 2005 season: Provided, That the amount pro-*  
11 *vided under this heading is designated as an emergency re-*  
12 *quirement pursuant to section 402 of H. Con. Res. 95*  
13 *(109th Congress), the concurrent resolution on the budget*  
14 *for fiscal year 2006.*

15 *RESERVE PERSONNEL, ARMY*

16 *For an additional amount for “Reserve Personnel,*  
17 *Army”, \$4,071,000, for necessary expenses related to the*  
18 *consequences of Hurricane Katrina and other hurricanes of*  
19 *the 2005 season: Provided, That the amount provided under*  
20 *this heading is designated as an emergency requirement*  
21 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
22 *gress), the concurrent resolution on the budget for fiscal year*  
23 *2006.*

1                                    *RESERVE PERSONNEL, NAVY*

2            *For an additional amount for “Reserve Personnel,*  
3 *Navy”, \$10,200,000, for necessary expenses related to the*  
4 *consequences of Hurricane Katrina and other hurricanes of*  
5 *the 2005 season: Provided, That the amount provided under*  
6 *this heading is designated as an emergency requirement*  
7 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
8 *gress), the concurrent resolution on the budget for fiscal year*  
9 *2006.*

10                                   *RESERVE PERSONNEL, MARINE CORPS*

11           *For an additional amount for “Reserve Personnel, Ma-*  
12 *rine Corps”, \$2,176,000, for necessary expenses related to*  
13 *the consequences of Hurricane Katrina and other hurri-*  
14 *canes of the 2005 season: Provided, That the amount pro-*  
15 *vided under this heading is designated as an emergency re-*  
16 *quirement pursuant to section 402 of H. Con. Res. 95*  
17 *(109th Congress), the concurrent resolution on the budget*  
18 *for fiscal year 2006.*

19                                   *RESERVE PERSONNEL, AIR FORCE*

20           *For an additional amount for “Reserve Personnel, Air*  
21 *Force”, \$94,000, for necessary expenses related to the con-*  
22 *sequences of Hurricane Katrina and other hurricanes of the*  
23 *2005 season: Provided, That the amount provided under*  
24 *this heading is designated as an emergency requirement*  
25 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*

1 *gress), the concurrent resolution on the budget for fiscal year*  
2 *2006.*

3 *NATIONAL GUARD PERSONNEL, ARMY*

4 *For an additional amount for “National Guard Per-*  
5 *sonnel, Army”, \$1,304,000, for necessary expenses related*  
6 *to the consequences of Hurricane Katrina and other hurri-*  
7 *canes of the 2005 season: Provided, That the amount pro-*  
8 *vided under this heading is designated as an emergency re-*  
9 *quirement pursuant to section 402 of H. Con. Res. 95*  
10 *(109th Congress), the concurrent resolution on the budget*  
11 *for fiscal year 2006.*

12 *NATIONAL GUARD PERSONNEL, AIR FORCE*

13 *For an additional amount for “National Guard Per-*  
14 *sonnel, Air Force”, \$1,408,000, for necessary expenses re-*  
15 *lated to the consequences of Hurricane Katrina and other*  
16 *hurricanes of the 2005 season: Provided, That the amount*  
17 *provided under this heading is designated as an emergency*  
18 *requirement pursuant to section 402 of H. Con. Res. 95*  
19 *(109th Congress), the concurrent resolution on the budget*  
20 *for fiscal year 2006.*

21 *OPERATION AND MAINTENANCE*

22 *OPERATION AND MAINTENANCE, NAVY*

23 *For an additional amount for “Operation and Mainte-*  
24 *nance, Navy”, \$29,913,000, to remain available until Sep-*  
25 *tember 30, 2007, for necessary expenses related to the con-*

1 *sequences of Hurricane Katrina and other hurricanes of the*  
2 *2005 season: Provided, That the amount provided under*  
3 *this heading is designated as an emergency requirement*  
4 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
5 *gress), the concurrent resolution on the budget for fiscal year*  
6 *2006.*

7 *OPERATION AND MAINTENANCE, AIR FORCE*

8 *For an additional amount for “Operation and Mainte-*  
9 *nance, Air Force”, \$37,359,000, to remain available until*  
10 *September 30, 2007, for necessary expenses related to the*  
11 *consequences of Hurricane Katrina and other hurricanes of*  
12 *the 2005 season: Provided, That the amount provided under*  
13 *this heading is designated as an emergency requirement*  
14 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
15 *gress), the concurrent resolution on the budget for fiscal year*  
16 *2006.*

17 *OPERATION AND MAINTENANCE, NAVY RESERVE*

18 *For an additional amount for “Operation and Mainte-*  
19 *nance, Navy Reserve”, \$12,755,000, to remain available*  
20 *until September 30, 2007, for necessary expenses related to*  
21 *the consequences of Hurricane Katrina and other hurri-*  
22 *canes of the 2005 season: Provided, That the amount pro-*  
23 *vided under this heading is designated as an emergency re-*  
24 *quirement pursuant to section 402 of H. Con. Res. 95*

1 *(109th Congress), the concurrent resolution on the budget*  
2 *for fiscal year 2006.*

3 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

4 *For an additional amount for “Operation and Mainte-*  
5 *nance, Air Force Reserve”, \$1,277,000, to remain available*  
6 *until September 30, 2007, for necessary expenses related to*  
7 *the consequences of Hurricane Katrina and other hurri-*  
8 *canes of the 2005 season: Provided, That the amount pro-*  
9 *vided under this heading is designated as an emergency re-*  
10 *quirement pursuant to section 402 of H. Con. Res. 95*  
11 *(109th Congress), the concurrent resolution on the budget*  
12 *for fiscal year 2006.*

13 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

14 *For an additional amount for “Operation and Mainte-*  
15 *nance, Army National Guard”, \$42,307,000, to remain*  
16 *available until September 30, 2007, for necessary expenses*  
17 *related to the consequences of Hurricane Katrina and other*  
18 *hurricanes of the 2005 season: Provided, That the amount*  
19 *provided under this heading is designated as an emergency*  
20 *requirement pursuant to section 402 of H. Con. Res. 95*  
21 *(109th Congress), the concurrent resolution on the budget*  
22 *for fiscal year 2006.*



1 *son: Provided, That the amount provided under this head-*  
2 *ing is designated as an emergency requirement pursuant*  
3 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
4 *current resolution on the budget for fiscal year 2006.*

5 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*  
6 *CORPS*

7 *For an additional amount for “Procurement of Am-*  
8 *munition, Navy and Marine Corps”, \$899,000, to remain*  
9 *available until September 30, 2008, for necessary expenses*  
10 *related to the consequences of Hurricane Katrina and other*  
11 *hurricanes of the 2005 season: Provided, That the amount*  
12 *provided under this heading is designated as an emergency*  
13 *requirement pursuant to section 402 of H. Con. Res. 95*  
14 *(109th Congress), the concurrent resolution on the budget*  
15 *for fiscal year 2006.*

16 *SHIPBUILDING AND CONVERSION, NAVY*

17 *For an additional amount for “Shipbuilding and Con-*  
18 *version, Navy”, \$1,025,236,000, to remain available until*  
19 *September 30, 2010, for necessary expenses related to the*  
20 *consequences of Hurricane Katrina and other hurricanes of*  
21 *the 2005 season, which shall be available for transfer within*  
22 *this account to replace destroyed or damaged equipment,*  
23 *prepare and recover naval vessels under contract; and pro-*  
24 *vide for cost adjustments for naval vessels for which funds*  
25 *have been previously appropriated: Provided, That this*

1 *transfer authority is in addition to any other transfer au-*  
2 *thority available to the Department of Defense: Provided*  
3 *further, That the Secretary of Defense shall, not fewer than*  
4 *15 days prior to making transfers within this appropria-*  
5 *tion, notify the congressional defense committees in writing*  
6 *of the details of any such transfer: Provided further, That*  
7 *the amount provided under this heading is designated as*  
8 *an emergency requirement pursuant to section 402 of H.*  
9 *Con. Res. 95 (109th Congress), the concurrent resolution on*  
10 *the budget for fiscal year 2006.*

11 *OTHER PROCUREMENT, NAVY*

12 *For an additional amount for “Other Procurement,*  
13 *Navy”, \$85,040,000, to remain available until September*  
14 *30, 2008, for necessary expenses related to the consequences*  
15 *of Hurricane Katrina and other hurricanes of the 2005 sea-*  
16 *son: Provided, That the amount provided under this head-*  
17 *ing is designated as an emergency requirement pursuant*  
18 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
19 *current resolution on the budget for fiscal year 2006.*

20 *AIRCRAFT PROCUREMENT, AIR FORCE*

21 *For an additional amount for “Aircraft Procurement,*  
22 *Air Force”, \$13,000,000, to remain available until Sep-*  
23 *tember 30, 2008, for necessary expenses related to the con-*  
24 *sequences of Hurricane Katrina and other hurricanes of the*  
25 *2005 season: Provided, That the amount provided under*

1 *this heading is designated as an emergency requirement*  
2 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
3 *gress), the concurrent resolution on the budget for fiscal year*  
4 *2006.*

5 *PROCUREMENT, DEFENSE-WIDE*

6 *For an additional amount for “Procurement, Defense-*  
7 *Wide”, \$2,797,000, to remain available until September 30,*  
8 *2008, for necessary expenses related to the consequences of*  
9 *Hurricane Katrina and other hurricanes of the 2005 sea-*  
10 *son: Provided, That the amount provided under this head-*  
11 *ing is designated as an emergency requirement pursuant*  
12 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
13 *current resolution on the budget for fiscal year 2006.*

14 *RESEARCH, DEVELOPMENT, TEST AND*

15 *EVALUATION*

16 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*  
17 *For an additional amount for “Research, Develop-*  
18 *ment, Test and Evaluation, Navy”, \$12,000,000, to remain*  
19 *available until September 30, 2007, for necessary expenses*  
20 *related to the consequences of Hurricane Katrina and other*  
21 *hurricanes of the 2005 season: Provided, That the amount*  
22 *provided under this heading is designated as an emergency*  
23 *requirement pursuant to section 402 of H. Con. Res. 95*  
24 *(109th Congress), the concurrent resolution on the budget*  
25 *for fiscal year 2006.*

1 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*  
2 *FORCE*

3 *For an additional amount for “Research, Develop-*  
4 *ment, Test and Evaluation, Air Force”, \$6,250,000, to re-*  
5 *main available until September 30, 2007, for necessary ex-*  
6 *penses related to the consequences of Hurricane Katrina*  
7 *and other hurricanes of the 2005 season: Provided, That*  
8 *the amount provided under this heading is designated as*  
9 *an emergency requirement pursuant to section 402 of H.*  
10 *Con. Res. 95 (109th Congress), the concurrent resolution on*  
11 *the budget for fiscal year 2006.*

12 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*  
13 *DEFENSE-WIDE*

14 *For an additional amount for “Research, Develop-*  
15 *ment, Test and Evaluation, Defense-Wide”, \$730,000, to re-*  
16 *main available until September 30, 2007, for necessary ex-*  
17 *penses related to the consequences of Hurricane Katrina*  
18 *and other hurricanes of the 2005 season: Provided, That*  
19 *the amount provided under this heading is designated as*  
20 *an emergency requirement pursuant to section 402 of H.*  
21 *Con. Res. 95 (109th Congress), the concurrent resolution on*  
22 *the budget for fiscal year 2006.*

1            *REVOLVING AND MANAGEMENT FUNDS*2                    *DEFENSE WORKING CAPITAL FUNDS*

3            *For an additional amount for “Defense Working Cap-*  
4 *ital Funds”, \$1,222,000, to remain available until Sep-*  
5 *tember 30, 2006, for necessary expenses related to the con-*  
6 *sequences of Hurricane Katrina and other hurricanes of the*  
7 *2005 season: Provided, That the amount provided under*  
8 *this heading is designated as an emergency requirement*  
9 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
10 *gress), the concurrent resolution on the budget for fiscal year*  
11 *2006.*

12                    *NATIONAL DEFENSE SEALIFT FUND*

13            *For an additional amount for “National Defense Sea-*  
14 *lift Fund”, \$10,000,000, to remain available until ex-*  
15 *pendent, for necessary expenses related to the consequences*  
16 *of Hurricane Katrina and other hurricanes of the 2005 sea-*  
17 *son: Provided, That the amount provided under this head-*  
18 *ing is designated as an emergency requirement pursuant*  
19 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
20 *current resolution on the budget for fiscal year 2006.*

21                    *TRUST FUNDS*22            *GENERAL FUND PAYMENT, SURCHARGE COLLECTIONS,*  
23                    *SALES OF COMMISSARY STORES, DEFENSE*

24            *For an additional amount for “General Fund Pay-*  
25 *ment, Surcharge Collections, Sales of Commissary Stores,*

1 *Defense*”, \$10,530,000, to remain available until September  
2 30, 2010, for necessary expenses related to the consequences  
3 of Hurricane Katrina and other hurricanes of the 2005 sea-  
4 son: Provided, That the amount provided under this head-  
5 ing is designated as an emergency requirement pursuant  
6 to section 402 of H. Con. Res. 95 (109th Congress), the con-  
7 current resolution on the budget for fiscal year 2006.

8 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

9 *DEFENSE HEALTH PROGRAM*

10 *For an additional amount for “Defense Health Pro-*  
11 *gram*”, \$33,881,000, to remain available until September  
12 30, 2007, for necessary expenses related to the consequences  
13 of Hurricane Katrina and other hurricanes of the 2005 sea-  
14 son: Provided, That the amount provided under this head-  
15 ing is designated as an emergency requirement pursuant  
16 to section 402 of H. Con. Res. 95 (109th Congress), the con-  
17 current resolution on the budget for fiscal year 2006.

18 *OFFICE OF THE INSPECTOR GENERAL*

19 *For an additional amount for “Office of the Inspector*  
20 *General*”, \$326,000, to remain available until September  
21 30, 2007, for necessary expenses related to the consequences  
22 of Hurricane Katrina and other hurricanes of the 2005 sea-  
23 son: Provided, That the amount provided under this head-  
24 ing is designated as an emergency requirement pursuant

1 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
2 *current resolution on the budget for fiscal year 2006.*

3 **GENERAL PROVISIONS—THIS CHAPTER**

4 **SPECIAL TRANSFER AUTHORITY**

5 **(TRANSFER OF FUNDS)**

6 *SEC. 2301. Upon his determination that such action*  
7 *is necessary to ensure the appropriate allocation of funds*  
8 *provided to the Department of Defense in this chapter, the*  
9 *Secretary of Defense may transfer up to \$75,000,000, of*  
10 *such funds between such appropriations: Provided, That the*  
11 *Secretary shall notify the Congress promptly of each trans-*  
12 *fer made pursuant to this authority: Provided further, That*  
13 *the transfer authority provided in this section is in addi-*  
14 *tion to any other transfer authority available to the Depart-*  
15 *ment of Defense: Provided further, That the amount made*  
16 *available by the transfer of funds in or pursuant to this*  
17 *section is designated as an emergency requirement pursuant*  
18 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
19 *current resolution on the budget for fiscal year 2006.*

20 **PROHIBITION OF NEW START PROGRAMS**

21 *SEC. 2302. None of the funds provided in this chapter*  
22 *may be used to finance programs or activities denied by*  
23 *Congress in fiscal year 2005 and 2006 appropriations to*  
24 *the Department of Defense or to initiate a procurement or*  
25 *research, development, test and evaluation new start pro-*

1 *gram without prior written notification to the congressional*  
2 *defense committees.*

3 *NAVY SHIPBUILDING COST ADJUSTMENTS*

4 *SEC. 2303. (a) Amounts appropriated or otherwise*  
5 *made available by this Act, or by chapter 2 of title I of*  
6 *the Emergency Supplemental Appropriations Act to Ad-*  
7 *dress Hurricanes in the Gulf of Mexico and Pandemic In-*  
8 *fluenza, 2006 (division B of Public Law 109–148; 119 Stat.*  
9 *2757), under the heading “Shipbuilding and Conversion,*  
10 *Navy” may be obligated and expended to pay the costs of*  
11 *any business disruption incurred by a ship construction*  
12 *contractor with respect to facilities or businesses located in*  
13 *the Hurricane Katrina Disaster Area by reason of Hurri-*  
14 *cane Katrina.*

15 *(b) Amounts received by a ship construction contractor*  
16 *under subsection (a) with respect to the costs of business*  
17 *disruption described in that subsection may not be treated*  
18 *as collateral insurance coverage or otherwise treated as pay-*  
19 *ments which would reduce amounts otherwise payable to*  
20 *the contractor for such costs under any insurance or similar*  
21 *payer plan.*

22 *(c) The Secretary of the Navy shall adjust any ship-*  
23 *building contract with a ship construction contractor de-*  
24 *scribed in subsection (a) in order to take into account the*  
25 *business disruption incurred by the contractor as described*  
26 *in that subsection.*



1 \$3,750,000, to remain available until expended: Provided,  
2 That \$3,750,000 of the amount shall be available only to  
3 the extent that an official budget request for a specific dollar  
4 amount, that includes designation of the entire amount of  
5 the request as an emergency requirement, is transmitted by  
6 the President to the Congress: Provided further, That the  
7 amount provided under this heading is designated as an  
8 emergency requirement pursuant to section 402 of H. Con.  
9 Res. 95 (109th Congress), the concurrent resolution on the  
10 budget for fiscal year 2006.

11 *CONSTRUCTION*

12 *For an additional amount for “Construction” to re-*  
13 *duce the risk of storm damage to the greater New Orleans*  
14 *metropolitan area by restoring the surrounding wetlands*  
15 *through measures to begin to reverse wetland losses in areas*  
16 *affected by navigation, oil and gas, and other channels and*  
17 *through modification of the Caernarvon Freshwater Diver-*  
18 *sion structure or its operations, \$122,850,000, to remain*  
19 *available until expended: Provided, That these funds shall*  
20 *not be subject to any non-Federal cost-sharing requirement:*  
21 *Provided further, That the amount provided under this*  
22 *heading is designated as an emergency requirement pursu-*  
23 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
24 *concurrent resolution on the budget for fiscal year 2006:*  
25 *Provided further, That \$22,850,000 of the amount shall be*  
26 *available only to the extent that an official budget request*

1 *for a specific dollar amount, that includes designation of*  
2 *the entire amount of the request as an emergency require-*  
3 *ment, is transmitted by the President to the Congress: Pro-*  
4 *vided further, That \$2,000,000 of the amount provided in*  
5 *the previous proviso shall be provided at full Federal ex-*  
6 *pense for the Hawaii water systems technical assistance*  
7 *program.*

8 *OPERATIONS AND MAINTENANCE*

9 *For an additional amount for “Operations and Main-*  
10 *tenance” to dredge navigation channels and repair other*  
11 *Corps projects related to the consequences of Hurricane*  
12 *Katrina and other hurricanes of the 2005 season,*  
13 *\$4,700,000, to remain available until expended: Provided,*  
14 *That \$4,700,000 shall be available only to the extent an*  
15 *official budget request, that includes designation of the*  
16 *\$4,700,000 as an emergency requirement is transmitted by*  
17 *the President to the Congress: Provided further, That the*  
18 *amount provided under this heading is designated as an*  
19 *emergency requirement pursuant to section 402 of H. Con.*  
20 *Res. 95 (109th Congress), the concurrent resolution on the*  
21 *budget for fiscal year 2006.*

22 *FLOOD CONTROL AND COASTAL EMERGENCIES*

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

1 *sequences of Hurricane Katrina and other hurricanes of the*  
2 *2005 season, \$2,001,500,000, to remain available until ex-*  
3 *pendent: Provided, That the Secretary of the Army is di-*  
4 *rected to use the funds appropriated herein to modify, at*  
5 *full Federal expense, authorized projects in southeast Lou-*  
6 *isiana to provide hurricane and storm damage reduction*  
7 *and flood damage reduction in greater New Orleans and*  
8 *surrounding areas, of which \$530,000,000 shall be used to*  
9 *modify the 17th Street, Orleans Avenue and London Avenue*  
10 *drainage canals, and install pumps and closure structures*  
11 *at or near the lakefront; \$250,000,000 shall be used for*  
12 *storm-proofing interior pump stations to ensure their oper-*  
13 *ability during hurricanes, storms and high water events;*  
14 *\$170,000,000 shall be used for armoring critical elements*  
15 *of the New Orleans hurricane and storm damage reduction*  
16 *system; \$350,000,000 shall be used to improve protection*  
17 *at the Inner Harbor Navigation Canal; and \$60,000,000*  
18 *shall be used for incorporation of certain non-Federal levees*  
19 *in Plaquemines Parish into the existing Federal levee sys-*  
20 *tem: Provided further, That any project using funds appro-*  
21 *priated herein shall be initiated only after non-Federal in-*  
22 *terests have entered into binding agreements with the Sec-*  
23 *retary to pay 100 percent of the operation, maintenance,*  
24 *repair, replacement and rehabilitation costs of the project*  
25 *and to hold and save the United States free from damages*

1 *due to the construction or operation and maintenance of*  
2 *the project, except for damages due to the fault or negligence*  
3 *of the United States or its contractors: Provided further,*  
4 *That \$641,500,000 of the amount shall be available only*  
5 *to the extent that an official budget request for a specific*  
6 *dollar amount, that includes designation of the entire*  
7 *amount of the request as an emergency requirement, is*  
8 *transmitted by the President to the Congress: Provided fur-*  
9 *ther, That the amounts provided under this heading are des-*  
10 *ignated as an emergency requirement pursuant to section*  
11 *402 of H. Con. Res. 95 (109th Congress), the concurrent*  
12 *resolution on the budget for fiscal year 2006.*

13

*CHAPTER 5*

14

*DEPARTMENT OF HOMELAND SECURITY*

15

*CUSTOMS AND BORDER PROTECTION*

16

*SALARIES AND EXPENSES*

17 *For an additional amount for “Salaries and Ex-*  
18 *penses” for necessary expenses related to the consequences*  
19 *of Hurricane Katrina and other hurricanes of the 2005 sea-*  
20 *son, \$12,900,000: Provided, That the amount provided*  
21 *under this heading is designated as an emergency require-*  
22 *ment pursuant to section 402 of H. Con. Res. 95 (109th*  
23 *Congress), the concurrent resolution on the budget for fiscal*  
24 *year 2006.*



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

3 *ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS*

4 *For an additional amount for “Acquisition, Construc-*  
5 *tion, and Improvements” for necessary expenses related to*  
6 *the consequences of Hurricane Katrina and other hurri-*  
7 *canes of the 2005 season, \$191,844,000, to remain available*  
8 *until expended: Provided, That such amounts shall be avail-*  
9 *able for major repair and reconstruction projects for facili-*  
10 *ties that were damaged and for damage to vessels currently*  
11 *under construction, for the replacement of damaged equip-*  
12 *ment, and for the reimbursement of delay, loss of efficiency,*  
13 *disruption, and related costs: Provided further, That*  
14 *amounts provided are also for equitable adjustments and*  
15 *provisional payments to contracts for Coast Guard vessels*  
16 *for which funds have been previously appropriated: Pro-*  
17 *vided further, That the amount provided under this heading*  
18 *is designated as an emergency requirement pursuant to sec-*  
19 *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
20 *rent resolution on the budget for fiscal year 2006.*

21 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

22 *ADMINISTRATIVE AND REGIONAL OPERATIONS*

23 *For an additional amount for “Administrative and*  
24 *Regional Operations” for necessary expenses related to the*  
25 *consequences of Hurricane Katrina and other hurricanes of*  
26 *the 2005 season, \$71,800,000, to remain available until ex-*

1 *pending: Provided, That the amount provided under this*  
2 *heading is designated as an emergency requirement pursu-*  
3 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
4 *concurrent resolution on the budget for fiscal year 2006.*

5 *PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY*

6 *For an additional amount for “Preparedness, Mitiga-*  
7 *tion, Response, and Recovery” for necessary expenses re-*  
8 *lated to the consequences of Hurricane Katrina and other*  
9 *hurricanes of the 2005 season, \$10,000,000, to remain*  
10 *available until expended: Provided, That the amount pro-*  
11 *vided under this heading is designated as an emergency re-*  
12 *quirement pursuant to section 402 of H. Con. Res. 95*  
13 *(109th Congress), the concurrent resolution on the budget*  
14 *for fiscal year 2006.*

15 *DISASTER RELIEF*

16 *For an additional amount for “Disaster Relief” for*  
17 *necessary expenses under the Robert T. Stafford Disaster*  
18 *Relief and Emergency Assistance Act (42 U.S.C. 5121 et*  
19 *seq.), \$10,600,000,000, to remain available until expended:*  
20 *Provided, That the amount provided under this heading is*  
21 *designated as an emergency requirement pursuant to sec-*  
22 *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
23 *rent resolution on the budget for fiscal year 2006.*

24 *DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT*

25 *For an additional amount for “Disaster Assistance Di-*  
26 *rect Loan Program Account” for the cost of direct loans*

1 *as authorized under section 417 of the Robert T. Stafford*  
2 *Disaster Relief and Emergency Assistance Act (42 U.S.C.*  
3 *5184), \$301,000,000, to be used to assist local governments*  
4 *affected by Hurricane Katrina and other hurricanes of the*  
5 *2005 season in providing essential services, of which*  
6 *\$1,000,000 is for administrative expenses to carry out the*  
7 *direct loan program: Provided, That such funds may be*  
8 *made to subsidize gross obligations for the principal*  
9 *amount of direct loans not to exceed \$400,000,000: Provided*  
10 *further, That notwithstanding section 417(b) of such Act,*  
11 *the amount of any such loan issued pursuant to this section*  
12 *may exceed \$5,000,000: Provided further, That notwith-*  
13 *standing section 417(c)(1) of such Act, such loans may not*  
14 *be canceled: Provided further, That the cost of modifying*  
15 *such loans shall be as defined in section 502 of the Congres-*  
16 *sional Budget Act of 1974 (2 U.S.C. 661a): Provided fur-*  
17 *ther, That the amounts provided under this heading are des-*  
18 *ignated as an emergency requirement pursuant to section*  
19 *402 of H. Con. Res. 95 (109th Congress), the concurrent*  
20 *resolution on the budget for fiscal year 2006.*

21 **GENERAL PROVISIONS—THIS CHAPTER**

22 **FEDERAL EMERGENCY MANAGEMENT AGENCY**

23 **SEC. 2501.** *The Federal Emergency Management Agen-*  
24 *cy may provide funds to a State or local government or,*  
25 *as necessary, assume an existing agreement from such unit*

1 of government, to pay for utility costs resulting from the  
2 provision of temporary housing units to evacuees from Hur-  
3 ricane Katrina and other hurricanes of the 2005 season if  
4 the State or local government has previously arranged to  
5 pay for such utilities on behalf of the evacuees for the term  
6 of any leases, not to exceed 12 months, contracted by or  
7 prior to February 7, 2006, notwithstanding section 408 of  
8 the Robert T. Stafford Disaster Relief and Emergency As-  
9 sistance Act (42 U.S.C. 5174): Provided, That the Federal  
10 share of the costs eligible to be paid shall be 100 percent.

11 *NATIONAL FLOOD INSURANCE FUND*

12 *SEC. 2502. (a) Title III of Public Law 109–90 (119*  
13 *Stat. 2079) is amended under the heading “National Flood*  
14 *Insurance Fund” by striking in the proviso “\$30,000,000”*  
15 *and inserting “such sums as necessary, not to exceed*  
16 *\$1,000,000,000.”*

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

21 *HOUSING PILOT PROGRAM*

22 *SEC. 2503. Notwithstanding any other provision of*  
23 *law, the Secretary of Homeland Security shall consider eli-*  
24 *gible under the Federal Emergency Management Agency In-*  
25 *dividual Assistance Program the costs sufficient for alter-*  
26 *native housing pilot programs in the areas hardest hit by*

1 *Hurricane Katrina and other hurricanes of the 2005 sea-*  
2 *son: Provided, That the Secretary of Homeland Security*  
3 *shall submit for approval a proposal and an expenditure*  
4 *plan for the alternative housing pilot program to the Com-*  
5 *mittees on Appropriations of the Senate and House of Rep-*  
6 *resentatives within forty-five days from the date of enact-*  
7 *ment of this Act: Provided further, That no State shall host*  
8 *more than one alternative housing pilot program.*

9 *CHAPTER 6*

10 *DEPARTMENT OF THE INTERIOR*

11 *UNITED STATES FISH AND WILDLIFE SERVICE*

12 *CONSTRUCTION*

13 *For an additional amount for “Construction” for nec-*  
14 *essary expenses related to the consequences of Hurricane*  
15 *Katrina and other hurricanes of the 2005 season,*  
16 *\$132,400,000, to remain available until expended: Pro-*  
17 *vided, That the amount provided under this heading is des-*  
18 *ignated as an emergency requirement pursuant to section*  
19 *402 of H. Con. Res. 95 (109th Congress), the concurrent*  
20 *resolution on the budget for fiscal year 2006.*

21 *NATIONAL PARK SERVICE*

22 *HISTORIC PRESERVATION FUND*

23 *For an additional amount for “Historic Preservation*  
24 *Fund” for necessary expenses related to the consequences of*  
25 *Hurricane Katrina and other hurricanes of the 2005 sea-*

1 son, \$83,000,000, to remain available until expended: Pro-  
2 vided, That of the funds provided under this heading,  
3 \$80,000,000 shall be provided to State historical preserva-  
4 tion officers for grants for disaster relief in areas of Lou-  
5 isiana, Mississippi, and Alabama impacted by Hurricanes  
6 Katrina or Rita: Provided further, That grants shall be for  
7 the preservation, stabilization, rehabilitation, and repair of  
8 historic houses and designated “Main Street” commercial  
9 properties listed in or eligible for the National Register of  
10 Historic Places, for planning and technical assistance: Pro-  
11 vided further, That grants shall only be available for areas  
12 that the President determines to be a major disaster under  
13 section 102(2) of the Robert T. Stafford Disaster Relief and  
14 Emergency Assistance Act (42 U.S.C. 5122(2)) due to Hur-  
15 ricanes Katrina or Rita: Provided further, That individual  
16 grants shall not be subject to a non-Federal matching re-  
17 quirement: Provided further, That no more than 5 percent  
18 of funds provided under this heading for disaster relief  
19 grants may be used for administrative expenses: Provided  
20 further, That of the amount provided under this heading  
21 for disaster relief grants, \$37,500,000 shall be for the State  
22 of Louisiana, \$37,500,000 shall be for the State of Mis-  
23 sissippi, and \$5,000,000 shall be for the State of Alabama:  
24 Provided further, That the amounts provided under this  
25 heading are designated as an emergency requirement pursu-

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

3 *CONSTRUCTION*

4 *For an additional amount for “Construction” for nec-*  
5 *essary expenses related to the consequences of Hurricane*  
6 *Katrina and other hurricanes of the 2005 season,*  
7 *\$55,400,000, to remain available until expended: Provided,*  
8 *That the amount provided under this heading is designated*  
9 *as an emergency requirement pursuant to section 402 of*  
10 *H. Con. Res. 95 (109th Congress), the concurrent resolution*  
11 *on the budget for fiscal year 2006.*

12 *UNITED STATES GEOLOGICAL SURVEY*

13 *SURVEYS, INVESTIGATIONS, AND RESEARCH*

14 *For an additional amount for “Surveys, Investiga-*  
15 *tions, and Research” for necessary expenses related to the*  
16 *consequences of Hurricane Katrina and other hurricanes of*  
17 *the 2005 season and for repayment of advances to other ap-*  
18 *propriation accounts from which funds were transferred for*  
19 *such purposes, \$10,200,000, to remain available until ex-*  
20 *pended: Provided, That the amount provided under this*  
21 *heading is designated as an emergency requirement pursu-*  
22 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
23 *concurrent resolution on the budget for fiscal year 2006.*

1                    *MINERALS MANAGEMENT SERVICE*2                    *ROYALTY AND OFFSHORE MINERALS MANAGEMENT*

3                    *For an additional amount for “Royalty and Offshore*  
4 *Minerals Management” for necessary expenses related to the*  
5 *consequences of Hurricane Katrina and other hurricanes of*  
6 *the 2005 season and for repayment of advances to other ap-*  
7 *propriation accounts from which funds were transferred for*  
8 *such purposes, \$15,000,000, to remain available until Sep-*  
9 *tember 30, 2007: Provided, That the amount provided under*  
10 *this heading is designated as an emergency requirement*  
11 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
12 *gress), the concurrent resolution on the budget for fiscal year*  
13 *2006.*

14                    *ENVIRONMENTAL PROTECTION AGENCY*15                    *ENVIRONMENTAL PROGRAMS AND MANAGEMENT*

16                    *For an additional amount for “Environmental Pro-*  
17 *grams and Management” for necessary expenses related to*  
18 *the consequences of Hurricane Katrina and other hurri-*  
19 *canes of the 2005 season, \$6,000,000, to remain available*  
20 *until September 30, 2007: Provided, That the amount pro-*  
21 *vided under this heading is designated as an emergency re-*  
22 *quirement pursuant to section 402 of H. Con. Res. 95*  
23 *(109th Congress), the concurrent resolution on the budget*  
24 *for fiscal year 2006.*

1        *LEAKING UNDERGROUND STORAGE TANK PROGRAM*

2        *For an additional amount for “Leaking Underground*  
3 *Storage Tank Program” for necessary expenses related to*  
4 *the consequences of Hurricane Katrina and other hurri-*  
5 *canes of the 2005 season, \$7,000,000, to remain available*  
6 *until September 30, 2007: Provided, That the amount pro-*  
7 *vided under this heading is designated as an emergency re-*  
8 *quirement pursuant to section 402 of H. Con. Res. 95*  
9 *(109th Congress), the concurrent resolution on the budget*  
10 *for fiscal year 2006.*

11                    *DEPARTMENT OF AGRICULTURE*12                                *FOREST SERVICE*13                                        *NATIONAL FOREST SYSTEM*

14        *For an additional amount for the “National Forest*  
15 *System” for necessary expenses related to the consequences*  
16 *of Hurricane Katrina and other hurricanes of the 2005 sea-*  
17 *son, \$20,000,000, to remain available until expended: Pro-*  
18 *vided, That the amount provided under this heading is des-*  
19 *ignated as an emergency requirement pursuant to section*  
20 *402 of H. Con. Res. 95 (109th Congress), the concurrent*  
21 *resolution on the budget for fiscal year 2006.*

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CHAPTER 7

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

*For an additional amount for “Training and Employment Services”, \$32,500,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, for construction, rehabilitation, and acquisition of Job Corps centers as authorized by the Workforce Investment Act of 1998: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.*

DEPARTMENTAL MANAGEMENT

OFFICE OF INSPECTOR GENERAL

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



1 *OFFICE OF THE SECRETARY*2 *OFFICE OF INSPECTOR GENERAL*

3 *For an additional amount for “Office of Inspector*  
4 *General” for necessary expenses related to the consequences*  
5 *of Hurricane Katrina and other hurricanes of the 2005 sea-*  
6 *son, \$2,669,846, to remain available until September 30,*  
7 *2007: Provided, That the amount provided under this head-*  
8 *ing is designated as an emergency requirement pursuant*  
9 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
10 *current resolution on the budget for fiscal year 2006.*

11 *DEPARTMENT OF EDUCATION*12 *DEPARTMENTAL MANAGEMENT*13 *OFFICE OF THE INSPECTOR GENERAL*

14 *For an additional amount for “Office of the Inspector*  
15 *General”, \$1,500,000, to remain available until September*  
16 *30, 2007, for necessary expenses related to the consequences*  
17 *of Hurricane Katrina and other hurricanes of the 2005 sea-*  
18 *son: Provided, That the amount provided under this head-*  
19 *ing is designated as an emergency requirement pursuant*  
20 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
21 *current resolution on the budget for fiscal year 2006.*

22 *HURRICANE EDUCATION RECOVERY*

23 *For an additional amount under the heading “Depart-*  
24 *ment of Education” in Public Law 109–148 for carrying*  
25 *out section 107 of title IV, division B of that Act,*  
26 *\$300,000,000, for necessary expenses related to the con-*

1 *sequences of Hurricane Katrina and other hurricanes of the*  
2 *2005 season: Provided, That an additional \$350,000,000*  
3 *shall be available to the Department of Education, until*  
4 *expended, for carrying out the purposes of section 107 of*  
5 *title IV, division B of Public Law 109–148, for displaced*  
6 *students, as defined in section 107(b)(1) of that Act, en-*  
7 *rolled prior to October 1, 2006: Provided further, That the*  
8 *amount provided under this heading is designated as an*  
9 *emergency requirement pursuant to section 402 of H. Con.*  
10 *Res. 95 (109th Congress), the concurrent resolution on the*  
11 *budget for fiscal year 2006.*

12 *For the principal amount of direct loans, as authorized*  
13 *under section 2701 of title II of this Act, made not later*  
14 *than 60 days after the enactment of this Act for necessary*  
15 *expenses related to the consequences of Hurricane Katrina*  
16 *and other hurricanes of the 2005 season, \$300,000,000.*

17 *For the cost of direct loans, including the cost of modi-*  
18 *fying loans as defined in section 502 of the Congressional*  
19 *Budget Act of 1974, \$200,000,000, to remain available until*  
20 *expended: Provided, That the amount provided under this*  
21 *heading is designated as an emergency requirement pursu-*  
22 *ant to section 402 of H. Con. Res. 95 (109th Congress), the*  
23 *concurrent resolution on the budget for fiscal year 2006.*

24 *Hereafter, the loan level established under this heading*  
25 *shall be considered an estimate, not a limitation.*



1 *et seq.): Provided further, That the Corporation may trans-*  
2 *fer funds from the amount provided under the first proviso*  
3 *to the National Service Trust authorized under subtitle D*  
4 *of title I of the Act (42 U.S.C. 12601) upon determination*  
5 *that such transfer is necessary to support the activities of*  
6 *Civilian Community Corps participants and after notice*  
7 *is transmitted to Congress: Provided further, That the*  
8 *amount provided under this heading is designated as an*  
9 *emergency requirement pursuant to section 402 of H. Con.*  
10 *Res. 95 (109th Congress), the concurrent resolution on the*  
11 *budget for fiscal year 2006.*

12 *SOCIAL SECURITY ADMINISTRATION*

13 *OFFICE OF INSPECTOR GENERAL*

14 *For an additional amount for “Office of Inspector*  
15 *General”, \$277,000, to remain available until September*  
16 *30, 2007, for necessary expenses related to the consequences*  
17 *of Hurricane Katrina and other hurricanes of the 2005 sea-*  
18 *son: Provided, That the amount provided under this head-*  
19 *ing is designated as an emergency requirement pursuant*  
20 *to section 402 of H. Con. Res. 95 (109th Congress), the con-*  
21 *current resolution on the budget for fiscal year 2006.*

1           *GENERAL PROVISIONS—THIS CHAPTER*2           *DEPARTMENT OF EDUCATION—HURRICANE EDUCATION*3                                 *RECOVERY*

4           *SEC. 2701. (a) AUTHORIZATION OF PROGRAM.—The*  
5 *Secretary of Education shall establish an Education Relief*  
6 *Loan Program that includes amounts appropriated under*  
7 *chapter 7 of title II of this Act and provides from such*  
8 *amounts funds for long-term, low-interest direct loans to eli-*  
9 *gible postsecondary educational institutions for direct or in-*  
10 *direct losses incurred on or after August 28, 2005, resulting*  
11 *from the impact of Hurricanes Katrina and Rita, and re-*  
12 *covery initiatives of such institutions.*

13           *(b) ELIGIBILITY.—In this section, the term “eligible*  
14 *postsecondary educational institution” means—*

15                     *(1) a public postsecondary educational institu-*  
16 *tion that was forced to suspend operations due to the*  
17 *impact of Hurricanes Katrina and Rita and has not*  
18 *been able to reopen in existing facilities or fully re-*  
19 *open to the levels that existed before the impact of*  
20 *such hurricanes;*

21                     *(2) a private, nonprofit postsecondary edu-*  
22 *cational institution that was forced to suspend oper-*  
23 *ations due to the impact of such hurricanes and has*  
24 *not been able to reopen in existing facilities or fully*

1        *reopen to the levels that existed before the impact of*  
2        *such hurricanes; or*

3            *(3) a public or private school of medicine that*  
4        *was forced to suspend operations due to the impact of*  
5        *such hurricanes and has not been able to reopen in*  
6        *existing facilities or fully reopen to the levels that ex-*  
7        *isted before the impact of such hurricanes.*

8        *(c) REQUIREMENTS FOR ASSISTANCE DUE TO*  
9        *LOSSES.—*

10            *(1) IN GENERAL.—An eligible postsecondary edu-*  
11        *cational institution that desires to receive assistance*  
12        *under this section shall—*

13            *(A) submit a sworn financial statement and*  
14        *other appropriate data, documentation, or other*  
15        *evidence requested by the Secretary of Education*  
16        *that indicates that the institution incurred losses*  
17        *resulting from the impact of Hurricanes Katrina*  
18        *and Rita and the monetary amount of such*  
19        *losses;*

20            *(B) demonstrate that the institution at-*  
21        *tempted to minimize the cost of any losses by*  
22        *pursuing collateral source compensation from the*  
23        *Federal Emergency Management Agency, the*  
24        *Small Business Administration, and insurance*

1           *prior to seeking assistance under this section;*  
2           *and*

3                   *(C) demonstrate that the institution has not*  
4           *been able to reopen in existing facilities or fully*  
5           *reopen to the levels that existed before the impact*  
6           *of such hurricanes.*

7           *(2) NO REQUIREMENT THAT INSTITUTION RE-*  
8           *CEIVE COLLATERAL SOURCE COMPENSATION.—An eli-*  
9           *gible postsecondary educational institution shall be eli-*  
10          *gible for a loan under this section regardless of*  
11          *whether or not such institution received collateral*  
12          *source compensation from the Federal Emergency*  
13          *Management Agency, the Small Business Administra-*  
14          *tion, or insurance.*

15          *(d) USE OF ASSISTANCE.—Assistance received by an*  
16          *eligible postsecondary educational institution pursuant to*  
17          *this section may be used for—*

18                   *(1) direct and indirect construction cost and*  
19           *clean-up resulting from Hurricanes Katrina and*  
20           *Rita;*

21                   *(2) faculty salaries and incentives for retaining*  
22           *faculty; and*

23                   *(3) costs of lost tuition, revenue, and enrollment.*

24          *(e) AUDIT.—The Secretary of Education and the*  
25          *Comptroller General of the United States may audit a state-*

1 *ment submitted under subsection (c)(1)(A) and may request*  
2 *any information that the Secretary of Education and*  
3 *Comptroller General determine necessary to conduct such*  
4 *an audit.*

5 *(f) REDUCTION IN ASSISTANCE.—In calculating assist-*  
6 *ance to eligible postsecondary educational institutions*  
7 *under this section, the Secretary of Education shall cal-*  
8 *culate a figure that reduces from the monetary amount of*  
9 *losses incurred by such institution, only the amount of col-*  
10 *lateral source compensation the institution has already re-*  
11 *ceived from insurance, the Federal Emergency Management*  
12 *Agency, and the Small Business Administration.*

13 *(g) REGULATIONS.—Not later than 30 days after the*  
14 *date of enactment of this section, the Secretary of Education*  
15 *shall establish terms for the long-term, low-interest direct*  
16 *loan program and procedures for an application for assist-*  
17 *ance under this section and minimum requirements for the*  
18 *program and for receiving assistance under this section, in-*  
19 *cluding the following:*

20 *(1) Forms to be used in submitting request for*  
21 *assistance.*

22 *(2) Procedures to assist in filing and pursuing as-*  
23 *sistance.*

24 *(3) Loan repayment and interest rate procedures*  
25 *and requirements, as specified by the Secretary of*



1 *er Education Act of 1965 (20 U.S.C. 1066 et seq.), in con-*  
2 *nection with a Gulf hurricane disaster, to ensure that—*

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

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

13       (c)(1) *Notwithstanding section 343(b)(1) or any other*  
14 *provision of title III of the Higher Education Act of 1965*  
15 *(20 U.S.C. 1066b(b)(1), 1051 et seq.), in carrying out sec-*  
16 *tion 343 of such Act, a designated bonding authority shall*  
17 *withhold not more than 1 percent for the cost of issuance*  
18 *from the proceeds of qualified bonds that are loaned to an*  
19 *affected institution.*

20       (2) *Notwithstanding section 343(b)(3) or any other*  
21 *provision of title III of the Higher Education Act of 1965*  
22 *(20 U.S.C. 1066b(b)(3), 1051 et seq.), the interest rate*  
23 *charged for a loan issued under part D of title III of such*  
24 *Act, after the date of enactment of this Act and with respect*

1 to an affected institution, shall be a rate of 1 percent for  
2 the period of the loan.

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

9 (d) Notwithstanding any provision of title III of the  
10 Higher Education Act of 1965 (20 U.S.C. 1051 et seq.), or  
11 any regulation promulgated under such title, the Secretary  
12 of Education shall grant a deferment, for a period of not  
13 more than 3 years, to an affected institution who has re-  
14 ceived a loan under part D of title III of such Act (20  
15 U.S.C. 1066 et seq.). During the deferment period granted  
16 under this subsection, the affected institution shall not be  
17 required to pay any periodic installment of principal re-  
18 quired under the loan agreement for such loan, and interest  
19 on such loan shall not accrue for the period of the deferment.

20 (e)(1) Except as provided in paragraph (2), the au-  
21 thority provided under this section to enter into, or modify  
22 or waive the terms of, a loan agreement or insurance agree-  
23 ment under part D of title III of the Higher Education  
24 Act of 1965 (20 U.S.C. 1066 et seq.), or to grant a loan

1 *deferment under subsection (d), shall terminate 1 year after*  
2 *the date of enactment of this Act.*

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

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

12       *USE OF SUPPLEMENTAL HIGHER EDUCATION ACT FUNDS*

13       *SEC. 2703. Funds available to the Mississippi Insti-*  
14 *tutes of Higher Learning under the heading “Department*  
15 *of Education” in Public Law 109–148 may be used to sup-*  
16 *port activities authorized by part B of title VII of the High-*  
17 *er Education Act of 1965, as determined necessary by the*  
18 *Mississippi Institutes of Higher Learning: Provided, That*  
19 *the amount provided under this section is designated as an*  
20 *emergency requirement pursuant to section 402 of H. Con.*  
21 *Res. 95 (109th Congress), the concurrent resolution on the*  
22 *budget for fiscal year 2006.*

## CHAPTER 8

## DEPARTMENT OF DEFENSE

## MILITARY CONSTRUCTION

## MILITARY CONSTRUCTION, NAVY

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5       *For an additional amount for “Military Construction,*  
6 *Navy” for necessary expenses related to the consequences of*  
7 *Hurricane Katrina and other hurricanes of the 2005 sea-*  
8 *son, \$44,770,000, to remain available until September 30,*  
9 *2010: Provided, That such funds may be obligated or ex-*  
10 *pended for planning and design and military construction*  
11 *projects not otherwise authorized by law: Provided further,*  
12 *That the amount provided under this heading is designated*  
13 *as an emergency requirement pursuant to section 402 of*  
14 *H. Con. Res. 95 (109th Congress), the concurrent resolution*  
15 *on the budget for fiscal year 2006.*

## MILITARY CONSTRUCTION, AIR FORCE

16  
17       *For an additional amount for “Military Construction,*  
18 *Air Force” for necessary expenses related to the con-*  
19 *sequences of Hurricane Katrina and other hurricanes of the*  
20 *2005 season, \$103,500,000, to remain available until Sep-*  
21 *tember 30, 2010: Provided, That such funds may be obli-*  
22 *gated or expended for planning and design and military*  
23 *construction projects not otherwise authorized by law: Pro-*  
24 *vided further, That the amount provided under this heading*  
25 *is designated as an emergency requirement pursuant to sec-*

1 *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
2 *rent resolution on the budget for fiscal year 2006.*

3 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

4 *For an additional amount for “Military Construction,*  
5 *Army National Guard” for necessary expenses related to the*  
6 *consequences of Hurricane Katrina and other hurricanes of*  
7 *the 2005 season, \$210,071,000, to remain available until*  
8 *September 30, 2010: Provided, That such funds may be obli-*  
9 *gated or expended for planning and design and military*  
10 *construction projects not otherwise authorized by law: Pro-*  
11 *vided further, That the amount provided under this heading*  
12 *is designated as an emergency requirement pursuant to sec-*  
13 *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
14 *rent resolution on the budget for fiscal year 2006: Provided*  
15 *further, That the amount appropriated under this heading*  
16 *in the Emergency Supplemental Appropriations Act to Ad-*  
17 *dress Hurricanes in the Gulf of Mexico and Pandemic In-*  
18 *fluenza, 2006 (division B, Public Law 109–148) shall re-*  
19 *main available until September 30, 2010.*

20 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

21 *For an additional amount for “Military Construction,*  
22 *Air National Guard” for necessary expenses related to the*  
23 *consequences of Hurricane Katrina and other hurricanes of*  
24 *the 2005 season, \$5,800,000, to remain available until Sep-*  
25 *tember 30, 2010: Provided, That such funds may be obli-*

1 *gated or expended for planning and design and military*  
2 *construction projects not otherwise authorized by law: Pro-*  
3 *vided further, That the amount provided under this heading*  
4 *is designated as an emergency requirement pursuant to sec-*  
5 *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
6 *rent resolution on the budget for fiscal year 2006.*

7 *MILITARY CONSTRUCTION, NAVAL RESERVE*

8 *(INCLUDING RESCISSION OF FUNDS)*

9 *For an additional amount for “Military Construction,*  
10 *Naval Reserve” for necessary expenses related to the con-*  
11 *sequences of Hurricane Katrina and other hurricanes of the*  
12 *2005 season, \$24,270,000, to remain available until Sep-*  
13 *tember 30, 2010: Provided, That such funds may be obli-*  
14 *gated or expended for planning and design and military*  
15 *construction projects not otherwise authorized by law: Pro-*  
16 *vided further, That the amount provided under this heading*  
17 *is designated as an emergency requirement pursuant to sec-*  
18 *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
19 *rent resolution on the budget for fiscal year 2006: Provided*  
20 *further, That the amount appropriated under this heading*  
21 *in the Emergency Supplemental Appropriations Act to Ad-*  
22 *dress Hurricanes in the Gulf of Mexico and Pandemic In-*  
23 *fluenza, 2006 (division B, Public Law 109–148) shall re-*  
24 *main available until September 30, 2010, except that, of*  
25 *such amount \$49,530,000 are rescinded.*

1            *DEPARTMENT OF VETERANS AFFAIRS*2                            *DEPARTMENTAL ADMINISTRATION*3                            *CONSTRUCTION, MAJOR PROJECTS*

4            *For an additional amount for “Construction, Major*  
5 *Projects” for necessary expenses related to the consequences*  
6 *of Hurricane Katrina and other hurricanes of the 2005 sea-*  
7 *son, \$623,000,000, to remain available until expended: Pro-*  
8 *vided, That of that amount, \$62,000,000 shall be for the*  
9 *disposal, environmental cleanup and debris removal of the*  
10 *Department of Veterans Affairs’ land in Gulfport, Mis-*  
11 *sissippi: Provided further, That the amount provided under*  
12 *this heading is designated as an emergency requirement*  
13 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
14 *gress), the concurrent resolution on the budget for fiscal year*  
15 *2006.*

16                            *RELATED AGENCY*17                            *ARMED FORCES RETIREMENT HOME*18                            *MAJOR CONSTRUCTION*

19            *For an additional amount for “Major Construction”*  
20 *for necessary expenses related to the consequences of Hurri-*  
21 *cane Katrina and other hurricanes of the 2005 season,*  
22 *\$176,000,000, to remain available until expended: Pro-*  
23 *vided, That such funds may be obligated or expended for*  
24 *planning and design and construction projects not other-*  
25 *wise authorized by law: Provided further, That these funds*

1 *shall be used for the planning and design and construction*  
2 *of a new Armed Forces Retirement Home in Gulfport, Mis-*  
3 *sissippi: Provided further, That the amount provided under*  
4 *this heading is designated as an emergency requirement*  
5 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
6 *gress), the concurrent resolution on the budget for fiscal year*  
7 *2006.*

8 **GENERAL PROVISIONS—THIS CHAPTER**

9 **MILITARY CONSTRUCTION**

10 **(WAIVER OF LIMITATION)**

11 *SEC. 2801. The limitation of Federal contribution es-*  
12 *tablished under section 18236(b) of title 10 is hereby waived*  
13 *for projects appropriated in this chapter.*

14 **DEPARTMENT OF VETERANS AFFAIRS**

15 **(INCLUDING RESCISSION AND TRANSFER OF FUNDS)**

16 *SEC. 2802. (a) Of the amounts made available in chap-*  
17 *ter 7 of the title I of division B of Public Law 109–148,*  
18 *“Department of Veterans Affairs”, “Veterans Health Ad-*  
19 *ministration”, “Medical Services”, \$198,265,000 are hereby*  
20 *rescinded.*

21 *(b) For an additional amount for “Department of Vet-*  
22 *erans Affairs”, “Veterans Health Administration”, “Med-*  
23 *ical Services”, \$198,265,000, to remain available until ex-*  
24 *pendent, for necessary expenses related to the consequences*  
25 *of hurricanes in the Gulf of Mexico in calendar year 2005.*

1       (c) *The funds made available in subsection (b) may*  
2 *be transferred to the “Department of Veterans Affairs”,*  
3 *“Veterans Health Administration”, “Medical Services”,*  
4 *“Medical Administration”, “Medical Facilities”, “Depart-*  
5 *mental Administration”, “Construction, Minor Projects”,*  
6 *and “Information Technology Systems” accounts as re-*  
7 *quired.*

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

12       (e) *This section is designated as an emergency require-*  
13 *ment pursuant to section 402 of H. Con. Res. 95 (109th*  
14 *Congress), the concurrent resolution on the budget for fiscal*  
15 *year 2006.*

16                   *DEPARTMENT OF VETERANS AFFAIRS*

17                               *LAND TRANSFER*

18       *SEC. 2803. Notwithstanding any other provision of*  
19 *law, within six months of enactment of this Act, the Sec-*  
20 *retary of Veterans Affairs is authorized and directed to*  
21 *cleanup and transfer all land parcels of the Department’s*  
22 *land in Gulfport, Mississippi to the city of Gulfport, Mis-*  
23 *issippi.*

1                    *DEPARTMENT OF VETERANS AFFAIRS*2                    *NEW ORLEANS AND BILOXI MEDICAL FACILITIES*

3                    *SEC. 2804. Notwithstanding any other provision of*  
4 *law, and within the amounts appropriated for this purpose,*  
5 *the Secretary of Veterans Affairs may obligate and expend*  
6 *funds from the “Construction, Major Projects” appropria-*  
7 *tion to purchase a site for and the new construction, res-*  
8 *toration or replacement of the Department of Veterans Af-*  
9 *fairs Medical Centers, New Orleans, Louisiana; and Biloxi,*  
10 *Mississippi.*

11                    *ARMED FORCES RETIREMENT HOME*12                    *(TRANSFER OF FUNDS)*

13                    *SEC. 2805. The following unobligated balances shall be*  
14 *transferred to the Armed Forces Retirement Home “Major*  
15 *Construction” account, to remain available until expended,*  
16 *for the planning and design and construction of a new*  
17 *Armed Forces Retirement Home in Gulfport, Mississippi*  
18 *from amounts appropriated under the heading “Armed*  
19 *Forces Retirement Home” in chapter 7 of division B of*  
20 *Public Law 109–148 (119 Stat. 2769), \$45,000,000 pro-*  
21 *vided for Armed Forces Retirement Home-Gulfport; and*  
22 *unobligated balances of funds provided in fiscal years 1998*  
23 *through 2004 for construction and renovation of the phys-*  
24 *ical plants at the United States Naval Home/Armed Forces*  
25 *Retirement Home-Gulfport: Provided, That the amount*  
26 *provided or otherwise made available under this section is*

1 *designated as an emergency requirement pursuant to sec-*  
2 *tion 402 of H. Con. Res. 95 (109th Congress), the concur-*  
3 *rent resolution on the budget for fiscal year 2006.*

4 *CHAPTER 9*

5 *DEPARTMENT OF TRANSPORTATION*

6 *FEDERAL HIGHWAY ADMINISTRATION*

7 *FEDERAL-AID HIGHWAYS*

8 *EMERGENCY RELIEF PROGRAM*

9 *For an additional amount for “Emergency relief pro-*  
10 *gram” as authorized under 23 U.S.C. 125, \$594,000,000,*  
11 *to remain available until expended, to be made available*  
12 *to carry out projects eligible for reimbursement under 23*  
13 *U.S.C. 125 not otherwise funded in other Appropriations*  
14 *Acts and identified under “Total Backlog” in the Federal*  
15 *Highway Administration table entitled “Emergency Relief*  
16 *Program Fund Requests—updated 03/28/06” as well as*  
17 *projects eligible for reimbursement resulting from 2006*  
18 *flooding in the State of Hawaii: Provided, That notwith-*  
19 *standing 23 U.S.C. 120(e), the Federal share for all projects*  
20 *for repairs or reconstruction of highways, roads, bridges,*  
21 *and trails to respond to damage caused by Hurricanes*  
22 *Katrina, Rita, and Wilma shall be 100 percent: Provided*  
23 *further, That notwithstanding 23 U.S.C. 125(d)(1), the Sec-*  
24 *retary of Transportation may obligate more than*  
25 *\$100,000,000 for such projects in a State in a fiscal year,*  
26 *to respond to damage caused by Hurricanes Dennis,*

1 *Katrina, Rita, or Wilma and by the 2004–2005 winter*  
2 *storms in the State of California: Provided further, That*  
3 *any amounts in excess of those necessary for emergency ex-*  
4 *penses relating to the eligible projects cited in the first sen-*  
5 *tence of this paragraph may be used for other projects au-*  
6 *thorized under 23 U.S.C. 125: Provided further, That the*  
7 *amounts provided under this heading are designated as an*  
8 *emergency requirement pursuant to section 402 of H. Con.*  
9 *Res. 95 (109th Congress), the concurrent resolution on the*  
10 *budget for fiscal year 2006.*

11 *FEDERAL TRANSIT ADMINISTRATION*

12 *EMERGENCY ASSISTANCE FOR PUBLIC TRANSPORTATION*

13 *For grants to State or local governmental entities di-*  
14 *rectly affected by Hurricane Katrina for expenses related*  
15 *to emergency response and recovery of public transportation*  
16 *equipment, facilities and services, as determined by the Sec-*  
17 *retary of Transportation, \$200,000,000, to remain available*  
18 *until expended: Provided, That for recipients of assistance*  
19 *under chapter 53 of title 49, United States Code, directly*  
20 *affected by Hurricane Katrina, the Secretary may waive*  
21 *the Federal matching share requirements for Federal transit*  
22 *assistance programs under such chapter, including the Fed-*  
23 *eral matching share requirements contained in existing*  
24 *Federal assistance grant agreements: Provided further, That*  
25 *the Secretary may allow such recipients to use such assist-*

1 *ance for operating assistance, notwithstanding the terms*  
2 *and conditions contained in existing Federal assistance*  
3 *grant agreements: Provided further, That the Secretary may*  
4 *waive any other Federal transit assistance grant require-*  
5 *ments under such chapter or sections 3037 and 3038 of the*  
6 *Federal Transit Act of 1998, including those requirements*  
7 *contained in existing Federal assistance grant agreements*  
8 *to facilitate emergency response and recovery of public*  
9 *transportation equipment, facilities and services by such re-*  
10 *cipients: Provided further, That the authority of the Sec-*  
11 *retary hereunder shall expire two years after the date of*  
12 *enactment of this section, unless determined otherwise by*  
13 *the Secretary for a compelling need: Provided further, That*  
14 *the amount provided under this heading is designated as*  
15 *an emergency requirement pursuant to section 402 of H.*  
16 *Con. Res. 95 (109th Congress), the concurrent resolution on*  
17 *the budget for fiscal year 2006.*

18 *FEDERAL RAILROAD ADMINISTRATION*

19 *CAPITAL GRANTS FOR RAIL LINE RELOCATION PROJECTS*

20 *Notwithstanding any other provision of law, to enable*  
21 *the Secretary of Transportation to make a grant under 49*  
22 *U.S.C. 20154, for the purpose of facilitating the relocation*  
23 *of a rail line that was destroyed or received significant*  
24 *damage as the result of Hurricane Katrina and other hurri-*  
25 *canes of the 2005 season, \$700,000,000, to remain available*

1 *until expended: Provided, That relocating a significant por-*  
2 *tion of the rail traffic from a rail line destroyed or damaged*  
3 *to an existing rail corridor or corridors inland, and thus*  
4 *less vulnerable to damage by future hurricanes, and which*  
5 *permits the abandonment and alternative use of significant*  
6 *portions of the right-of-way of the rail line destroyed or*  
7 *damaged in 2005, shall be a permissible relocation of said*  
8 *rail line pursuant to 49 U.S.C. 20154: Provided further,*  
9 *That paragraphs (2), (3), and (4) of subsection (c) of section*  
10 *20154 and subsection (d) of section 20154 shall not apply*  
11 *in the consideration of an application or award of a grant*  
12 *under this provision: Provided further, That the amount*  
13 *provided under this heading is designated as an emergency*  
14 *requirement pursuant to section 402 of H. Con. Res. 95*  
15 *(109th Congress), the concurrent resolution on the budget*  
16 *for fiscal year 2006.*

17 *DEPARTMENT OF HOUSING AND URBAN*

18 *DEVELOPMENT*

19 *PUBLIC AND INDIAN HOUSING*

20 *TENANT-BASED RENTAL ASSISTANCE*

21 *For an additional amount for “Tenant-Based Rental*  
22 *Assistance” for tenant-based and project-based assistance*  
23 *for households within the area declared a major disaster*  
24 *under the Robert T. Stafford Disaster Relief and Emer-*  
25 *gency Assistance Act (42 U.S.C. 5121 et seq.) related to the*

1 *consequences of Hurricane Katrina and other hurricanes of*  
2 *the 2005 season, \$202,000,000, to remain available until*  
3 *September 30, 2007, of which not to exceed \$5,000,000 is*  
4 *for the administrative and related information technology*  
5 *costs of the Department of Housing and Urban Develop-*  
6 *ment: Provided, That such households shall be limited to*  
7 *those identified under this heading in division B, Public*  
8 *Law 109–148 and to those which, prior to Hurricane*  
9 *Katrina or Rita, received assistance under section 236 or*  
10 *under section 221(d)(3) pursuant to section 221(d)(5) of the*  
11 *National Housing Act, or section 101 of the Housing and*  
12 *Urban Development Act of 1965: Provided further, That,*  
13 *except as otherwise provided, such funds shall be subject to*  
14 *the terms and conditions of amounts provided under this*  
15 *heading in division B, Public Law 109–148, except that*  
16 *section 8(o)(7)(A) of the United States Housing Act of 1937*  
17 *shall not apply to funds under such heading and under this*  
18 *heading: Provided further, That no less than \$100,000,000*  
19 *shall be made available as project-based assistance used to*  
20 *support the reconstruction, rebuilding and repair of assisted*  
21 *housing that suffered the consequences of Hurricane*  
22 *Katrina and other hurricanes of the 2005 season, and may*  
23 *include new structures supported under the low income tax*  
24 *credit program: Provided further, That all previously as-*  
25 *sisted HUD project-based housing shall be accorded a pref-*

1 erence in the use of this project-based assistance: Provided  
2 further, That, notwithstanding any other provision of law,  
3 after providing a first right of return to all households in  
4 the St. Bernard, Orleans, Plaquemines, Jefferson, and St.  
5 Tammany Parishes eligible for project-based housing assist-  
6 ance under this heading and under this heading in division  
7 B, Public Law 109–148, owners may then offer remaining  
8 available dwelling units to city and parish employees from  
9 those parishes for a period of not to exceed 12 months: Pro-  
10 vided further, That the amounts provided under this head-  
11 ing are designated as an emergency requirement pursuant  
12 to section 402 of H. Con. Res. 95 (109th Congress), the con-  
13 current resolution on the budget for fiscal year 2006.

14           COMMUNITY PLANNING AND DEVELOPMENT

15                   COMMUNITY DEVELOPMENT FUND

16                           (INCLUDING TRANSFER OF FUNDS)

17           For an additional amount for the “Community devel-  
18 opment fund”, for necessary expenses related to disaster re-  
19 lief, long-term recovery, and restoration of infrastructure in  
20 the most impacted and distressed areas related to the con-  
21 sequences of Hurricane Katrina and other hurricanes of the  
22 2005 season in States for which the President declared a  
23 major disaster under title IV of the Robert T. Stafford Dis-  
24 aster Relief and Emergency Assistance Act (42 U.S.C. 5121  
25 et seq.) in conjunction with Hurricane Katrina and other  
26 hurricanes of the 2005 season, \$5,200,000,000, to remain

1 *available until expended, for activities authorized under*  
2 *title I of the Housing and Community Development Act of*  
3 *1974 (Public Law 93–383): Provided, That funds provided*  
4 *under this heading shall be administered through an entity*  
5 *or entities designated by the Governor of each State: Pro-*  
6 *vided further, That such funds may not be used for activi-*  
7 *ties reimbursable by or for which funds are made available*  
8 *by the Federal Emergency Management Agency, the Small*  
9 *Business Administration, or the Army Corps of Engineers:*  
10 *Provided further, That funds allocated under this heading*  
11 *shall not adversely affect the amount of any formula assist-*  
12 *ance received by a State under this heading: Provided fur-*  
13 *ther, That each State may use up to five percent of its allo-*  
14 *cation for administrative costs: Provided further, That not*  
15 *less than \$1,000,000,000 from funds made available on a*  
16 *pro-rata basis according to the allocation made to each*  
17 *State under this heading shall be used for repair, rehabilita-*  
18 *tion, and reconstruction (including demolition, site clear-*  
19 *ance and remediation) of the affordable rental housing stock*  
20 *(including public and other HUD-assisted housing) in the*  
21 *impacted areas: Provided further, That in administering*  
22 *the funds under this heading, the Secretary of Housing and*  
23 *Urban Development may waive, or specify alternative re-*  
24 *quirements for, any provision of any statute or regulation*  
25 *that the Secretary administers in connection with the obli-*

1 gation by the Secretary or the use by the recipient of these  
2 funds or guarantees (except for requirements related to fair  
3 housing, nondiscrimination, labor standards, and the envi-  
4 ronment), upon a request by the State that such waiver is  
5 required to facilitate the use of such funds or guarantees,  
6 and a finding by the Secretary that such waiver would not  
7 be inconsistent with the overall purpose of the statute: Pro-  
8 vided further, That the Secretary may waive the require-  
9 ment that activities benefit persons of low and moderate  
10 income, except that at least 50 percent of the funds made  
11 available under this heading must benefit primarily persons  
12 of low and moderate income unless the Secretary otherwise  
13 makes a finding of compelling need: Provided further, That  
14 the Secretary shall publish in the Federal Register any  
15 waiver of any statute or regulation that the Secretary ad-  
16 ministers pursuant to title I of the Housing and Commu-  
17 nity Development Act of 1974 no later than 5 days before  
18 the effective date of such waiver: Provided further, That  
19 every waiver made by the Secretary must be reconsidered  
20 according to the three previous provisos on the two-year an-  
21 niversary of the day the Secretary published the waiver in  
22 the Federal Register: Provided further, That prior to the  
23 obligation of funds each State shall submit a plan to the  
24 Secretary detailing the proposed use of all funds, including  
25 criteria for eligibility and how the use of these funds will

1 *address long-term recovery and restoration of infrastruc-*  
2 *ture: Provided further, That prior to the obligation of funds*  
3 *to each State, the Secretary shall ensure that such plan*  
4 *gives priority to infrastructure development and rehabilita-*  
5 *tion and the rehabilitation and reconstruction of the afford-*  
6 *able rental housing stock including public and other HUD-*  
7 *assisted housing: Provided further, That each State will re-*  
8 *port quarterly to the Committees on Appropriations on all*  
9 *awards and uses of funds made available under this head-*  
10 *ing, including specifically identifying all awards of sole-*  
11 *source contracts and the rationale for making the award*  
12 *on a sole-source basis: Provided further, That the Secretary*  
13 *shall notify the Committees on Appropriations on any pro-*  
14 *posed allocation of any funds and any related waivers made*  
15 *pursuant to these provisions under this heading no later*  
16 *than 5 days before such waiver is made: Provided further,*  
17 *That the Secretary shall establish procedures to prevent re-*  
18 *cipients from receiving any duplication of benefits and re-*  
19 *port quarterly to the Committees on Appropriations with*  
20 *regard to all steps taken to prevent fraud and abuse of funds*  
21 *made available under this heading including duplication*  
22 *of benefits: Provided further, That of the amounts made*  
23 *available under this heading, the Secretary shall transfer*  
24 *\$12,000,000 to the Office of Inspector General for costs asso-*  
25 *ciated with oversight: Provided further, That none of the*

1 *funds provided under this heading may be used by a State*  
2 *or locality as a matching requirement, share, or contribu-*  
3 *tion for any other Federal program: Provided further, That*  
4 *the amounts provided under this heading are designated as*  
5 *an emergency requirement pursuant to section 402 of H.*  
6 *Con. Res. 95 (109th Congress), the concurrent resolution on*  
7 *the budget for fiscal year 2006.*

8 *INDEPENDENT AGENCY*

9 *GENERAL SERVICES ADMINISTRATION*

10 *FEDERAL BUILDINGS FUND*

11 *For an additional amount for the “Federal Buildings*  
12 *Fund” for necessary expenses related to the consequences of*  
13 *Hurricane Katrina and other hurricanes of the 2005 sea-*  
14 *son, \$37,000,000, from the General Fund and to remain*  
15 *available until expended: Provided, That notwithstanding*  
16 *40 U.S.C. 3307, the Administrator of General Services is*  
17 *authorized to proceed with repairs and alterations for af-*  
18 *ected buildings: Provided further, That the amount pro-*  
19 *vided under this heading is designated as an emergency re-*  
20 *quirement pursuant to section 402 of H. Con. Res. 95*  
21 *(109th Congress), the concurrent resolution on the budget*  
22 *for fiscal year 2006.*

1 *TITLE III*  
2 *EMERGENCY AGRICULTURAL DISASTER*  
3 *ASSISTANCE*

4 **SEC. 3001. SHORT TITLE.**

5 *This title may be cited as the “Emergency Agricultural*  
6 *Disaster Assistance Act of 2006”.*

7 **SEC. 3002. DEFINITIONS.**

8 *In this title:*

9 (1) *ADDITIONAL COVERAGE.*—*The term “addi-*  
10 *tional coverage” has the meaning given the term in*  
11 *section 502(b)(1) of the Federal Crop Insurance Act*  
12 *(7 U.S.C. 1502(b)(1)).*

13 (2) *DISASTER COUNTY.*—*The term “disaster*  
14 *county” means—*

15 (A) *a county included in the geographic*  
16 *area covered by a natural disaster declaration;*  
17 *and*

18 (B) *each county contiguous to a county de-*  
19 *scribed in subparagraph (A).*

20 (3) *HURRICANE-AFFECTED COUNTY.*—*The term*  
21 *“hurricane-affected county” means—*

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

1                   (B) each county contiguous to a county de-  
2                   scribed in subparagraph (A).

3                   (4) *INSURABLE COMMODITY*.—The term “insur-  
4                   able commodity” means an agricultural commodity  
5                   (excluding livestock) for which the producers on a  
6                   farm are eligible to obtain a policy or plan of insur-  
7                   ance under the *Federal Crop Insurance Act* (7 U.S.C.  
8                   1501 *et seq.*).

9                   (5) *LIVESTOCK*.—The term “livestock” in-  
10                  cludes—

11                   (A) cattle (including dairy cattle);

12                   (B) bison;

13                   (C) sheep;

14                   (D) swine; and

15                   (E) other livestock, as determined by the  
16                  Secretary.

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

19                   (A) a natural disaster declared by the Sec-  
20                  retary—

21                   (i) during calendar year 2005 under  
22                  section 321(a) of the *Consolidated Farm*  
23                  and *Rural Development Act* (7 U.S.C.  
24                  1961(a)); or

1                   (ii) during calendar year 2006 under  
2                   that section, but for which a request was  
3                   pending as of the date of enactment of this  
4                   Act; or

5                   (B) a major disaster or emergency des-  
6                   ignated by the President—

7                   (i) during calendar year 2005 under  
8                   the Robert T. Stafford Disaster Relief and  
9                   Emergency Assistance Act (42 U.S.C. 5121  
10                  et seq.); or

11                  (ii) during calendar year 2006 under  
12                  that Act, but for which a request was pend-  
13                  ing as of the date of enactment of this Act.

14                  (7) *NONINSURABLE COMMODITY.*—The term  
15                  “noninsurable commodity” means a crop for which  
16                  the producers on a farm are eligible to obtain assist-  
17                  ance under section 196 of the Federal Agriculture Im-  
18                  provement and Reform Act of 1996 (7 U.S.C. 7333).

19                  (8) *SECRETARY.*—The term “Secretary” means  
20                  the Secretary of Agriculture.

21                                   **Subtitle A—Agricultural**  
22                                   **Production Losses**

23                   **SEC. 3011. CROP DISASTER ASSISTANCE.**

24                   (a) *IN GENERAL.*—The Secretary shall use such sums  
25                   as are necessary of funds of the Commodity Credit Corpora-

1 *tion to make emergency financial assistance authorized*  
2 *under this section available to producers on a farm that*  
3 *have incurred qualifying losses described in subsection (c).*

4 *(b) ADMINISTRATION.—*

5 *(1) IN GENERAL.—Except as provided in para-*  
6 *graph (2), the Secretary shall make assistance avail-*  
7 *able under this section in the same manner as pro-*  
8 *vided under section 815 of the Agriculture, Rural De-*  
9 *velopment, Food and Drug Administration and Re-*  
10 *lated Agencies Appropriations Act, 2001 (Public Law*  
11 *106–387; 114 Stat. 1549A–55), including using the*  
12 *same loss thresholds for quantity and economic losses*  
13 *as were used in administering that section, except*  
14 *that the payment rate shall be 50 percent of the estab-*  
15 *lished price, instead of 65 percent.*

16 *(2) LOSS THRESHOLDS FOR QUALITY LOSSES.—*  
17 *In the case of a payment for quality loss for a crop*  
18 *under subsection (c)(2), the loss thresholds for quality*  
19 *loss for the crop shall be determined under subsection*  
20 *(d).*

21 *(c) QUALIFYING LOSSES.—Assistance under this sec-*  
22 *tion shall be made available to producers on farms, other*  
23 *than producers of sugar cane and sugar beets, that incurred*  
24 *qualifying quantity or quality losses for—*

1           (1) *the 2005 crop due to damaging weather or*  
2 *any related condition (including losses due to crop*  
3 *diseases, insects, and delayed harvest), as determined*  
4 *by the Secretary; and*

5           (2) *the 2006 crop due to flooding in California*  
6 *and Hawaii that occurred prior to the date of enact-*  
7 *ment of this Act and for which a petition for a dis-*  
8 *aster designation has been filed with the Secretary*  
9 *not later than that date.*

10 *(d) QUALITY LOSSES.—*

11           (1) *IN GENERAL.—Subject to paragraph (3), the*  
12 *amount of a payment made to producers on a farm*  
13 *for a quality loss for a crop under subsection (c)(2)*  
14 *shall be equal to the amount obtained by multi-*  
15 *plying—*

16                   (A) *65 percent of the payment quantity de-*  
17 *termined under paragraph (2); by*

18                   (B) *50 percent of the payment rate deter-*  
19 *mined under paragraph (3).*

20           (2) *PAYMENT QUANTITY.—For the purpose of*  
21 *paragraph (1)(A), the payment quantity for quality*  
22 *losses for a crop of a commodity on a farm shall*  
23 *equal the lesser of—*

1           (A) the actual production of the crop af-  
2           fectured by a quality loss of the commodity on the  
3           farm; or

4           (B) the quantity of expected production of  
5           the crop affected by a quality loss of the com-  
6           modity on the farm, using the formula used by  
7           the Secretary to determine quantity losses for the  
8           crop of the commodity under subsection (c)(1).

9           (3) *PAYMENT RATE*.—For the purpose of para-  
10          graph (1)(B) and in accordance with paragraphs (5)  
11          and (6), the payment rate for quality losses for a crop  
12          of a commodity on a farm shall be equal to the dif-  
13          ference between—

14                 (A) the per unit market value that the units  
15                 of the crop affected by the quality loss would  
16                 have had if the crop had not suffered a quality  
17                 loss; and

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

20          (4) *ELIGIBILITY*.—For producers on a farm to be  
21          eligible to obtain a payment for a quality loss for a  
22          crop under subsection (c)(2), the amount obtained by  
23          multiplying the per unit loss determined under para-  
24          graph (1) by the number of units affected by the qual-  
25          ity loss shall be at least 25 percent of the value that

1        *all affected production of the crop would have had if*  
2        *the crop had not suffered a quality loss.*

3            (5) *MARKETING CONTRACTS.*—*In the case of any*  
4        *production of a commodity that is sold pursuant to*  
5        *1 or more marketing contracts (regardless of whether*  
6        *the contract is entered into by the producers on the*  
7        *farm before or after harvest) and for which appro-*  
8        *prate documentation exists, the quantity designated*  
9        *in the contracts shall be eligible for quality loss assist-*  
10       *ance based on the 1 or more prices specified in the*  
11       *contracts.*

12           (6) *OTHER PRODUCTION.*—*For any additional*  
13       *production of a commodity for which a marketing*  
14       *contract does not exist or for which production con-*  
15       *tinues to be owned by the producer, quality losses*  
16       *shall be based on the average local market discounts*  
17       *for reduced quality, as determined by the appropriate*  
18       *State committee of the Farm Service Agency.*

19           (7) *QUALITY ADJUSTMENTS AND DISCOUNTS.*—  
20       *The appropriate State committee of the Farm Service*  
21       *Agency shall identify the appropriate quality adjust-*  
22       *ment and discount factors to be considered in car-*  
23       *rying out this subsection, including—*

24                    (A) *the average local discounts actually ap-*  
25                    *plied to a crop; and*

1           (B) *the discount schedules applied to loans*  
2           *made by the Farm Service Agency or crop insur-*  
3           *ance coverage under the Federal Crop Insurance*  
4           *Act (7 U.S.C. 1501 et seq.).*

5           (8) *ELIGIBLE PRODUCTION.—The Secretary shall*  
6           *carry out this subsection in a fair and equitable man-*  
7           *ner for all eligible production, including the produc-*  
8           *tion of fruits and vegetables, other specialty crops,*  
9           *and field crops.*

10          (e) *ELIGIBILITY FOR ASSISTANCE.—*

11           (1) *IN GENERAL.—Except as provided in para-*  
12           *graph (2), the producers on a farm shall not be eligi-*  
13           *ble for assistance under this section with respect to*  
14           *losses to an insurable commodity or noninsurable*  
15           *commodity if the producers on the farm—*

16           (A) *in the case of an insurable commodity,*  
17           *did not obtain a policy or plan of insurance for*  
18           *the insurable commodity under the Federal Crop*  
19           *Insurance Act (7 U.S.C. 1501 et seq.) for the*  
20           *crop incurring the losses;*

21           (B) *in the case of a noninsurable com-*  
22           *modity, did not file the required paperwork, and*  
23           *pay the administrative fee by the applicable*  
24           *State filing deadline, for the noninsurable com-*  
25           *modity under section 196 of the Federal Agri-*

1           *culture Improvement and Reform Act of 1996 (7*  
2           *U.S.C. 7333) for the crop incurring the losses;*

3           *(C) had average adjusted gross income (as*  
4           *defined by section 1001D(a) of the Food Security*  
5           *Act of 1985 (7 U.S.C. 1308–3a(a)), of greater*  
6           *than \$2,500,000 in 2004; or*

7           *(D) were not in compliance with highly*  
8           *erodible land conservation and wetland conserva-*  
9           *tion provisions.*

10          (2) *CONTRACT WAIVER.—The Secretary may*  
11          *waive paragraph (1) with respect to the producers on*  
12          *a farm if the producers enter into a contract with the*  
13          *Secretary under which the producers agree—*

14                 *(A) in the case of an insurable commodity,*  
15                 *to obtain a policy or plan of insurance under the*  
16                 *Federal Crop Insurance Act (7 U.S.C. 1501 et*  
17                 *seq.) providing additional coverage for the insur-*  
18                 *able commodity for each of the next 2 crops, at*  
19                 *a coverage level that provides—*

20                         *(i) not less than 65 percent of the ac-*  
21                         *tual production history for the crop pro-*  
22                         *duced on the farm; and*

23                         *(ii) 100 percent of the expected market*  
24                         *price or a comparable coverage (as deter-*

1           mined by the Federal Crop Insurance Cor-  
2           poration); and

3           (B) in the case of a noninsurable com-  
4           modity, to file the required paperwork and pay  
5           the administrative fee by the applicable State fil-  
6           ing deadline, for the noninsurable commodity for  
7           each of the next 2 crops under section 196 of the  
8           Federal Agriculture Improvement and Reform  
9           Act of 1996 (7 U.S.C. 7333).

10          (3) *EFFECT OF VIOLATION.*—In the event of the  
11          violation of a contract under paragraph (2) by a pro-  
12          ducer, the producer shall reimburse the Secretary for  
13          the full amount of the assistance provided to the pro-  
14          ducer under this section.

15          (f) *TIMING.*—

16          (1) *IN GENERAL.*—Subject to paragraph (2), the  
17          Secretary shall make payments to producers on a  
18          farm for a crop under this section not later than 60  
19          days after the date the producers on the farm submit  
20          to the Secretary a completed application for the pay-  
21          ments.

22          (2) *INTEREST.*—If the Secretary does not make  
23          payments to the producers on a farm by the date de-  
24          scribed in paragraph (1), the Secretary shall pay to  
25          the producers on a farm interest on the payments at

1        *a rate equal to the current (as of the sign-up deadline*  
2        *established by the Secretary) market yield on out-*  
3        *standing, marketable obligations of the United States*  
4        *with maturities of 30 years.*

5        **SEC. 3012. LIVESTOCK ASSISTANCE.**

6        *(a) LIVESTOCK COMPENSATION PROGRAM.—*

7                *(1) USE OF COMMODITY CREDIT CORPORATION*  
8        *FUNDS.—Effective beginning on the date of enactment*  
9        *of this Act, the Secretary shall use funds of the Com-*  
10        *modity Credit Corporation to carry out the 2002*  
11        *Livestock Compensation Program announced by the*  
12        *Secretary on October 10, 2002 (67 Fed. Reg. 63070),*  
13        *to provide compensation for livestock losses during*  
14        *calendar years 2005 and 2006 for losses that occurred*  
15        *prior to the date of enactment of this Act (including*  
16        *wildfire disaster losses in the State of Texas and other*  
17        *States) due to a disaster, as determined by the Sec-*  
18        *retary, except that the payment rate shall be 75 per-*  
19        *cent of the payment rate established for the 2002*  
20        *Livestock Compensation Program.*

21                *(2) ELIGIBLE APPLICANTS.—In carrying out the*  
22        *program described in paragraph (1), the Secretary*  
23        *shall provide assistance to any applicant that—*

24                        *(A)(i) conducts a livestock operation that is*  
25                *located in a disaster county, including any ap-*

1            *plicant conducting a livestock operation with eli-*  
2            *gible livestock (within the meaning of the live-*  
3            *stock assistance program under section 101(b) of*  
4            *division B of Public Law 108–324 (118 Stat.*  
5            *1234)); or*

6            *(ii) produces an animal described in section*  
7            *10806(a)(1) of the Farm Security and Rural In-*  
8            *vestment Act of 2002 (21 U.S.C. 321d(a)(1));*  
9            *and*

10           *(B) meets all other eligibility requirements*  
11           *established by the Secretary for the program.*

12           *(3) MITIGATION.—In determining the eligibility*  
13           *for or amount of payments for which a producer is*  
14           *eligible under the livestock compensation program, the*  
15           *Secretary shall not penalize a producer that takes ac-*  
16           *tions (recognizing disaster conditions) that reduce the*  
17           *average number of livestock the producer owned for*  
18           *grazing during the production year for which assist-*  
19           *ance is being provided.*

20           *(4) LIMITATION.—The Secretary shall ensure, to*  
21           *the maximum extent practicable, that no producer on*  
22           *a farm receives duplicative payments under this sub-*  
23           *section and another Federal program with respect to*  
24           *any loss.*

25           *(b) LIVESTOCK INDEMNITY PAYMENTS.—*

1           (1) *IN GENERAL.*—*The Secretary shall use such*  
2           *sums as are necessary of funds of the Commodity*  
3           *Credit Corporation to make livestock indemnity pay-*  
4           *ments to producers on farms that have incurred live-*  
5           *stock losses during calendar years 2005 and 2006 for*  
6           *losses that occurred prior to the date of enactment of*  
7           *this Act (including wildfire disaster losses in the*  
8           *State of Texas and other States) due to a disaster, as*  
9           *determined by the Secretary, including losses due to*  
10          *hurricanes, floods, anthrax, and wildfires.*

11          (2) *PAYMENT RATES.*—*Indemnity payments to a*  
12          *producer on a farm under paragraph (1) shall be*  
13          *made at a rate of not less than 30 percent of the mar-*  
14          *ket value of the applicable livestock on the day before*  
15          *the date of death of the livestock, as determined by the*  
16          *Secretary.*

17          (c) *LIVESTOCK INDEMNITY PROGRAM FOR CONTRACT*  
18          *GROWERS.*—

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

24                 (2) *TERMS AND CONDITIONS.*—*The program es-*  
25                 *tablished under paragraph (1) shall contain similar*

1 *terms and conditions as the terms and conditions*  
2 *used for the livestock indemnity program for contract*  
3 *growers described in subpart E of chapter XIV of title*  
4 *7, Code of Federal Regulations (as in effect on Janu-*  
5 *ary 1, 2002).*

6 *(d) EWE LAMB REPLACEMENT AND RETENTION.—*

7 *(1) IN GENERAL.—The Secretary shall use*  
8 *\$15,000,000 of funds of the Commodity Credit Cor-*  
9 *poration to make payments under the Ewe Lamb Re-*  
10 *placement and Retention Payment Program under*  
11 *part 784 of title 7, Code of Federal Regulations (or*  
12 *a successor regulation) for each qualifying ewe lamb*  
13 *retained or purchased during the period beginning on*  
14 *January 1, 2006, and ending on December 31, 2006.*

15 *(2) INELIGIBILITY FOR OTHER ASSISTANCE.—A*  
16 *producer that receives assistance under this subsection*  
17 *shall not be eligible to receive assistance under sub-*  
18 *section (a).*

19 *(e) LIMIT ON AMOUNT OF ASSISTANCE.—The Sec-*  
20 *retary shall ensure, to the maximum extent practicable, that*  
21 *no producer on a farm receives duplicative payments under*  
22 *this section and any other Federal program for the same*  
23 *loss.*

1 **SEC. 3013. FLOODED CROP AND GRAZING LAND.**

2 (a) *IN GENERAL.*—*The Secretary shall compensate eli-*  
3 *gible owners of flooded crop and grazing land in—*

4 (1) *the Devils Lake basin; and*

5 (2) *the McHugh, Lake Laretta, and Rose Lake*  
6 *closed drainage areas of the State of North Dakota.*

7 (b) *ELIGIBILITY.*—

8 (1) *IN GENERAL.*—*To be eligible to receive com-*  
9 *penetration under this section, an owner shall own land*  
10 *described in subsection (a) that, during the 2 crop*  
11 *years preceding receipt of compensation, was rendered*  
12 *incapable of use for the production of an agricultural*  
13 *commodity or for grazing purposes (in a manner con-*  
14 *sistent with the historical use of the land) as the re-*  
15 *sult of flooding, as determined by the Secretary.*

16 (2) *INCLUSIONS.*—*Land described in paragraph*  
17 *(1) shall include—*

18 (A) *land that has been flooded;*

19 (B) *land that has been rendered inaccessible*  
20 *due to flooding; and*

21 (C) *a reasonable buffer strip adjoining the*  
22 *flooded land, as determined by the Secretary.*

23 (3) *ADMINISTRATION.*—*The Secretary may estab-*  
24 *lish—*

1           (A) *reasonable minimum acreage levels for*  
2           *individual parcels of land for which owners may*  
3           *receive compensation under this section; and*

4           (B) *the location and area of adjoining*  
5           *flooded land for which owners may receive com-*  
6           *ensation under this section.*

7           (c) *SIGN-UP.—The Secretary shall establish a sign-up*  
8           *program for eligible owners to apply for compensation from*  
9           *the Secretary under this section.*

10          (d) *COMPENSATION PAYMENTS.—*

11           (1) *IN GENERAL.—Subject to paragraphs (2) and*  
12           *(3), the rate of an annual compensation payment*  
13           *under this section shall be equal to 90 percent of the*  
14           *average annual per acre rental payment rate (at the*  
15           *time of entry into the contract) for comparable crop*  
16           *or grazing land that has not been flooded and re-*  
17           *mains in production in the county where the flooded*  
18           *land is located, as determined by the Secretary.*

19           (2) *REDUCTION.—An annual compensation pay-*  
20           *ment under this section shall be reduced by the*  
21           *amount of any conservation program rental payments*  
22           *or Federal agricultural commodity program pay-*  
23           *ments received by the owner for the land during any*  
24           *crop year for which compensation is received under*  
25           *this section.*

1           (3) *EXCLUSION.*—*During any year in which an*  
2           *owner receives compensation for flooded land under*  
3           *this section, the owner shall not be eligible to partici-*  
4           *pate in or receive benefits for the flooded land*  
5           *under—*

6                     (A) *the Federal crop insurance program es-*  
7                     *tablished under the Federal Crop Insurance Act*  
8                     *(7 U.S.C. 1501 et seq.);*

9                     (B) *the noninsured crop assistance program*  
10                    *established under section 196 of the Federal Ag-*  
11                    *riculture Improvement and Reform Act of 1996*  
12                    *(7 U.S.C. 7333); or*

13                    (C) *any Federal agricultural crop disaster*  
14                    *assistance program.*

15           (e) *RELATIONSHIP TO AGRICULTURAL COMMODITY*  
16 *PROGRAMS.*—*The Secretary, by regulation, shall provide*  
17 *for the preservation of cropland base, allotment history, and*  
18 *payment yields applicable to land described in subsection*  
19 *(a) that was rendered incapable of use for the production*  
20 *of an agricultural commodity or for grazing purposes as*  
21 *the result of flooding.*

22           (f) *USE OF LAND.*—

23                     (1) *IN GENERAL.*—*An owner that receives com-*  
24                     *pen- sation under this section for flooded land shall*  
25                     *take such actions as are necessary to not degrade any*

1 *wildlife habitat on the land that has naturally devel-*  
2 *oped as a result of the flooding.*

3 (2) *RECREATIONAL ACTIVITIES.*—*To encourage*  
4 *owners that receive compensation for flooded land to*  
5 *allow public access to and use of the land for rec-*  
6 *reational activities, as determined by the Secretary,*  
7 *the Secretary may—*

8 (A) *offer an eligible owner additional com-*  
9 *ensation; and*

10 (B) *provide compensation for additional*  
11 *acreage under this section.*

12 (g) *FUNDING.*—

13 (1) *IN GENERAL.*—*The Secretary shall use*  
14 *\$6,000,000 of funds of the Commodity Credit Cor-*  
15 *poration to carry out this section.*

16 (2) *PRO-RATED PAYMENTS.*—*In a case in which*  
17 *the amount made available under paragraph (1) for*  
18 *a fiscal year is insufficient to compensate all eligible*  
19 *owners under this section, the Secretary shall pro-rate*  
20 *payments for that fiscal year on a per acre basis.*

21 **SEC. 3014. SUGARCANE AND SUGAR BEET DISASTER ASSIST-**  
22 **ANCE.**

23 (a) *FLORIDA.*—*The Secretary of Agriculture shall use*  
24 *\$120,000,000 of funds of the Commodity Credit Corporation*  
25 *to make payments to processors in Florida that are eligible*

1 *to obtain a loan under section 156(a) of the Federal Agri-*  
2 *culture Improvement and Reform Act of 1996 (7 U.S.C.*  
3 *7272(a)) to compensate first processors and producers for*  
4 *crop and other losses in hurricane-affected counties that are*  
5 *related to hurricanes, tropical storms, excessive rains,*  
6 *floods, and wind in Florida during calendar year 2005, by*  
7 *an agreement on the same terms and conditions, to the max-*  
8 *imum extent practicable, as the payments made under sec-*  
9 *tion 102 of the Emergency Supplemental Appropriations*  
10 *for Hurricane Disasters Assistance Act of 2005 (Public Law*  
11 *108–324; 118 Stat. 1235), including that the 2005 base pro-*  
12 *duction of each harvesting unit shall be determined using*  
13 *the same base year crop production history that was used*  
14 *pursuant to the agreement under that section.*

15 (b) LOUISIANA.—

16 (1) COMPENSATION FOR LOSSES.—*The Secretary*  
17 *shall use the funds, facilities, and authorities of the*  
18 *Commodity Credit Corporation to make \$120,000,000*  
19 *in payments to first processors of sugarcane that op-*  
20 *erate in a disaster county in Louisiana, or obtain*  
21 *sugarcane from a disaster county in Louisiana, and*  
22 *that are eligible to obtain a loan under section 156(a)*  
23 *of the Federal Agriculture Improvement and Reform*  
24 *Act of 1996 (7 U.S.C. 7272(a)), to compensate the*  
25 *producers and first processors for crop and other*

1 *losses due to Hurricane Katrina, Hurricane Rita, or*  
2 *related conditions.*

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

5 (A) *shared by an affected first processor*  
6 *with affected producers that provide commodities*  
7 *to the processor in a manner that reflects con-*  
8 *tracts entered into between the processor and the*  
9 *producers, except with respect to a portion of the*  
10 *amount of total assistance described under para-*  
11 *graph (1) necessary to compensate affected pro-*  
12 *ducers for individual losses experienced by the*  
13 *producers, including losses due to saltwater in-*  
14 *trusion, flooding, wind damage, or increased*  
15 *planting, replanting, or harvesting costs, which*  
16 *shall be transferred by the first processor to the*  
17 *affected producers without regard to contractual*  
18 *share arrangements; and*

19 (B) *made available under such terms and*  
20 *conditions as the Secretary determines are nec-*  
21 *essary to carry out this subsection.*

22 (3) *LOSS DETERMINATION.*—*In carrying out this*  
23 *subsection, the Secretary shall use the same base year*  
24 *to determine crop loss that was elected by a producer*  
25 *to determine crop loss in carrying out the hurricane*

1        *assistance program under section 207 of the Agricultural*  
2        *tural Assistance Act of 2003 (Public Law 108–7; 117*  
3        *Stat. 543).*

4        *(c) FUNDING.—The Secretary shall use \$40,000,000 of*  
5        *funds of the Commodity Credit Corporation to provide as-*  
6        *sistance to sugar beet producers that suffered production*  
7        *losses (including quality losses) for the 2005 crop year.*

8        *(d) REQUIREMENT.—The Secretary shall make pay-*  
9        *ments under subsection (c) in the same manner as pay-*  
10       *ments were made under section 208 of the Agricultural As-*  
11       *sistance Act of 2003 (Public Law 108–7; 117 Stat. 544),*  
12       *including using the same indemnity benefits as were used*  
13       *in carrying out that section.*

14       *(e) TEXAS.—The Secretary shall use \$400,000 of funds*  
15       *of the Commodity Credit Corporation to assist sugarcane*  
16       *growers in Texas by making a payment in that amount*  
17       *to the Rio Grande Valley Sugar Growers, a farmer-owned*  
18       *cooperative sugarcane processor in that State, for addi-*  
19       *tional demurrage costs at the Port of Baton Rouge and ad-*  
20       *ditional storage and transportation costs of raw sugar re-*  
21       *sulting from hurricanes during calendar year 2005, exces-*  
22       *sive rains, floods, wind, and other related conditions.*

23       *(f) HAWAII.—The Secretary shall use \$6,000,000 of*  
24       *funds of the Commodity Credit Corporation to assist sugar-*  
25       *cane growers in Hawaii by making a payment in that*

1 amount to an agricultural transportation cooperative in  
2 Hawaii, the members of which are eligible to receive mar-  
3 keting assistance loans and loan deficiency payments made  
4 available under subtitle B of title I of the Farm Security  
5 and Rural Investment Act of 2002 (7 U.S.C. 7931 et seq.).

6 (g) *LIMIT ON AMOUNT OF ASSISTANCE.*—The Sec-  
7 retary shall ensure, to the maximum extent practicable, that  
8 no producer on a farm receives duplicative payments under  
9 this section and any other Federal program for the same  
10 loss.

11 **SEC. 3015. SPECIALTY CROPS AND NURSERY CROPS.**

12 (a) *IN GENERAL.*—The Secretary shall use funds of the  
13 Commodity Credit Corporation to provide assistance to  
14 producers of specialty crops and nursery crops in hurri-  
15 cane-affected counties.

16 (b) *ADMINISTRATION.*—

17 (1) *IN GENERAL.*—Assistance required by sub-  
18 section (a) shall be carried out by the Secretary under  
19 the same terms and conditions as the special disaster  
20 relief programs carried out for producers that suffered  
21 from crop damage and tree losses, and carried out re-  
22 lated cleanup, in certain areas of Florida due to Hur-  
23 ricanes Charley, Frances, and Jeanne during August  
24 and September 2004, as described in the notice of pro-  
25 gram implementation relating to Florida citrus, fruit,

1        *vegetable, and nursery crop disaster programs (69*  
2        *Fed. Reg. 63134 (October 29, 2004)).*

3                (2) *LOSS OF RECORDS.—Due to the complete de-*  
4        *struction of the business records of many producers,*  
5        *the Secretary shall use the best available information*  
6        *in determining eligibility, determining losses, and*  
7        *calculating payment amounts under this section.*

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

13        **SEC. 3016. DAIRY ASSISTANCE.**

14                *The Secretary shall use \$25,000,000 of the funds of the*  
15        *Commodity Credit Corporation to make payments to dairy*  
16        *producers for dairy production losses and dairy spoilage*  
17        *losses in hurricane-affected counties.*

18        **SEC. 3017. COTTONSEED.**

19                (a) *DISTRIBUTION OF FUNDS.—The Secretary shall*  
20        *provide disaster assistance under subsection (c) under the*  
21        *same terms and conditions as assistance provided under*  
22        *section 206 of the Agricultural Assistance Act of 2003 (Pub-*  
23        *lic Law 108–7; 117 Stat. 543), except that assistance shall*  
24        *be—*

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

3           (2) *based on cottonseed production during the*  
4           *most recent year for which a disaster payment spe-*  
5           *cifically for cottonseed was not authorized.*

6           (b) *COTTONSEED ASSISTANCE.—The Secretary shall*  
7           *use \$15,000,000 of the funds of the Commodity Credit Cor-*  
8           *poration to provide assistance to producers and first-han-*  
9           *dlers of the 2005 crop of cottonseed in hurricane-affected*  
10          *counties.*

11          **SEC. 3018. REDUCTION IN PAYMENTS.**

12          *The amount of any payment for which a producer is*  
13          *eligible under this subtitle shall be reduced by any amount*  
14          *received by the producer for the same loss or any similar*  
15          *loss under—*

16                 (1) *the Department of Defense, Emergency Sup-*  
17                 *plemental Appropriations to Address Hurricanes in*  
18                 *the Gulf of Mexico, and Pandemic Influenza Act,*  
19                 *2006 (Public Law 109–148; 119 Stat. 2680); or*

20                 (2) *an agricultural disaster assistance provision*  
21                 *contained in the announcement of the Secretary on*  
22                 *January 26, 2006.*

1 ***Subtitle B—Supplemental Nutrition***  
2 ***and Agricultural Economic Dis-***  
3 ***aster Assistance***

4 **SEC. 3021. REPLENISHMENT OF SECTION 32.**

5 (a) *DEFINITION OF SPECIALTY CROP.—In this section:*

6 (1) *IN GENERAL.—The term “specialty crop”*  
7 *means any agricultural crop.*

8 (2) *EXCEPTION.—The term “specialty crop” does*  
9 *not include—*

10 (A) *wheat;*

11 (B) *feed grains;*

12 (C) *oilseeds;*

13 (D) *cotton;*

14 (E) *rice; or*

15 (F) *peanuts.*

16 (b) *BASE STATE GRANTS.—*

17 (1) *IN GENERAL.—The Secretary shall use*  
18 *\$25,500,000 of funds of the Commodity Credit Cor-*  
19 *poration to make grants to the several States, the Dis-*  
20 *trict of Columbia, and the Commonwealth of Puerto*  
21 *Rico to be used to support activities that promote ag-*  
22 *riculture.*

23 (2) *AMOUNTS.—The amount of the grants shall*  
24 *be—*

1                   (A) \$500,000 to each of the several States;

2                   and

3                   (B) \$250,000 to each of the Commonwealth

4                   of Puerto Rico and the District of Columbia.

5           (c) *GRANTS FOR VALUE OF PRODUCTION.*—The Sec-

6   retary shall use \$74,500,000 of funds of the Commodity

7   Credit Corporation to make a grant to each of the several

8   States in an amount equal to the product obtained by mul-

9   tiplying—

10           (1) the share of the State of the total value of

11   specialty crop, livestock, and dairy production of the

12   United States for the 2004 crop year, as determined

13   by the Secretary; by

14           (2) \$74,500,000.

15           (d) *SPECIAL CROP AND LIVESTOCK PRIORITY.*—As a

16   condition on the receipt of a grant under this section, a

17   State shall agree to give priority to the support of specialty

18   crops and livestock in the use of the grant funds.

19           (e) *USE OF FUNDS.*—A State may use funds from a

20   grant awarded under this section—

21           (1) to supplement State food bank programs or

22   other nutrition assistance programs;

23           (2) to promote the purchase, sale, or consump-

24   tion of agricultural products;

1           (3) to provide economic assistance to agricul-  
2           tural producers, giving a priority to the support of  
3           specialty crops and livestock; or

4           (4) for other purposes as determined by the Sec-  
5           retary.

6 **SEC. 3022. SUPPLEMENTAL ECONOMIC LOSS PAYMENTS.**

7           The Secretary shall make a supplemental economic loss  
8           payment to any producer on a farm that received a direct  
9           payment for crop year 2005 under title I of the Farm Secu-  
10          rity and Rural Investment Act of 2002 (7 U.S.C. 7901 et  
11          seq.) at a rate equal to the product obtained by multi-  
12          plying—

13           (1) 30 percent of the direct payment rate in ef-  
14          fect for the program crop of the farmer;

15           (2) 85 percent of the program crop base of the  
16          farmer; and

17           (3) the program payment yield for each program  
18          crop of the farmer.

19 **SEC. 3023. REDUCTION IN PAYMENTS.**

20          The amount of any payment for which a producer is  
21          eligible under this subtitle shall be reduced by any amount  
22          received by the producer for the same loss or any similar  
23          loss under—

24           (1) the Department of Defense, Emergency Sup-  
25          plemental Appropriations to Address Hurricanes in

1       *the Gulf of Mexico, and Pandemic Influenza Act,*  
2       *2006 (Public Law 109–148; 119 Stat. 2680); or*

3               *(2) an agricultural disaster assistance provision*  
4       *contained in the announcement of the Secretary on*  
5       *January 26, 2006.*

## 6                               ***Subtitle C—Forestry***

### 7       ***SEC. 3031. TREE ASSISTANCE PROGRAM.***

8               *(a) DEFINITION OF TREE.—In this section, the term*  
9       *“tree” includes a tree (including a Christmas tree, orna-*  
10       *mental tree, nursery tree, and potted tree), bush (including*  
11       *a shrub), and vine.*

12               *(b) PROGRAM.—Except as otherwise provided in this*  
13       *section, the Secretary shall use such sums as are necessary*  
14       *of the funds of the Commodity Credit Corporation to pro-*  
15       *vide assistance under the tree assistance program estab-*  
16       *lished under sections 10201 through 10203 of the Farm Se-*  
17       *curity and Rural Investment Act of 2002 (7 U.S.C. 8201*  
18       *et seq.) to—*

19                       *(1) producers who suffered tree losses in hurri-*  
20       *cane-affected counties; and*

21                       *(2) fruit and tree nut producers in hurricane-af-*  
22       *ected counties for site preparation, replacement, re-*  
23       *habilitation, and pruning.*

24               *(c) COSTS.—Funds made available under this section*  
25       *shall also be made available to cover costs associated with*

1 *tree pruning, tree rehabilitation, and other appropriate*  
2 *tree-related activities as determined by the Secretary.*

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

## 8 ***Subtitle D—Conservation***

### 9 ***SEC. 3041. NATURAL RESOURCES CONSERVATION SERVICE.***

10 (a) *AUTHORITY TO CLEAR DEBRIS AND ANIMAL CAR-*  
11 *CASSES.—Notwithstanding any other provision of law, the*  
12 *Secretary, acting through the Natural Resources Conserva-*  
13 *tion Service, using funds made available for the emergency*  
14 *watershed protection program established under section 403*  
15 *of the Agricultural Credit Act of 1978 (16 U.S.C. 2203),*  
16 *may provide financial and technical assistance to remove*  
17 *and dispose of debris and animal carcasses that could ad-*  
18 *versely affect health and safety on non-Federal land in a*  
19 *hurricane-affected county.*

20 (b) *AUTHORITY TO USE CERTAIN PRACTICES.—Not-*  
21 *withstanding any other provision of law, the Secretary, act-*  
22 *ing through the Natural Resources Conservation Service,*  
23 *may use direct check-writing practices and electronic trans-*  
24 *fers to provide financial and technical assistance under the*  
25 *emergency watershed protection program established under*

1 *section 403 of the Agricultural Credit Act of 1978 (16*  
2 *U.S.C. 2203) in a hurricane-affected county.*

3 **SEC. 3042. EMERGENCY WATERSHED PROTECTION PRO-**  
4 **GRAM.**

5 *The Secretary shall use an additional \$108,500,000 of*  
6 *funds of the Commodity Credit Corporation to carry out*  
7 *emergency measures identified by the Chief of the Natural*  
8 *Resources Conservation Service as of the date of enactment*  
9 *of this Act through the emergency watershed protection pro-*  
10 *gram established under section 403 of the Agricultural*  
11 *Credit Act of 1978 (16 U.S.C. 2203).*

12 **SEC. 3043. EMERGENCY CONSERVATION PROGRAM.**

13 *The Secretary shall use an additional \$17,000,000 of*  
14 *funds of the Commodity Credit Corporation to carry out*  
15 *emergency measures identified by the Administrator of the*  
16 *Farm Service Agency as of the date of enactment of this*  
17 *Act through the emergency conservation program estab-*  
18 *lished under title IV of the Agricultural Credit Act of 1978*  
19 *(16 U.S.C. 2201 et seq.).*

20 ***Subtitle E—Farm Service Agency***

21 **SEC. 3051. FUNDING FOR ADDITIONAL PERSONNEL.**

22 *The Secretary shall use \$23,000,000 of funds of the*  
23 *Commodity Credit Corporation to hire additional County*  
24 *Farm Service Agency personnel—*

1           (1) to expedite the implementation of, and deliv-  
2           ery under, the agricultural disaster and economic as-  
3           sistance programs under this title; and

4           (2) as the Secretary determines to be necessary  
5           to carry out other agriculture and disaster assistance  
6           programs.

## 7           ***Subtitle F—Miscellaneous***

### 8           **SEC. 3061. AUTHORITY TO PROVIDE IMMUNIZATIONS.**

9           Notwithstanding any other provision of law, the Sec-  
10          retary of Defense may provide immunizations to employees  
11          of the Department of Agriculture involved in direct recovery  
12          work in a hurricane-affected county.

### 13          **SEC. 3062. WAIVER OF CERTAIN PROVISIONS.**

14          Notwithstanding any other provision of law, the Sec-  
15          retary may provide assistance in a hurricane-affected coun-  
16          ty under the emergency conservation program established  
17          under title IV of the Agricultural Credit Act of 1978 (16  
18          U.S.C. 2201 et seq.) without regard to subtitle C of title  
19          XII of the Food Security Act of 1985 (16 U.S.C. 3821 et  
20          seq.).

### 21          **SEC. 3063. FUNDING.**

22          The Secretary shall use the funds, facilities, and au-  
23          thorities of the Commodity Credit Corporation to carry out  
24          this title, to remain available until expended.

1 **SEC. 3064. REGULATIONS.**

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

4 (b) *PROCEDURE.*—*The promulgation of the regulations*  
5 *and administration of this title shall be made without re-*  
6 *gard to—*

7 (1) *the notice and comment provisions of section*  
8 *553 of title 5, United States Code;*

9 (2) *the Statement of Policy of the Secretary of*  
10 *Agriculture effective July 24, 1971 (36 Fed. Reg.*  
11 *13804), relating to notices of proposed rulemaking*  
12 *and public participation in rulemaking; and*

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

16 (c) *CONGRESSIONAL REVIEW OF AGENCY RULE-*  
17 *MAKING.*—*In carrying out this section, the Secretary shall*  
18 *use the authority provided under section 808 of title 5,*  
19 *United States Code.*

20 ***Subtitle G—Emergency Designation***

21 **SEC. 3071. EMERGENCY DESIGNATION.**

22 *The amounts provided under this title are designated*  
23 *as an emergency requirement pursuant to section 402 of*  
24 *H. Con. Res. 95 (109th Congress), the concurrent resolution*  
25 *on the budget for fiscal year 2006.*

1

*TITLE IV*

2

*DROUGHT EMERGENCY ASSISTANCE*

3

**SEC. 4001. CORPS OF ENGINEERS.**

4

*In addition to any other funds made available by this Act, there is appropriated for “Department of Defense-Civil, Department of the Army, Corps of Engineer-Civil, Flood Control and Coastal Emergencies”, as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), \$5,000,000, to remain available until expended, to be used by the Secretary of the Army, acting through the Chief of Engineers, for emergency drought assistance.*

12

**SEC. 4002. BUREAU OF RECLAMATION.**

13

*In addition to any other funds made available by this Act, there is appropriated for “Department of the Interior, Bureau of Reclamation, Water and Related Resources”, \$7,500,000, to remain available until expended, for drought emergency assistance.*

18

**SEC. 4003. EMERGENCY DESIGNATION.**

19

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

20

21

22



1 *until expended for the purchase and deployment of radi-*  
2 *ation portal monitors for United States seaports.*

3 *TITLE VI*

4 *PANDEMIC FLU*

5 *DEPARTMENT OF HEALTH AND HUMAN*

6 *SERVICES*

7 *OFFICE OF THE SECRETARY*

8 *PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*

9 *For an additional amount for “Public Health and So-*  
10 *cial Services Emergency Fund” to prepare for and respond*  
11 *to an influenza pandemic, including international activi-*  
12 *ties and activities in foreign countries, preparedness plan-*  
13 *ning, enhancing the pandemic influenza regulatory science*  
14 *base, accelerating pandemic influenza disease surveillance,*  
15 *developing registries to monitor influenza vaccine distribu-*  
16 *tion and use, supporting pandemic influenza research, clin-*  
17 *ical trials and clinical trials infrastructure, and the devel-*  
18 *opment and purchase of vaccines, antivirals, and necessary*  
19 *medical supplies, \$2,300,000,000, to remain available until*  
20 *expended: Provided, That \$300,000,000 shall be for upgrad-*  
21 *ing State and local capacity, \$50,000,000 shall be for lab-*  
22 *oratory capacity and research at the Centers for Disease*  
23 *Control and Prevention, and at least \$200,000,000 shall be*  
24 *for the Centers for Disease Control and Prevention to carry*  
25 *out global and domestic disease surveillance, laboratory ca-*

1 *capacity and research, laboratory diagnostics, risk commu-*  
2 *nication, rapid response and quarantine: Provided further,*  
3 *That products purchased with these funds may, at the dis-*  
4 *cretion of the Secretary, be deposited in the Strategic Na-*  
5 *tional Stockpile: Provided further, That notwithstanding*  
6 *section 496(b) of the Public Health Service Act, funds may*  
7 *be used for the construction or renovation of privately*  
8 *owned facilities for the production of pandemic influenza*  
9 *vaccines and other biologicals, where the Secretary finds*  
10 *such a contract necessary to secure sufficient supplies of*  
11 *such vaccines or biologicals: Provided further, That the Sec-*  
12 *retary may negotiate a contract with a vendor under which*  
13 *a State may place an order with the vendor for antivirals;*  
14 *may reimburse a State for a portion of the price paid by*  
15 *the State pursuant to such an order; and may use amounts*  
16 *made available herein for such reimbursement: Provided*  
17 *further, That funds appropriated herein and not specifi-*  
18 *cally designated under this heading may be transferred to*  
19 *other appropriation accounts of the Department of Health*  
20 *and Human Services, as determined by the Secretary to*  
21 *be appropriate, to be used for the purposes specified in this*  
22 *sentence: Provided further, That the amounts provided*  
23 *under this heading are designated as an emergency require-*  
24 *ment pursuant to section 402 of H. Con. Res. 95 (109th*

1 Congress), the concurrent resolution on the budget for fiscal  
2 year 2006.

3 *TITLE VII*

4 *GENERAL PROVISIONS AND TECHNICAL*  
5 *CORRECTIONS*

6 *AVAILABILITY OF FUNDS*

7 *SEC. 7001. No part of any appropriation contained*  
8 *in this Act shall remain available for obligation beyond the*  
9 *current fiscal year unless expressly so provided herein.*

10 *OFFICE OF JUSTICE PROGRAMS*

11 *STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE*

12 *ADMINISTRATIVE PROVISION*

13 *SEC. 7002. Of the amount made available by the De-*  
14 *partment of Justice Appropriations Act, 2006 under the*  
15 *heading “Community Oriented Policing Services” (Public*  
16 *Law 109–108, 199 Stat. 2302), for Paul Coverdell Forensic*  
17 *Sciences Improvement Grants under part BB of title I of*  
18 *the Omnibus Crime Control and Safe Streets Act of 1968*  
19 *(42 U.S.C. 3797 et seq.), \$1,500,000 shall be available to*  
20 *the Attorney General, without regard to such part BB, for*  
21 *the study on forensic science described in House Report*  
22 *109–272 to accompany Public Law 109–108.*

## 1 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

## 2 SCIENCE, AERONAUTICS AND EXPLORATION

## 3 ADMINISTRATIVE PROVISION

4 SEC. 7003. *The referenced statement of the managers*  
5 *in House Report 109–272, Making Appropriations for*  
6 *Science, the Departments of State, Justice, and Commerce,*  
7 *and Related Agencies for the Fiscal Year Ending September*  
8 *30, 2006, and for other purposes, under this heading is*  
9 *deemed to be amended with respect to amounts made avail-*  
10 *able under the heading “Science, Aeronautics and Explo-*  
11 *ration” for the Mitchell Institute by striking “educational*  
12 *purposes” and inserting “the science and engineering edu-*  
13 *cation endowment”.*

## 14 SMALL BUSINESS ADMINISTRATION

## 15 ADMINISTRATIVE PROVISION

16 SEC. 7004. *Section 613 of the Science, State, Justice,*  
17 *Commerce, and Related Agencies Appropriations Act, 2006*  
18 *(Public Law 109–108; 119 Stat. 2338) is amended by strik-*  
19 *ing “Clark County Department of Aviation, Las Vegas,”*  
20 *and inserting “University of Nevada Las Vegas,”.*

## 21 INTELLIGENCE ACTIVITIES

22 SEC. 7005. *Funds appropriated in this Act, or made*  
23 *available by the transfer of funds in or pursuant to this*  
24 *Act, for intelligence activities are deemed to be specifically*  
25 *authorized by the Congress for purposes of section 504 of*  
26 *the National Security Act of 1947 (50 U.S.C. 414).*





1 2214(c)) is amended by striking “September 30, 2005” and  
2 inserting “September 30, 2010” in lieu thereof.

3 (b) Section 301 of the Reclamation States Emergency  
4 Drought Relief Act of 1991 (43 U.S.C. 2241) is amended  
5 by striking “fiscal years 1992, 1993, 1994, 1995, 1996,  
6 1999, 2000, 2001, 2002, 2003, and 2004” and inserting “the  
7 period of fiscal years 2006 through 2010” in lieu thereof.

8 *REPROGRAMMING OF FUNDS*

9 *SEC. 7012. None of the funds made available before,*  
10 *on, or after the date of enactment of this Act in an appro-*  
11 *priations Act may be expended to prevent or limit any re-*  
12 *programming of funds for a project to be carried out by*  
13 *the Corps of Engineers using funds appropriated in any*  
14 *Act making appropriations for energy and water develop-*  
15 *ment, based on whether the project was included by the*  
16 *President in the budget transmitted under section 1105(a)*  
17 *of title 31, United States Code, or is otherwise proposed by*  
18 *the President or considered part of the budget by the Office*  
19 *of Management and Budget, if the project received funds*  
20 *in an Act making appropriations for energy and water de-*  
21 *velopment or any other appropriations Act making addi-*  
22 *tional funds available for energy and water development.*

23 *BONNEVILLE POWER AUTHORITY*

24 *SEC. 7013. None of the funds made available under*  
25 *this or any other Act shall be used during fiscal year 2006*  
26 *or previous to April 1, 2007 to make, or plan or prepare*

1 to make, any payment on bonds issued by the Adminis-  
2 trator of the Bonneville Power Administration (referred in  
3 this section as the “Administrator”) or for an appropriated  
4 Federal Columbia River Power System investment, if the  
5 payment is both—

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

12 (2) based or conditioned on the actual or ex-  
13 pected net secondary power sales receipts of the Ad-  
14 ministrator.

15 DEPARTMENT OF HOMELAND SECURITY

16 (INCLUDING RESCISSION OF FUNDS)

17 SEC. 7014. (a) RESCISSION.—Of the funds available  
18 for “Screening Coordination and Operations”, \$3,960,000  
19 are rescinded.

20 (b) SUPPLEMENTAL APPROPRIATIONS.—For an addi-  
21 tional amount for the “Office of the Secretary and Execu-  
22 tive Management”, \$3,960,000.

23 DEPARTMENT OF THE INTERIOR—U.S. GEOLOGICAL

24 SURVEY

25 SEC. 7015. For an additional amount for “Depart-  
26 ment of the Interior, United States Geological Survey, Sur-

1 *veys, Investigations, and Research*”, \$500,000, to remain  
2 *available until expended, for assistance with assessments of*  
3 *critical reservoirs and dams, including the monitoring of*  
4 *dam structures: Provided, That the amount provided under*  
5 *this heading is designated as an emergency requirement*  
6 *pursuant to section 402 of H. Con. Res. 95 (109th Con-*  
7 *gress), the concurrent resolution on the budget for fiscal year*  
8 *2006.*

9 *SURFACE MINING CONTROL AND RECLAMATION ACT*

10 *SEC. 7016. Section 402(b) of the Surface Mining Con-*  
11 *trol and Reclamation Act of 1977 (30 U.S.C. 1232(b)) is*  
12 *amended by striking “June 30, 2006” and inserting “Sep-*  
13 *tember 30, 2007”.*

14 *DEPARTMENT OF LABOR—OFFICE OF JOB CORPS*

15 *SEC. 7017. Notwithstanding section 102 of the Depart-*  
16 *ments of Labor, Health and Human Services, and Edu-*  
17 *cation, and Related Agencies Appropriations Act, 2006*  
18 *(Public Law 109–149), none of the funds made available*  
19 *under this Act or under the Departments of Labor, Health*  
20 *and Human Services, and Education, and Related Agencies*  
21 *Appropriations Act, 2006, shall be expended for any activ-*  
22 *ity that—*

23 *(1) is related to carrying out Order 09–2006 of*  
24 *the Secretary of Labor; or*

25 *(2) transfers the Office of Job Corps but does not*  
26 *establish the Office of Job Corps as a single office*

1       *within the Office of the Secretary that retains all*  
2       *staff, functions and authorities related to carrying out*  
3       *subtitle C of title I of the Workforce Investment Act*  
4       *of 1998 (29 U.S.C. 2881 et seq.).*

5                   *DEPARTMENT OF LABOR—MINE SAFETY*

6       *SEC. 7018. For an additional amount for “Depart-*  
7       *ment of Labor, Mine Safety and Health Administration,*  
8       *Salaries and Expenses”, \$25,600,000 for the inspection of*  
9       *coal mines: Provided, That progress reports on hiring shall*  
10       *be submitted to the House and Senate Committees on Ap-*  
11       *propriations on a quarterly basis, with the first report due*  
12       *June 15, 2006: Provided further, That the amounts pro-*  
13       *vided under this heading shall remain available until Sep-*  
14       *tember 30, 2007: Provided further, That the amount pro-*  
15       *vided under this heading is designated as an emergency re-*  
16       *quirement pursuant to section 402 of H. Con. Res. 95*  
17       *(109th Congress), the concurrent resolution on the budget*  
18       *for fiscal year 2006.*

19                   *CENTERS FOR DISEASE CONTROL—MINE SAFETY*

20       *SEC. 7019. For an additional amount for “Depart-*  
21       *ment of Health and Human Services, Centers for Disease*  
22       *Control and Prevention, Disease Control, Research and*  
23       *Training”, to carry out section 501 of the Federal Mine*  
24       *Safety and Health Act of 1977, \$10,000,000 for research*  
25       *to develop mine safety technology including grants and con-*  
26       *tracts: Provided, That progress reports on technology devel-*

1 *opment shall be submitted to the House and Senate Com-*  
2 *mittees on Appropriations on a quarterly basis, with the*  
3 *first report due June 15, 2006: Provided further, That the*  
4 *amounts provided under this heading shall remain avail-*  
5 *able until September 30, 2007: Provided further, That the*  
6 *amount provided under this heading is designated as an*  
7 *emergency requirement pursuant to section 402 of H. Con.*  
8 *Res. 95 (109th Congress), the concurrent resolution on the*  
9 *budget for fiscal year 2006.*

10 *RAILROAD RETIREMENT BOARD*

11 *SEC. 7020. Public Law 109–149 (119 Stat. 2876)*  
12 *under the heading “Railroad Retirement Board, Dual Ben-*  
13 *efits Payments Account” is amended by striking “propor-*  
14 *tional to the amount by which the product of recipients and*  
15 *the average benefit received exceeds \$97,000,000” and in-*  
16 *serting “to the amount by which the product of recipients*  
17 *and the average benefit received exceeds the amount avail-*  
18 *able for payment of vested dual benefits” in lieu thereof.*

19 *HEAD START REGULATIONS EFFECTIVE DATE*

20 *SEC. 7021. Section 224 of Public Law 109–149 (119*  
21 *Stat. 2862) is amended by striking “June” and inserting*  
22 *“December” in lieu thereof.*

23 *MILITARY CONSTRUCTION*

24 *AUTHORIZATION*

25 *SEC. 7022. Section 2401 of the Military Construction*  
26 *Authorization Act for Fiscal Year 2006 (Public Law 109–*

1 163) is amended by striking after “Augusta”,  
2 “\$61,466,000” and inserting in lieu thereof  
3 “\$340,854,000”. This project may be incrementally funded.  
4 Funds appropriated in Public Law 109–114 for this project  
5 shall be available to fund the first increment.

6 *MILITARY CONSTRUCTION*

7 *AUTHORIZATION*

8 *SEC. 7023. Section 2401 of the Military Construction*  
9 *Authorization Act for Fiscal Year 2006 (Public Law 109–*  
10 *163) is amended by striking after “Kunia”, “\$305,000,000”*  
11 *and inserting in lieu thereof “\$350,490,000”. The project*  
12 *may be incrementally funded. Funds appropriated in Pub-*  
13 *lic Laws 108–7, 108–87, and 109–114 for this project shall*  
14 *be available to fund the first increment.*

15 *MILITARY CONSTRUCTION*

16 *AUTHORIZATION*

17 *SEC. 7024. Section 2846 of the Military Construction*  
18 *Authorization Act for Fiscal Year 2002 (division B of Pub-*  
19 *lic Law 107–107; 115 Stat. 1320), as amended by section*  
20 *2865 of the Military Construction Authorization Act for*  
21 *Fiscal Year 2005 (division B of Public Law 108–375; 118*  
22 *Stat 2149) is further amended by striking “840 acres” and*  
23 *inserting “1,540 acres”.*

24 *DETAIL AUTHORITY FOR DOT*

25 *SEC. 7025. Section 171 of Public Law 109–115 (119*  
26 *Stat. 2426) is amended by inserting before the period at*

1 *the end of the following “: Provided, That the Department’s*  
2 *Office of Intelligence, Security, and Emergency Response*  
3 *may assess and enter into reimbursable agreements with the*  
4 *modal administrations for services necessary to carry out*  
5 *emergency preparedness or emergency response activities, as*  
6 *determined by the Secretary of Transportation: Provided*  
7 *further, That notwithstanding any other provision of law,*  
8 *the Secretary is authorized to detail modal administration*  
9 *employees to the Office of Intelligence, Security, and Emer-*  
10 *gency Response without reimbursement and for fixed peri-*  
11 *ods of time, as determined by the Secretary, only insofar*  
12 *as necessary to carry out emergency preparedness or emer-*  
13 *gency response activities: Provided further, That the De-*  
14 *partment shall transmit to the Committees on Appropria-*  
15 *tions of the Senate and of the House of Representatives a*  
16 *quarterly report that provides information describing any*  
17 *reimbursable agreements or personnel details carried out in*  
18 *accordance with this section”.*

19 *EMERGENCY HIGHWAY FUNDS*

20 *SEC. 7026. Under the heading “Department of Trans-*  
21 *portation, Federal Highway Administration, Emergency*  
22 *Relief Program” in Public Law 109–148 (119 Stat. 2778),*  
23 *strike “\$629,000,000” and insert “\$803,000,000”.*

24 *LIMITATION ON CERTAIN TRANSPORTATION ACTIONS*

25 *SEC. 7027. None of the funds made available by this*  
26 *or any other Act may be used to issue or implement a deci-*

1 *sion on the Notice of Proposed Rulemaking (70 Fed. Reg.*  
2 *67389) that proposes to change the Department’s long-*  
3 *standing interpretation of “actual control” of an airline for*  
4 *purposes of section 40102(a)(15) of title 49, United States*  
5 *Code, issue any final rule, or make any fitness determina-*  
6 *tion under section 41102 of that title that would change*  
7 *the Department of Transportation’s long-standing interpre-*  
8 *tation concerning what constitutes “actual control” of an*  
9 *airline for purposes of section 40102(a)(15) of such title,*  
10 *or to submit a final rule to the Congress under chapter 8*  
11 *of title 5, United States Code, that would change that inter-*  
12 *pretation.*

13 *DOJ AND TREASURY FUNDING FOR INTELLIGENCE*

14 *ACTIVITIES*

15 *SEC. 7028. (a) Funds appropriated for intelligence ac-*  
16 *tivities, or made available by the transfer of funds, by this*  
17 *Act, by Public Law 109–108 for the Department of Justice,*  
18 *or by Public Law 109–115 for the Department of the Treas-*  
19 *ury, are deemed to be specifically authorized by the Con-*  
20 *gress for purposes of section 504 of the National Security*  
21 *Act of 1947, as amended, (50 U.S.C. 414) during fiscal year*  
22 *2006 until the enactment of the Intelligence Authorization*  
23 *Act for Fiscal Year 2006.*

24 *(b) Subsection (a) shall be effective:*

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

4           (2) *with respect to funds appropriated, or made*  
5 *available by the transfer of funds, by Public Law*  
6 *109–108 for the Department of Justice, as if enacted*  
7 *on the date of enactment of Public Law 109–108; and*

8           (3) *with respect to funds appropriated, or made*  
9 *available by the transfer of funds, by Public Law*  
10 *109–115 for the Department of the Treasury, as if en-*  
11 *acted on the date of enactment of Public Law 109–*  
12 *115.*

13                           *FUNDING FOR TREASURY TRAVEL*

14       *SEC. 7029. The first sentence under the heading “De-*  
15 *partment of the Treasury, Departmental Offices, Salaries*  
16 *and Expenses” in title II of division A of Public Law 109–*  
17 *115 (119 Stat. 2432) is amended by inserting after “travel*  
18 *expenses” the words “(except for travel performed by offi-*  
19 *cials in the Office of Terrorism and Financial Intelligence*  
20 *and the Office of International Affairs)”.*

21                           *ECONOMIC DEVELOPMENT INITIATIVES CORRECTIONS*

22       *SEC. 7030. (a) The referenced statement of the man-*  
23 *agers under the heading “Community Development Fund”*  
24 *in Public Law 108–199 is amended with respect to item*  
25 *number 380 by striking “for construction of a new facility”*  
26 *and inserting “to upgrade an existing facility”.*





Calendar No. 391

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4939**

[Report No. 109-230]

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## **AN ACT**

Making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

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MARCH 27, 2006

Received; read twice and referred to the Committee on Appropriations

APRIL 5, 2006

Reported with an amendment