

## RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 396, noes 22, answered “present” 1, not voting 13, as follows:

[Roll No. 423]

AYES—396

Ackerman	Cummings	Hoekstra
Aderholt	Davis (AL)	Holden
Alexander	Davis (CA)	Holt
Allen	Davis (IL)	Honda
Altmire	Davis (KY)	Hooley
Andrews	Davis, David	Hoyer
Arcuri	Davis, Lincoln	Inglis (SC)
Baca	Davis, Tom	Insee
Bachmann	Deal (GA)	Israel
Bachus	DeFazio	Issa
Baird	Delahunt	Jackson (IL)
Baker	DeLauro	Jackson-Lee
Baldwin	Dent	(TX)
Barrett (SC)	Diaz-Balart, L.	Jefferson
Barrow	Diaz-Balart, M.	Jindal
Bartlett (MD)	Dicks	Johnson (GA)
Barton (TX)	Dingell	Johnson (IL)
Bean	Doggett	Jones (NC)
Beceerra	Donnelly	Jordan
Berkley	Doolittle	Kagen
Berry	Doyle	Keller
Biggert	Drake	Kennedy
Bilbray	Dreier	Kildee
Billirakis	Duncan	Kilpatrick
Bishop (GA)	Edwards	Kind
Bishop (NY)	Ehlers	King (IA)
Bishop (UT)	Ellison	King (NY)
Blackburn	Ellsworth	Kingston
Blumenauer	Emanuel	Kirk
Blunt	English (PA)	Klein (FL)
Boehner	Eshoo	Kline (MN)
Bonner	Etheridge	Knollenberg
Bono	Everett	Kucinich
Boozman	Fallin	Kuhl (NY)
Boren	Farr	LaHood
Boswell	Fattah	Lamborn
Boucher	Feeney	Lampson
Boustany	Ferguson	Langevin
Boyd (KS)	Filner	Lantos
Brady (PA)	Flake	Larsen (WA)
Brady (TX)	Forbes	Larson (CT)
Bralley (IA)	Fortenberry	Latham
Brown (SC)	Fossella	LaTourette
Brown-Waite,	Fox	Lee
Ginny	Frank (MA)	Levin
Buchanan	Franks (AZ)	Lewis (CA)
Burgess	Frelinghuysen	Lewis (KY)
Burton (IN)	Gallely	Linder
Butterfield	Garrett (NJ)	Lipinski
Buyer	Gerlach	LoBiondo
Calvert	Giffords	Loeb
Camp (MI)	Gilchrest	Lofgren, Zoe
Cannon	Gillibrand	Lowe
Cantor	Gillmor	Lucas
Capito	Gingrey	Lungren, Daniel
Capps	Gonzalez	E.
Capuano	Goode	Lynch
Cardoza	Goodlatte	Mahoney (FL)
Carnahan	Gordon	Maloney (NY)
Carney	Granger	Manzullo
Carson	Graves	Marchant
Carter	Green, Al	Markey
Castle	Green, Gene	Marshall
Castor	Grijalva	Matheson
Chabot	Gutierrez	Matsui
Chandler	Hall (NY)	McCarthy (CA)
Clarke	Hall (TX)	McCarthy (NY)
Clyburn	Hare	McCaul (TX)
Coble	Harman	McCollum (MN)
Cohen	Hastert	McCotter
Cole (OK)	Hastings (WA)	McCrery
Conaway	Hayes	McDermott
Conyers	Heller	McGovern
Cooper	Hensarling	McHenry
Costa	Herger	McHugh
Costello	Herseth Sandlin	McIntyre
Courtney	Higgins	McKeon
Cramer	Hill	McNerney
Crenshaw	Hinchey	McNulty
Crowley	Hinojosa	Meehan
Cubin	Hirono	Meek (FL)
Cuellar	Hobson	Melancon
Culberson	Hodes	Mica

Michael	Reichert	Souder
Miller (FL)	Renzi	Space
Miller (MI)	Reyes	Spratt
Miller (NC)	Reynolds	Stark
Miller, Gary	Rodriguez	Stearns
Miller, George	Rogers (AL)	Stupak
Mitchell	Rogers (KY)	Sullivan
Mollohan	Rogers (MI)	Sutton
Moore (KS)	Rohrabacher	Tancredo
Moore (WI)	Ros-Lehtinen	Tauscher
Moran (KS)	Roskam	Taylor
Moran (VA)	Ross	Terry
Murphy (CT)	Rothman	Thompson (CA)
Murphy, Patrick	Roybal-Allard	Thompson (MS)
Murphy, Tim	Royce	Thornberry
Musgrave	Ruppersberger	Tiahrt
Myrick	Rush	Tiberi
Nadler	Ryan (OH)	Tierney
Napolitano	Ryan (WI)	Turner
Neal (MA)	Salazar	Udall (CO)
Neugebauer	Sali	Udall (NM)
Nunes	Sánchez, Linda	Upton
Obe	T.	Van Hollen
Oliver	Sánchez, Loretta	Velázquez
Ortiz	Sarbanes	Visclosky
Pallone	Saxton	Walberg
Pascarella	Schiff	Walden (OR)
Pastor	Schmidt	Walsh (NY)
Payne	Schwartz	Walz (MN)
Pearce	Scott (GA)	Wamp
Pence	Scott (VA)	Wasserman
Perlmutter	Sensenbrenner	Schultz
Peterson (MN)	Serrano	Waters
Peterson (PA)	Sessions	Watson
Petri	Sestak	Waxman
Pickering	Shays	Weiner
Pitts	Shea-Porter	Welch (VT)
Platts	Sherman	Weldon (FL)
Poe	Shimkus	Weller
Pomeroy	Shuler	Wexler
Porter	Shuster	Wicker
Price (GA)	Simpson	Wilson (NM)
Price (NC)	Sires	Wilson (OH)
Pryce (OH)	Skelton	Wilson (SC)
Putnam	Slaughter	Wolf
Radanovich	Smith (NE)	Woolsey
Rahall	Smith (NJ)	Wu
Ramstad	Smith (TX)	Wynn
Rangel	Smith (WA)	Yarmuth
Regula	Snyder	Young (FL)
Rehberg	Solis	

NOES—22

Abercrombie	Johnson, Sam	Shadegg
Boyd (FL)	Kanjorski	Tanner
Brown, Corrine	Kaptur	Towns
Clay	Mack	Watt
Cleaver	Meeks (NY)	Whitfield
Gohmert	Murtha	Young (AK)
Hastings (FL)	Paul	
Johnson, E. B.	Schakowsky	

ANSWERED “PRESENT”—1

Hulshof

NOT VOTING—13

Akin	Emerson	McMorris
Berman	Engel	Rodgers
Campbell (CA)	Hunter	Oberstar
Davis, Jo Ann	Jones (OH)	Westmoreland
DeGette	Lewis (GA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1705

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2316, HONEST LEADERSHIP AND OPEN GOVERNMENT ACT OF 2007**

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2316, the Clerk be authorized to correct section numbers,

punctuation, cross-references, and the table of contents and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

**U.S. TROOP READINESS, VETERANS' CARE, KATRINA RECOVERY, AND IRAQ ACCOUNTABILITY APPROPRIATIONS ACT, 2007**

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 438, I call up the bill (H.R. 2206) making emergency supplemental appropriations and additional supplemental appropriations for agricultural and other emergency assistance for the fiscal year ending September 30, 2007, and for other purposes, with a Senate amendment thereto, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

*Since under the Constitution, the President and Congress have shared responsibilities for decisions on the use of the Armed Forces of the United States, including their mission, and for supporting the Armed Forces, especially during wartime;*

*Since when the Armed Forces are deployed in harm's way, the President, Congress, and the Nation should give them all the support they need in order to maintain their safety and accomplish their assigned or future missions, including the training, equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government; and*

*Since thousands of members of the Armed Forces who have fought bravely in Iraq and Afghanistan are not receiving the kind of medical care and other support this Nation owes them when they return home: Now, therefore, be it*

*Determined by the Senate (the House of Representatives concurring), that it is the sense of Congress that—*

*(1) the President and Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions;*

*(2) the President, Congress, and the Nation have an obligation to ensure that those who have bravely served this country in time of war receive the medical care and other support they deserve; and*

*(3) the President and Congress should—*

*(A) continue to exercise their constitutional responsibilities to ensure that the Armed Forces have everything they need to perform their assigned or future missions; and*

*(B) review, assess, and adjust United States policy and funding as needed to ensure our troops have the best chance for success in Iraq and elsewhere.*

MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 438, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. OBEY moves that the House concur in the amendment of the Senate with the amendments printed in House Report 110-168, as follows:

AMENDMENT 1 TO THE SENATE AMENDMENT TO  
H.R. 2206

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007”.

#### SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

TITLE I—[RESERVED]

TITLE II—[RESERVED]

TITLE III—ADDITIONAL DEFENSE,  
INTERNATIONAL AFFAIRS,  
AND HOMELAND SECURITY  
PROVISIONS

TITLE IV—ADDITIONAL HURRICANE DIS-  
ASTER RELIEF AND RECOV-  
ERY

TITLE V—OTHER EMERGENCY APPRO-  
PRIATIONS

TITLE VI—OTHER MATTERS

TITLE VII—ELIMINATION OF SCHIP  
SHORTFALL AND OTHER  
HEALTH MATTERS

TITLE VIII—FAIR MINIMUM WAGE AND  
TAX RELIEF

TITLE IX—AGRICULTURAL ASSISTANCE

TITLE X—GENERAL PROVISIONS

#### SEC. 3. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2007.

##### TITLE I—[RESERVED]

[The provisions of this title are reserved for possible additions through subsequent amendment.]

##### TITLE II—[RESERVED]

[The provisions of this title are reserved for possible additions through subsequent amendment.]

#### TITLE III—ADDITIONAL DEFENSE, INTERNATIONAL AFFAIRS, AND HOMELAND SECURITY PROVISIONS

##### CHAPTER 1

##### DEPARTMENT OF AGRICULTURE

##### FOREIGN AGRICULTURAL SERVICE

##### PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for “Public Law 480 Title II Grants”, during the current fiscal year, not otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, \$100,000,000, to remain available until expended.

##### GENERAL PROVISION—THIS CHAPTER

SEC. 3101. There is hereby appropriated \$10,000,000 to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1): *Provided*, That any such funds made available to reimburse the Commodity Credit Corporation shall only be used to re-

plenish the Bill Emerson Humanitarian Trust.

#### CHAPTER 2

##### DEPARTMENT OF JUSTICE

##### FEDERAL BUREAU OF INVESTIGATION

##### SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$139,740,000, of which \$129,740,000 is to remain available until September 30, 2008 and \$10,000,000 is to remain available until expended to implement corrective actions in response to the findings and recommendations in the Department of Justice Office of Inspector General report entitled, “A Review of the Federal Bureau of Investigation’s Use of National Security Letters”, of which \$500,000 shall be transferred to and merged with “Department of Justice, Office of the Inspector General”.

##### DRUG ENFORCEMENT ADMINISTRATION

##### SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$3,698,000, to remain available until September 30, 2008.

##### GENERAL PROVISION—THIS CHAPTER

SEC. 3201. Funds provided in this Act for the “Department of Justice, Federal Bureau of Investigation, Salaries and Expenses”, shall be made available according to the language relating to such account in the joint explanatory statement accompanying the conference report on H.R. 1591 of the 110th Congress (H. Rept. 110-107).

#### CHAPTER 3

##### DEPARTMENT OF DEFENSE—MILITARY

##### MILITARY PERSONNEL

##### MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$343,080,000.

##### MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$408,283,000.

##### MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$108,956,000.

##### MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$139,300,000.

##### RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel, Navy”, \$8,223,000.

##### RESERVE PERSONNEL, MARINE CORPS

For an additional amount for “Reserve Personnel, Marine Corps”, \$5,660,000.

##### RESERVE PERSONNEL, AIR FORCE

For an additional amount for “Reserve Personnel, Air Force”, \$6,073,000.

##### NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, \$109,261,000.

##### NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, \$19,533,000.

##### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$24,000,000.

##### STRATEGIC RESERVE READINESS FUND

##### (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided in this or any other Act, for training, operations, repair of equipment, purchases of equipment, and other expenses related to improving the readiness of non-deployed United States military forces, \$1,615,000,000, to remain available until September 30, 2009; of which \$1,000,000,000 shall be transferred to “National Guard and Reserve Equipment” for

the purchase of equipment for the Army National Guard; and of which \$615,000,000 shall be transferred by the Secretary of Defense only to appropriations for military personnel, operation and maintenance, procurement, and defense working capital funds to accomplish the purposes provided herein: *Provided*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers under this authority, notify the congressional defense committees in writing of the details of any such transfers made pursuant to this authority: *Provided further*, That funds shall be transferred to the appropriation accounts not later than 120 days after the enactment of this Act: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

#### PROCUREMENT

##### OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, \$1,217,000,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading shall be available only for the purchase of mine resistant ambush protected vehicles.

##### OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, \$130,040,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading shall be available only for the purchase of mine resistant ambush protected vehicles.

##### PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, \$1,263,360,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading shall be available only for the purchase of mine resistant ambush protected vehicles.

##### OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$139,040,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading shall be available only for the purchase of mine resistant ambush protected vehicles.

##### PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, \$258,860,000, to remain available until September 30, 2009: *Provided*, That the amount provided under this heading shall be available only for the purchase of mine resistant ambush protected vehicles.

#### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### DEFENSE HEALTH PROGRAM

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Defense Health Program”, \$1,878,706,000; of which \$1,429,006,000 shall be for operation and maintenance, including \$600,000,000 which shall be available for the treatment of traumatic brain injury and post-traumatic stress disorder and remain available until September 30, 2008; of which \$118,000,000 shall be for procurement, to remain available until September 30, 2009; and of which \$331,700,000 shall be for research, development, test and evaluation, to remain available until September 30, 2008: *Provided*, That if the Secretary of Defense determines that funds made available in this paragraph for the treatment of

traumatic brain injury and post-traumatic stress disorder are in excess of the requirements of the Department of Defense, the Secretary may transfer amounts in excess of that requirement to the Department of Veterans Affairs to be available only for the same purpose.

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 3301. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

SEC. 3302. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984)—

(1) section 2340A of title 18, United States Code;

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

(3) sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 3303. (a) REPORT BY SECRETARY OF DEFENSE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains individual transition readiness assessments by unit of Iraq and Afghan security forces. The Secretary of Defense shall submit to the congressional defense committees updates of the report required by this subsection every 90 days after the date of the submission of the report until October 1, 2008. The report and updates of the report required by this subsection shall be submitted in classified form.

#### (b) REPORT BY OMB.—

(1) The Director of the Office of Management and Budget, in consultation with the Secretary of Defense; the Commander, Multi-National Security Transition Command—Iraq; and the Commander, Combined Security Transition Command—Afghanistan, shall submit to the congressional defense committees not later than 120 days after the date of the enactment of this Act and every 90 days thereafter a report on the proposed use of all funds under each of the headings “Iraq Security Forces Fund” and “Afghanistan Security Forces Fund” on a project-by-project basis, for which the obligation of funds is anticipated during the three-month period from such date, including estimates by the commanders referred to in this paragraph of the costs required to complete each such project.

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

(A) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in paragraph (1) were obligated prior to the submission of the report, including estimates by the commanders referred to in paragraph (1) of the costs to complete each project.

(B) The use of all funds on a project-by-project basis for which funds were appro-

priated under the headings referred to in paragraph (1) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from other headings in prior appropriations Acts, including estimates by the commanders referred to in paragraph (1) of the costs to complete each project.

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

(c) NOTIFICATION.—The Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfers of funds between sub-activity groups in excess of \$15,000,000 using funds appropriated by this Act under the headings “Iraq Security Forces Fund” and “Afghanistan Security Forces Fund”.

SEC. 3304. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to provide award fees to any defense contractor contrary to the provisions of section 814 of the National Defense Authorization Act, Fiscal Year 2007 (Public Law 109-364).

SEC. 3305. Not more than 85 percent of the funds appropriated to the Department of Defense in this Act for operation and maintenance shall be available for obligation unless and until the Secretary of Defense submits to the congressional defense committees a report detailing the use of Department of Defense funded service contracts conducted in the theater of operations in support of United States military and reconstruction activities in Iraq and Afghanistan: *Provided*, That the report shall provide detailed information specifying the number of contracts and contract costs used to provide services in fiscal year 2006, with sub-allocations by major service categories: *Provided further*, That the report also shall include estimates of the number of contracts to be executed in fiscal year 2007: *Provided further*, That the report shall include the number of contractor personnel in Iraq and Afghanistan funded by the Department of Defense: *Provided further*, That the report shall be submitted to the congressional defense committees not later than August 1, 2007.

SEC. 3306. Section 1477 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “A death gratuity” and inserting “Subject to subsection (d), a death gratuity”;

(2) by redesignating subsection (d) as subsection (e) and, in such subsection, by striking “If an eligible survivor dies before he” and inserting “If a person entitled to all or a portion of a death gratuity under subsection (a) or (d) dies before the person”;

(3) by inserting after subsection (c) the following new subsection (d):

“(d) During the period beginning on the date of the enactment of this subsection and ending on September 30, 2007, a person covered by section 1475 or 1476 of this title may designate another person to receive not more than 50 percent of the amount payable under section 1478 of this title. The designation shall indicate the percentage of the amount, to be specified only in 10 percent increments up to the maximum of 50 percent, that the designated person may receive. The balance of the amount of the death gratuity shall be paid to or for the living survivors of the person concerned in accordance with paragraphs (1) through (5) of subsection (a).”.

SEC. 3307. (a) INSPECTION OF MILITARY MEDICAL TREATMENT FACILITIES, MILITARY QUARTERS HOUSING MEDICAL HOLD PERSONNEL, AND MILITARY QUARTERS HOUSING MEDICAL HOLD OVER PERSONNEL.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of De-

fense shall inspect each facility of the Department of Defense as follows:

(A) Each military medical treatment facility.

(B) Each military quarters housing medical hold personnel.

(C) Each military quarters housing medical holdover personnel.

(2) PURPOSE.—The purpose of an inspection under this subsection is to ensure that the facility or quarters concerned meets acceptable standards for the maintenance and operation of medical facilities, quarters housing medical hold personnel, or quarters housing medical holdover personnel, as applicable.

(b) ACCEPTABLE STANDARDS.—For purposes of this section, acceptable standards for the operation and maintenance of military medical treatment facilities, military quarters housing medical hold personnel, or military quarters housing medical holdover personnel are each of the following:

(1) Generally accepted standards for the accreditation of medical facilities, or for facilities used to quarter individuals with medical conditions that may require medical supervision, as applicable, in the United States.

(2) Where appropriate, standards under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(c) ADDITIONAL INSPECTIONS ON IDENTIFIED DEFICIENCIES.—

(1) IN GENERAL.—In the event a deficiency is identified pursuant to subsection (a) at a facility or quarters described in paragraph (1) of that subsection—

(A) the commander of such facility or quarters, as applicable, shall submit to the Secretary a detailed plan to correct the deficiency; and

(B) the Secretary shall reinspect such facility or quarters, as applicable, not less often than once every 180 days until the deficiency is corrected.

(2) CONSTRUCTION WITH OTHER INSPECTIONS.—An inspection of a facility or quarters under this subsection is in addition to any inspection of such facility or quarters under subsection (a).

(d) REPORTS ON INSPECTIONS.—A complete copy of the report on each inspection conducted under subsections (a) and (c) shall be submitted in unclassified form to the applicable military medical command and to the congressional defense committees.

(e) REPORT ON STANDARDS.—In the event no standards for the maintenance and operation of military medical treatment facilities, military quarters housing medical hold personnel, or military quarters housing medical holdover personnel exist as of the date of the enactment of this Act, or such standards as do exist do not meet acceptable standards for the maintenance and operation of such facilities or quarters, as the case may be, the Secretary shall, not later than 30 days after that date, submit to the congressional defense committees a report setting forth the plan of the Secretary to ensure—

(1) the adoption by the Department of standards for the maintenance and operation of military medical facilities, military quarters housing medical hold personnel, or military quarters housing medical holdover personnel, as applicable, that meet—

(A) acceptable standards for the maintenance and operation of such facilities or quarters, as the case may be; and

(B) where appropriate, standards under the Americans with Disabilities Act of 1990; and

(2) the comprehensive implementation of the standards adopted under paragraph (1) at the earliest date practicable.

SEC. 3308. (a) AWARD OF MEDAL OF HONOR TO WOODROW W. KEEBLE FOR VALOR DURING KOREAN WAR.—Notwithstanding any applicable time limitation under section 3744 of title 10, United States Code, or any other

time limitation with respect to the award of certain medals to individuals who served in the Armed Forces, the President may award to Woodrow W. Keeble the Medal of Honor under section 3741 of that title for the acts of valor described in subsection (b).

(b) ACTS OF VALOR.—The acts of valor referred to in subsection (a) are the acts of Woodrow W. Keeble, then-acting platoon leader, carried out on October 20, 1951, during the Korean War.

#### (TRANSFER OF FUNDS)

SEC. 3309. Of the amount appropriated under the heading “Other Procurement, Army”, in title III of division A of Public Law 109-148, \$6,250,000 shall be transferred to “Military Construction, Army”.

SEC. 3310. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment or the Office of Dependents Education of the Department of Defense, shall use not less than \$10,000,000 of funds made available in this Act under the heading “Operation and Maintenance, Defense-Wide” to make grants and supplement other Federal funds to provide special assistance to local education agencies.

SEC. 3311. Congress finds that United States military units should not enter into combat unless they are fully capable of performing their assigned mission. Congress further finds that this is the policy of the Department of Defense. The Secretary of Defense shall notify Congress of any changes to this policy.

### CHAPTER 4

#### DEPARTMENT OF ENERGY

#### ATOMIC ENERGY DEFENSE ACTIVITIES

##### NATIONAL NUCLEAR SECURITY ADMINISTRATION

##### DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for “Defense Nuclear Nonproliferation”, \$72,000,000 is provided for the International Nuclear Materials Protection and Cooperation Program, to remain available until expended.

#### GENERAL PROVISION—THIS CHAPTER

##### (TRANSFER OF FUNDS)

SEC. 3401. The Administrator of the National Nuclear Security Administration is authorized to transfer up to \$1,000,000 from Defense Nuclear Nonproliferation to the Office of the Administrator during fiscal year 2007 supporting nuclear nonproliferation activities.

### CHAPTER 5

#### DEPARTMENT OF HOMELAND SECURITY ANALYSIS AND OPERATIONS

For an additional amount for “Analysis and Operations”, \$8,000,000, to remain available until September 30, 2008, to be used for support of the State and Local Fusion Center program: *Provided*, That starting July 1, 2007, the Secretary of Homeland Security shall submit quarterly reports to the Committees on Appropriations of the Senate and the House of Representatives detailing the information required in House Report 110-107.

##### UNITED STATES CUSTOMS AND BORDER PROTECTION

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Salaries and Expenses”, \$75,000,000, to remain available until September 30, 2008, to support hiring not less than 400 additional United States Customs and Border Protection Officers, as well as additional intelligence analysts, trade specialists, and support staff to target and screen U.S.-bound cargo on the Northern Border, at overseas locations, and at the National Targeting Center; to support

hiring additional staffing required for Northern Border Air and Marine operations; to implement Security and Accountability For Every Port Act of 2006 (Public Law 109-347) requirements; to advance the goals of the Secure Freight Initiative to improve significantly the ability of United States Customs and Border Protection to target and analyze U.S.-bound cargo containers; to expand overseas screening and physical inspection capacity for U.S.-bound cargo; to procure and integrate non-intrusive inspection equipment into inspection and radiation detection operations; and to improve supply chain security, to include enhanced analytic and targeting systems using data collected via commercial and government technologies and databases: *Provided*, That up to \$3,000,000 shall be transferred to Federal Law Enforcement Training Center “Salaries and Expenses”, for basic training costs associated with the additional personnel funded under this heading: *Provided further*, That the Secretary shall submit an expenditure plan for the use of these funds to the Committees on Appropriations of the Senate and the House of Representatives no later than 30 days after enactment of this Act: *Provided further*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives immediately if United States Customs and Border Protection does not expect to achieve its plan of having at least 1,158 Border Patrol agents permanently deployed to the Northern Border by the end of fiscal year 2007, and explain in detail the reasons for any shortfall.

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

For an additional amount for “Air and Marine Interdiction, Operations, Maintenance, and Procurement”, for air and marine operations on the Northern Border, including the final Northern Border air wing, \$75,000,000, to remain available until September 30, 2008, to accelerate planned deployment of Northern Border Air and Marine operations, including establishment of the final Northern Border airwing, procurement of assets such as fixed wing aircraft, helicopters, unmanned aerial systems, marine and riverine vessels, and other equipment, relocation of aircraft, site acquisition, and the design and building of facilities: *Provided*, That the Secretary shall submit an expenditure plan for the use of these funds to the Committees on Appropriations of the Senate and the House of Representatives no later than 30 days after enactment of this Act.

##### UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$6,000,000, to remain available until September 30, 2008; of which \$5,000,000 shall be for the creation of a security advisory opinion unit within the Visa Security Program; and of which \$1,000,000 shall be for the Human Smuggling and Trafficking Center.

##### TRANSPORTATION SECURITY ADMINISTRATION AVIATION SECURITY

For an additional amount for “Aviation Security”, \$390,000,000; of which \$285,000,000 shall be for procurement and installation of checked baggage explosives detection systems, to remain available until expended; of which \$25,000,000 shall be for checkpoint explosives detection equipment and pilot screening technologies, to remain available until expended; and of which \$80,000,000 shall be for air cargo security, to remain available until September 30, 2009: *Provided*, That of the air cargo funding made available under this heading, the Transportation Security Administration shall hire no fewer than 150

additional air cargo inspectors to establish a more robust enforcement and compliance program; complete air cargo vulnerability assessments for all Category X airports; expand the National Explosives Detection Canine Program by no fewer than 170 additional canine teams, including the use of agency led teams; pursue canine screening methods utilized internationally that focus on air samples; and procure and install explosive detection systems, explosive trace machines, and other technologies to screen air cargo: *Provided further*, That no later than 90 days after the date of enactment of this Act, the Secretary shall provide the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan detailing how the Transportation Security Administration will utilize funding provided under this heading.

##### FEDERAL AIR MARSHALS

For an additional amount for “Federal Air Marshals”, \$5,000,000, to remain available until September 30, 2008: *Provided*, That no later than 30 days after enactment of this Act, the Secretary shall provide the Committees on Appropriations of the Senate and the House of Representatives a report on how these additional funds will be allocated.

##### NATIONAL PROTECTION AND PROGRAMS

##### INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For an additional amount for “Infrastructure Protection and Information Security”, \$24,000,000, to remain available until September 30, 2008; of which \$12,000,000 shall be for development of State and local interoperability plans as described in House Report 110-107; and of which \$12,000,000 shall be for implementation of chemical facility security regulations: *Provided*, That within 30 days of the date of enactment of this Act the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives detailed expenditure plans for execution of these funds: *Provided further*, That within 30 days of the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on the computer forensics training center detailing the information required in House Report 110-107.

##### OFFICE OF HEALTH AFFAIRS

For expenses for the “Office of Health Affairs”, \$8,000,000, to remain available until September 30, 2008: *Provided*, That of the amount made available under this heading, \$5,500,000 is for nuclear event public health assessment and planning: *Provided further*, That the Office of Health Affairs shall conduct a nuclear event public health assessment as described in House Report 110-107: *Provided further*, That none of the funds made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive a plan for expenditure.

##### FEDERAL EMERGENCY MANAGEMENT AGENCY MANAGEMENT AND ADMINISTRATION

For expenses for management and administration of the Federal Emergency Management Agency (“FEMA”), \$14,000,000, to remain available until September 30, 2008: *Provided*, That of the amount made available under this heading, \$6,000,000 shall be for financial and information systems, \$2,500,000 shall be for interstate mutual aid agreements, \$2,500,000 shall be for FEMA Regional Office communication equipment, \$2,500,000 shall be for FEMA strike teams, and \$500,000 shall be for the Law Enforcement Liaison Office, the Disability Coordinator and the National Advisory Council: *Provided further*,

That none of such funds made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure: *Provided further*, That unobligated amounts in the "Administrative and Regional Operations" and "Readiness, Mitigation, Response, and Recovery" accounts shall be transferred to "Management and Administration" and may be used for any purpose authorized for such amounts and subject to limitation on the use of such amounts.

#### STATE AND LOCAL PROGRAMS

For an additional amount for "State and Local Programs", \$247,000,000; of which \$110,000,000 shall be for port security grants pursuant to section 70107(1) of title 46, United States Code to be awarded by September 30, 2007 to tier 1, 2, 3, and 4 ports; of which \$100,000,000 shall be for intercity rail passenger transportation, freight rail, and transit security grants to be awarded by September 30, 2007; of which \$35,000,000 shall be for regional grants and regional technical assistance to tier one Urban Area Security Initiative cities and other participating governments for the purpose of developing all-hazard regional catastrophic event plans and preparedness, as described in House Report 110-107; and of which \$2,000,000 shall be for technical assistance for operation and maintenance training on detection and response equipment that must be competitively awarded: *Provided*, That none of the funds made available under this heading may be obligated for such regional grants and regional technical assistance until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure: *Provided further*, That the Federal Emergency Management Agency shall provide the regional grants and regional technical assistance expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives on or before August 1, 2007: *Provided further*, That funds for such regional grants and regional technical assistance shall remain available until September 30, 2008.

#### EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For an additional amount for "Emergency Management Performance Grants", \$50,000,000.

#### UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For an additional amount for expenses of "United States Citizenship and Immigration Services" to address backlogs of security checks associated with pending applications and petitions, \$8,000,000, to remain available until September 30, 2008: *Provided*, That none of the funds made available under this heading shall be available for obligation until the Secretary of Homeland Security, in consultation with the United States Attorney General, submits to the Committees on Appropriations of the Senate and the House of Representatives a plan to eliminate the backlog of security checks that establishes information sharing protocols to ensure United States Citizenship and Immigration Services has the information it needs to carry out its mission.

#### SCIENCE AND TECHNOLOGY

##### RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For an additional amount for "Research, Development, Acquisition, and Operations" for air cargo security research, \$5,000,000, to remain available until expended.

#### DOMESTIC NUCLEAR DETECTION OFFICE

##### RESEARCH, DEVELOPMENT, AND OPERATIONS

For an additional amount for "Research, Development, and Operations" for non-con-

tainer, rail, aviation and intermodal radiation detection activities, \$35,000,000, to remain available until expended: *Provided*, That \$5,000,000 is to enhance detection links between seaports and railroads as authorized in section 121(i) of the Security and Accountability For Every Port Act of 2006 (Public Law 109-347); \$8,000,000 is to accelerate development and deployment of detection systems at international rail border crossings; and \$22,000,000 is for development and deployment of a variety of screening technologies at aviation facilities.

#### SYSTEMS ACQUISITION

For an additional amount for "Systems Acquisition", \$100,000,000, to remain available until expended: *Provided*, That none of the funds appropriated under this heading shall be obligated for full scale procurement of Advanced Spectroscopic Portal Monitors until the Secretary of Homeland Security has certified through a report to the Committees on Appropriations of the Senate and the House of Representatives that a significant increase in operational effectiveness will be achieved.

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 3501. None of the funds provided in this Act, or Public Law 109-295, shall be available to carry out section 872 of Public Law 107-296.

SEC. 3502. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

#### CHAPTER 6

##### LEGISLATIVE BRANCH

##### HOUSE OF REPRESENTATIVES

##### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$6,437,000, as follows:

##### ALLOWANCES AND EXPENSES

For an additional amount for allowances and expenses as authorized by House resolution or law, \$6,437,000 for business continuity and disaster recovery, to remain available until expended.

##### GOVERNMENT ACCOUNTABILITY OFFICE

##### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" of the Government Accountability Office, \$374,000, to remain available until September 30, 2008.

#### CHAPTER 7

##### DEPARTMENT OF DEFENSE

##### DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$3,136,802,000, to remain available until expended: *Provided*, That within 30 days of the enactment of this Act, the Secretary of Defense shall submit a detailed spending plan to the Committees on Appropriations of the House of Representatives and the Senate.

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 3701. Notwithstanding any other provision of law, none of the funds in this or any other Act may be used to close Walter Reed Army Medical Center until equivalent medical facilities at the Walter Reed National Military Medical Center at Naval Medical Center, Bethesda, Maryland, and/or the Fort Belvoir, Virginia, Community Hospital have been constructed and equipped: *Provided*, That to ensure that the quality of care provided by the Military Health System is not

diminished during this transition, the Walter Reed Army Medical Center shall be adequately funded, to include necessary renovation and maintenance of existing facilities, to maintain the maximum level of inpatient and outpatient services.

SEC. 3702. Notwithstanding any other provision of law, none of the funds in this or any other Act shall be used to reorganize or relocate the functions of the Armed Forces Institute of Pathology (AFIP) until the Secretary of Defense has submitted, not later than December 31, 2007, a detailed plan and timetable for the proposed reorganization and relocation to the Committees on Appropriations and Armed Services of the Senate and House of Representatives. The plan shall take into consideration the recommendations of a study being prepared by the Government Accountability Office (GAO), provided that such study is available not later than 45 days before the date specified in this section, on the impact of dispersing selected functions of AFIP among several locations, and the possibility of consolidating those functions at one location. The plan shall include an analysis of the options for the location and operation of the Program Management Office for second opinion consults that are consistent with the recommendations of the Base Realignment and Closure Commission, together with the rationale for the option selected by the Secretary.

SEC. 3703. The Secretary of the Navy shall, notwithstanding any other provision of law, transfer to the Secretary of the Air Force, at no cost, all lands, easements, Air Installation Compatible Use Zones, and facilities at NASJRB Willow Grove designated for operation as a Joint Interagency Installation for use by the Pennsylvania National Guard and other Department of Defense components, government agencies, and associated users to perform national defense, homeland security, and emergency preparedness missions.

#### CHAPTER 8

##### DEPARTMENT OF STATE AND RELATED AGENCY

##### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### DIPLOMATIC AND CONSULAR PROGRAMS

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Diplomatic and Consular Programs", \$34,103,000, to remain available until September 30, 2008, of which \$31,845,000 for World Wide Security Upgrades is available until expended: *Provided*, That of the amount available under this heading, \$258,000 shall be transferred to, and merged with, funds available in fiscal year 2007 for expenses for the United States Commission on International Religious Freedom: *Provided further*, That within 15 days of enactment of this Act, the Office of Management and Budget shall apportion \$15,000,000 from amounts appropriated or otherwise made available by chapter 8 of title II of division B of Public Law 109-148 under the heading "Emergencies in the Diplomatic and Consular Service" to reimburse expenditures from that account in facilitating the evacuation of persons from Lebanon between July 16, 2006 and the date of enactment of this Act.

##### OFFICE OF THE INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", \$1,500,000, to remain available until December 31, 2008.

##### INTERNATIONAL ORGANIZATIONS

##### CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for "Contributions to International Organizations", \$50,000,000, to remain available until September 30, 2008.

BILATERAL ECONOMIC ASSISTANCE  
FUNDS APPROPRIATED TO THE PRESIDENT  
UNITED STATES AGENCY FOR INTERNATIONAL  
DEVELOPMENT  
INTERNATIONAL DISASTER AND FAMINE  
ASSISTANCE

For an additional amount for "International Disaster and Famine Assistance", \$60,000,000, to remain available until expended.

OPERATING EXPENSES OF THE UNITED STATES  
AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for "Operating Expenses of the United States Agency for International Development", \$3,000,000, to remain available until September 30, 2008.

OPERATING EXPENSES OF THE UNITED STATES  
AGENCY FOR INTERNATIONAL DEVELOPMENT  
OFFICE OF INSPECTOR GENERAL

For an additional amount for "Operating Expenses of the United States Agency for International Development Office of Inspector General", \$3,500,000, to remain available until September 30, 2008.

OTHER BILATERAL ECONOMIC ASSISTANCE  
ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund", \$122,300,000, to remain available until September 30, 2008.

DEPARTMENT OF STATE  
DEMOCRACY FUND

For an additional amount for "Democracy Fund", \$5,000,000, to remain available until September 30, 2008.

INTERNATIONAL NARCOTICS CONTROL AND LAW  
ENFORCEMENT  
(INCLUDING RESCISSION OF FUNDS)

For an additional amount for "International Narcotics Control and Law Enforcement", \$42,000,000, to remain available until September 30, 2008.

Of the amounts made available for procurement of a maritime patrol aircraft for the Colombian Navy under this heading in Public Law 109-234, \$13,000,000 are rescinded.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and Refugee Assistance", \$59,000,000, to remain available until September 30, 2008.

UNITED STATES EMERGENCY REFUGEE AND  
MIGRATION ASSISTANCE FUND

For an additional amount for "United States Emergency Refugee and Migration Assistance Fund", \$25,000,000, to remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM,  
DEMINE AND RELATED PROGRAMS

For an additional amount for "Nonproliferation, Anti-Terrorism, Demining and Related Programs", \$30,000,000, to remain available until September 30, 2008.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT  
FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", \$45,000,000, to remain available until September 30, 2008.

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", \$40,000,000, to remain available until September 30, 2008: *Provided*, That funds appropriated under this heading shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961, for assistance for Liberia for security sector reform.

GENERAL PROVISIONS—THIS CHAPTER  
EXTENSION OF OVERSIGHT AUTHORITY

SEC. 3801. Section 3001(o)(1)(B) of the Emergency Supplemental Appropriations Act for

Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95-452), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2397) and section 2 of the Iraq Reconstruction Accountability Act of 2006 (Public Law 109-440), is amended by inserting "or fiscal year 2007" after "fiscal year 2006".

LEBANON

SEC. 3802. (a) LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE FOR LEBANON.—None of the funds made available in this Act under the heading "Economic Support Fund" for cash transfer assistance for the Government of Lebanon may be made available for obligation until the Secretary of State reports to the Committees on Appropriations on Lebanon's economic reform plan and on the specific conditions and verifiable benchmarks that have been agreed upon by the United States and the Government of Lebanon pursuant to the Memorandum of Understanding on cash transfer assistance for Lebanon.

(b) LIMITATION ON FOREIGN MILITARY FINANCING PROGRAM AND INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT ASSISTANCE FOR LEBANON.—None of the funds made available in this Act under the heading "Foreign Military Financing Program" or "International Narcotics Control and Law Enforcement" for military or police assistance to Lebanon may be made available for obligation until the Secretary of State submits to the Committees on Appropriations a report on procedures established to determine eligibility of members and units of the armed forces and police forces of Lebanon to participate in United States training and assistance programs and on the end use monitoring of all equipment provided under such programs to the Lebanese armed forces and police forces.

(c) CERTIFICATION REQUIRED.—Prior to the initial obligation of funds made available in this Act for assistance for Lebanon under the headings "Foreign Military Financing Program" and "Nonproliferation, Anti-Terrorism, Demining and Related Programs", the Secretary of State shall certify to the Committees on Appropriations that all practicable efforts have been made to ensure that such assistance is not provided to or through any individual, or private or government entity, that advocates, plans, sponsors, engages in, or has engaged in, terrorist activity.

(d) REPORT REQUIRED.—Not later than 45 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on the Government of Lebanon's actions to implement section 14 of United Nations Security Council Resolution 1701 (August 11, 2006).

(e) SPECIAL AUTHORITY.—This section shall be effective notwithstanding section 534(a) of Public Law 109-102, which is made applicable to funds appropriated for fiscal year 2007 by the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5).

DEBT RESTRUCTURING

SEC. 3803. Amounts appropriated for fiscal year 2007 for "Bilateral Economic Assistance—Department of the Treasury—Debt Restructuring" may be used to assist Liberia in retiring its debt arrearages to the International Monetary Fund, the International Bank for Reconstruction and Development, and the African Development Bank.

GOVERNMENT ACCOUNTABILITY OFFICE

SEC. 3804. To facilitate effective oversight of programs and activities in Iraq by the

Government Accountability Office (GAO), the Department of State shall provide GAO staff members the country clearances, life support, and logistical and security support necessary for GAO personnel to establish a presence in Iraq for periods of not less than 45 days.

HUMAN RIGHTS AND DEMOCRACY FUND

SEC. 3805. The Assistant Secretary of State for Democracy, Human Rights, and Labor shall be responsible for all policy, funding, and programming decisions regarding funds made available under this Act and prior Acts making appropriations for foreign operations, export financing and related programs for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor.

INSPECTOR GENERAL OVERSIGHT OF IRAQ AND  
AFGHANISTAN

SEC. 3806. (a) IN GENERAL.—Subject to paragraph (2), the Inspector General of the Department of State and the Broadcasting Board of Governors (referred to in this section as the "Inspector General") may use personal services contracts to engage citizens of the United States to facilitate and support the Office of the Inspector General's oversight of programs and operations related to Iraq and Afghanistan. Individuals engaged by contract to perform such services shall not, by virtue of such contract, be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management. The Secretary of State may determine the applicability to such individuals of any law administered by the Secretary concerning the performance of such services by such individuals.

(b) CONDITIONS.—The authority under paragraph (1) is subject to the following conditions:

(1) The Inspector General determines that existing personnel resources are insufficient.

(2) The contract length for a personal services contractor, including options, may not exceed 1 year, unless the Inspector General makes a finding that exceptional circumstances justify an extension of up to 1 additional year.

(3) Not more than 10 individuals may be employed at any time as personal services contractors under the program.

(c) TERMINATION OF AUTHORITY.—The authority to award personal services contracts under this section shall terminate on December 31, 2007. A contract entered into prior to the termination date under this paragraph may remain in effect until not later than December 31, 2009.

(d) OTHER AUTHORITIES NOT AFFECTED.—The authority under this section is in addition to any other authority of the Inspector General to hire personal services contractors.

FUNDING TABLES, REPORTS AND DIRECTIVES

SEC. 3807. (a) Funds provided in this Act for the following accounts shall be made available for countries, programs and activities in the amounts contained in the respective tables and should be expended consistent with the reporting requirements and directives included in the joint explanatory statement accompanying the conference report on H.R. 1591 of the 110th Congress (H. Rept. 110-107):

"Diplomatic and Consular Programs".

"Office of the Inspector General".

"Educational and Cultural Exchange Programs".

"Contributions to International Organizations".

"Contributions for International Peacekeeping Activities".

"Child Survival and Health Programs Fund".

"International Disaster and Famine Assistance".

"Operating Expenses of the United States Agency for International Development".

"Operating Expenses of the United States Agency for International Development Office of Inspector General".

"Economic Support Fund".

"Assistance for Eastern Europe and the Baltic States".

"Democracy Fund".

"International Narcotics Control and Law Enforcement".

"Migration and Refugee Assistance".

"Nonproliferation, Anti-Terrorism, Demining and Related Programs".

"Foreign Military Financing Program".

"Peacekeeping Operations".

(b) Any proposed increases or decreases to the amounts contained in the tables in the joint explanatory statement shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

#### SPENDING PLAN AND NOTIFICATION PROCEDURES

SEC. 3808. Not later than 45 days after enactment of this Act the Secretary of State shall submit to the Committees on Appropriations a report detailing planned expenditures for funds appropriated under the headings in this chapter and under the headings in chapter 6 of title I, except for funds appropriated under the heading "International Disaster and Famine Assistance": *Provided*, That funds appropriated under the headings in this chapter and in chapter 6 of title I, except for funds appropriated under the heading named in this section, shall be subject to the regular notification procedures of the Committees on Appropriations.

#### CONDITIONS ON ASSISTANCE FOR PAKISTAN

SEC. 3809. None of the funds made available for assistance for the central Government of Pakistan under the heading "Economic Support Fund" in this Act may be made available for non-project assistance until the Secretary of State submits to the Committees on Appropriations a report on the oversight mechanisms, performance benchmarks, and implementation processes for such funds: *Provided*, That notwithstanding any other provision of law, funds made available for non-project assistance pursuant to the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds made available for assistance for Pakistan under the heading "Economic Support Fund" in this Act, \$5,000,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State, for political party development and election observation programs.

#### CIVILIAN RESERVE CORPS

SEC. 3810. Of the funds appropriated by this Act under the heading "Diplomatic and Consular Programs", up to \$50,000,000 may be made available to support and maintain a civilian reserve corps: *Provided*, That none of the funds for a civilian reserve corps may be obligated without specific authorization in a subsequent Act of Congress: *Provided further*, That funds made available for this purpose shall be subject to the regular notification procedures of the Committees on Appropriations.

#### EXTENSION OF AVAILABILITY OF FUNDS

SEC. 3811. Section 1302(a) of Public Law 109-234 is amended by striking "one additional year" and inserting "two additional years".

#### SPECIAL IMMIGRANT STATUS FOR CERTAIN ALIENS SERVING AS TRANSLATORS OR INTERPRETERS WITH FEDERAL AGENCIES

SEC. 3812. (a) INCREASE IN NUMBERS ADMITTED.—Section 1059 of the National Defense

Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B), by striking "as a translator" and inserting "or under Chief of Mission authority, as a translator or interpreter";

(B) in subparagraph (C), by inserting "the Chief of Mission or" after "recommendation from"; and

(C) in subparagraph (D), by inserting "the Chief of Mission or" after "as determined by"; and

(2) in subsection (c)(1), by striking "section during any fiscal year shall not exceed 50." and inserting the following: "section—

"(A) during each of the fiscal years 2007 and 2008, shall not exceed 500; and

"(B) during any other fiscal year shall not exceed 50."

(b) ALIENS EXEMPT FROM EMPLOYMENT-BASED NUMERICAL LIMITATIONS.—Section 1059(c)(2) of such Act is amended—

(1) by amending the paragraph designation and heading to read as follows:

"(2) ALIENS EXEMPT FROM EMPLOYMENT-BASED NUMERICAL LIMITATIONS.—"; and

(2) by inserting "and shall not be counted against the numerical limitations under sections 201(d), 202(a), and 203(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1151(d), 1152(a), and 1153(b)(4))" before the period at the end.

(c) ADJUSTMENT OF STATUS.—Section 1059 of such Act is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

"(d) ADJUSTMENT OF STATUS.—Notwithstanding paragraphs (2), (7) and (8) of section 245(c) of the Immigration and Nationality Act (8 U.S.C. 1255(c)), the Secretary of Homeland Security may adjust the status of an alien to that of a lawful permanent resident under section 245(a) of such Act if the alien—

"(1) was paroled or admitted as a non-immigrant into the United States; and

"(2) is otherwise eligible for special immigrant status under this section and under the Immigration and Nationality Act."

### TITLE IV—ADDITIONAL HURRICANE DISASTER RELIEF AND RECOVERY

#### CHAPTER 1

##### DEPARTMENT OF AGRICULTURE

##### GENERAL PROVISION—THIS CHAPTER

SEC. 4101. Section 1231(k)(2) of the Food Security Act of 1985 (16 U.S.C. 3831(k)(2)) is amended by striking "During calendar year 2006, the" and inserting "The".

#### CHAPTER 2

##### DEPARTMENT OF JUSTICE

##### OFFICE OF JUSTICE PROGRAMS

##### STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For an additional amount for "State and Local Law Enforcement Assistance", for discretionary grants authorized by subpart 2 of part E, of title I of the Omnibus Crime Control and Safe Streets Act of 1968 as in effect on September 30, 2006, notwithstanding the provisions of section 511 of said Act, \$50,000,000, to remain available until expended: *Provided*, That the amount made available under this heading shall be for local law enforcement initiatives in the Gulf Coast region related to the aftermath of Hurricane Katrina: *Provided further*, That these funds shall be apportioned among the States in quotient to their level of violent crime as estimated by the Federal Bureau of Investigation's Uniform Crime Report for the year 2005.

##### DEPARTMENT OF COMMERCE

##### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

##### OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for "Operations, Research, and Facilities", for necessary expenses related to the consequences of Hurricanes Katrina and Rita on the shrimp and fishing industries, \$110,000,000, to remain available until September 30, 2008.

##### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

##### EXPLORATION CAPABILITIES

For an additional amount for "Exploration Capabilities" for necessary expenses related to the consequences of Hurricane Katrina, \$20,000,000, to remain available until September 30, 2009.

##### GENERAL PROVISIONS—THIS CHAPTER

SEC. 4201. Funds provided in this Act for the "Department of Commerce, National Oceanic and Atmospheric Administration, Operations, Research, and Facilities", shall be made available according to the language relating to such account in the joint explanatory statement accompanying the conference report on H.R. 1591 of the 110th Congress (H. Rept. 110-107).

SEC. 4202. Up to \$48,000,000 of amounts made available to the National Aeronautics and Space Administration in Public Law 109-148 and Public Law 109-234 for emergency hurricane and other natural disaster-related expenses may be used to reimburse hurricane-related costs incurred by NASA in fiscal year 2005.

#### CHAPTER 3

##### DEPARTMENT OF DEFENSE—CIVIL

##### DEPARTMENT OF THE ARMY

##### CORPS OF ENGINEERS—CIVIL

##### CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$25,300,000, to remain available until expended, which may be used to continue construction of projects related to interior drainage for the greater New Orleans metropolitan area.

##### FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies", as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to the consequences of Hurricanes Katrina and Rita and for other purposes, \$1,407,700,000, to remain available until expended: *Provided*, That \$1,300,000,000 of the amount provided may be used by the Secretary of the Army to carry out projects and measures for the West Bank and Vicinity and Lake Ponchartrain and Vicinity, Louisiana, projects, as described under the heading "Flood Control and Coastal Emergencies", in chapter 3 of Public Law 109-148: *Provided further*, That \$107,700,000 of the amount provided may be used to implement the projects for hurricane storm damage reduction, flood damage reduction, and ecosystem restoration within Hancock, Harrison, and Jackson Counties, Mississippi substantially in accordance with the Report of the Chief of Engineers dated December 31, 2006, and entitled "Mississippi, Coastal Improvements Program Interim Report, Hancock, Harrison, and Jackson Counties, Mississippi": *Provided further*, That projects authorized for implementation under this Chief's report shall be carried out at full Federal expense, except that the non-Federal interests shall be responsible for providing for all costs associated with operation and maintenance of the project: *Provided further*, That any project using funds appropriated

under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide a monthly report to the House and Senate Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 4301. The Secretary is authorized and directed to determine the value of eligible reimbursable expenses incurred by local governments in storm-proofing pumping stations, constructing safe houses for operators, and other interim flood control measures in and around the New Orleans metropolitan area that the Secretary determines to be integral to the overall plan to ensure operability of the stations during hurricanes, storms and high water events and the flood control plan for the area.

SEC. 4302. (a) The Secretary of the Army is authorized and directed to utilize funds remaining available for obligation from the amounts appropriated in chapter 3 of Public Law 109-234 under the heading "Flood Control and Coastal Emergencies" for projects in the greater New Orleans metropolitan area to prosecute these projects in a manner which promotes the goal of continuing work at an optimal pace, while maximizing, to the greatest extent practicable, levels of protection to reduce the risk of storm damage to people and property.

(b) The expenditure of funds as provided in subsection (a) may be made without regard to individual amounts or purposes specified in chapter 3 of Public Law 109-234.

(c) Any reallocation of funds that are necessary to accomplish the goal established in subsection (a) are authorized, subject to the approval of the House and Senate Committees on Appropriation.

SEC. 4303. The Chief of Engineers shall investigate the overall technical advantages, disadvantages and operational effectiveness of operating the new pumping stations at the mouths of the 17th Street, Orleans Avenue and London Avenue canals in the New Orleans area directed for construction in Public Law 109-234 concurrently or in series with existing pumping stations serving these canals and the advantages, disadvantages and technical operational effectiveness of removing the existing pumping stations and configuring the new pumping stations and associated canals to handle all needed discharges to the lakefront or in combination with discharges directly to the Mississippi River in Jefferson Parish; and the advantages, disadvantages and technical operational effectiveness of replacing or improving the floodwalls and levees adjacent to the three outfall canals: *Provided*, That the analysis should be conducted at Federal expense: *Provided further*, That the analysis shall be completed and furnished to the Congress not later than three months after enactment of this Act.

SEC. 4304. Using funds made available in Chapter 3 under title II of Public Law 109-234, under the heading "Investigations", the Secretary of the Army, in consultation with other agencies and the State of Louisiana shall accelerate completion as practicable the final report of the Chief of Engineers rec-

ommending a comprehensive plan to de-authorize deep draft navigation on the Mississippi River Gulf Outlet: *Provided*, That the plan shall incorporate and build upon the Interim Mississippi River Gulf Outlet Deep-Draft De-Authorization Report submitted to Congress in December 2006 pursuant to Public Law 109-234.

#### CHAPTER 4

##### SMALL BUSINESS ADMINISTRATION

##### DISASTER LOANS PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

Of the unobligated balances under the heading "Small Business Administration, Disaster Loans Program Account", \$181,069,000, to remain available until expended, shall be used for administrative expenses to carry out the disaster loan program, which may be transferred to and merged with "Small Business Administration, Salaries and Expenses", of which \$500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be paid to appropriations for the Office of Inspector General; of which \$171,569,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program; and of which \$9,000,000 is for indirect administrative expenses.

Of the unobligated balances under the heading "Small Business Administration, Disaster Loans Program Account", \$25,000,000 shall be made available for loans under section 7(b)(2) of the Small Business Act to pre-existing businesses located in an area for which the President declared a major disaster because of the hurricanes in the Gulf of Mexico in calendar year 2005, of which not to exceed \$8,750,000 is for direct administrative expenses and may be transferred to and merged with "Small Business Administration, Salaries and Expenses" to carry out the disaster loan program of the Small Business Administration.

Of the unobligated balances under the heading "Small Business Administration, Disaster Loans Program Account", \$150,000,000 is transferred to the "Federal Emergency Management Agency, Disaster Relief" account.

#### CHAPTER 5

##### DEPARTMENT OF HOMELAND SECURITY

##### FEDERAL EMERGENCY MANAGEMENT AGENCY

##### DISASTER RELIEF

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Disaster Relief", \$710,000,000, to remain available until expended: *Provided*, That \$4,000,000 shall be transferred to "Office of Inspector General": *Provided further*, That the Government Accountability Office shall review how the Federal Emergency Management Agency develops its estimates of the funds needed to respond to any given disaster as described in House Report 110-60.

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 4501. (a) IN GENERAL.—Notwithstanding any other provision of law, including any agreement, the Federal share of assistance, including direct Federal assistance, provided for the States of Louisiana, Mississippi, Florida, Alabama, and Texas in connection with Hurricanes Katrina, Wilma, Dennis, and Rita under sections 403, 406, 407, and 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173, and 5174) shall be 100 percent of the eligible costs under such sections.

(b) APPLICABILITY.—

(1) IN GENERAL.—The Federal share provided by subsection (a) shall apply to dis-

aster assistance applied for before the date of enactment of this Act.

(2) LIMITATION.—In the case of disaster assistance provided under sections 403, 406, and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Federal share provided by subsection (a) shall be limited to assistance provided for projects for which a "request for public assistance form" has been submitted.

SEC. 4502. (a) COMMUNITY DISASTER LOAN ACT.—

(1) IN GENERAL.—Section 2(a) of the Community Disaster Loan Act of 2005 (Public Law 109-88) is amended by striking "*Provided further*, That notwithstanding section 417(c)(1) of the Stafford Act, such loans may not be canceled:".

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

(b) EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT.—

(1) IN GENERAL.—Chapter 4 of title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234) is amended under Federal Emergency Management Agency, "Disaster Assistance Direct Loan Program Account" by striking "*Provided further*, That notwithstanding section 417(c)(1) of such Act, such loans may not be canceled:".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective on the date of enactment of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234).

SEC. 4503. (a) IN GENERAL.—Section 2401 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234) is amended by striking "12 months" and inserting "24 months".

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

#### CHAPTER 6

##### DEPARTMENT OF THE INTERIOR

##### NATIONAL PARK SERVICE

##### HISTORIC PRESERVATION FUND

For an additional amount for the "Historic Preservation Fund" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$10,000,000, to remain available until September 30, 2008: *Provided*, That the funds provided under this heading shall be provided to the State Historic Preservation Officer, after consultation with the National Park Service, for grants for disaster relief in areas of Louisiana impacted by Hurricanes Katrina or Rita: *Provided further*, That grants shall be for the preservation, stabilization, rehabilitation, and repair of historic properties listed in or eligible for the National Register of Historic Places, for planning and technical assistance: *Provided further*, That grants shall only be available for areas that the President determines to be a major disaster under section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) due to Hurricanes Katrina or Rita: *Provided further*, That individual grants shall not be subject to a non-Federal matching requirement: *Provided further*, That no more than 5 percent of funds provided under this heading for disaster relief grants may be used for administrative expenses.

GENERAL PROVISION—THIS CHAPTER  
(INCLUDING TRANSFER OF FUNDS)

SEC. 4601. Of the disaster relief funds from Public Law 109-234, 120 Stat. 418, 461, (June 30, 2006), chapter 5, “National Park Service—Historic Preservation Fund”, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season that were allocated to the State of Mississippi by the National Park Service, \$500,000 is hereby transferred to the “National Park Service—National Recreation and Preservation” appropriation: *Provided*, That these funds may be used to reconstruct destroyed properties that at the time of destruction were listed in the National Register of Historic Places and are otherwise qualified to receive these funds: *Provided further*, That the State Historic Preservation Officer certifies that, for the community where that destroyed property was located, the property is iconic to or essential to illustrating that community’s historic identity, that no other property in that community with the same associative historic value has survived, and that sufficient historical documentation exists to ensure an accurate reproduction.

CHAPTER 7

DEPARTMENT OF EDUCATION

HIGHER EDUCATION

For an additional amount under part B of title VII of the Higher Education Act of 1965 (“HEA”) for institutions of higher education (as defined in section 101 or section 102(c) of that Act) that are located in an area in which a major disaster was declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act related to Hurricanes Katrina or Rita, \$30,000,000: *Provided*, That such funds shall be available to the Secretary of Education only for payments to help defray the expenses (which may include lost revenue, reimbursement for expenses already incurred, and construction) incurred by such institutions of higher education that were forced to close, relocate or significantly curtail their activities as a result of damage directly caused by such hurricanes and for payments to enable such institutions to provide grants to students who attend such institutions for academic years beginning on or after July 1, 2006: *Provided further*, That such payments shall be made in accordance with criteria established by the Secretary and made publicly available without regard to section 437 of the General Education Provisions Act, section 553 of title 5, United States Code, or part B of title VII of the HEA: *Provided further*, That the Secretary shall award funds available under this paragraph not later than 60 days after the date of the enactment of this Act.

HURRICANE EDUCATION RECOVERY

For carrying out activities authorized by subpart 1 of part D of title V of the Elementary and Secondary Education Act of 1965, \$30,000,000, to remain available until expended, for use by the States of Louisiana, Mississippi, and Alabama primarily for recruiting, retaining, and compensating new and current teachers, school principals, assistant principals, principal resident directors, assistant directors, and other educators, who commit to work for at least three years in school-based positions in public elementary and secondary schools located in an area with respect to which a major disaster was declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) by reason of Hurricane Katrina or Hurricane Rita, including through such mechanisms as paying salary premiums, performance bonuses, housing subsidies, signing bonuses, and relo-

cation costs and providing loan forgiveness, with priority given to teachers and school-based school principals, assistant principals, principal resident directors, assistant directors, and other educators who previously worked or lived in one of the affected areas, are currently employed (or become employed) in such a school in any of the affected areas after those disasters, and commit to continue that employment for at least 3 years, *Provided*, That funds available under this heading to such States may also be used for 1 or more of the following activities: (1) to build the capacity, knowledge, and skill of teachers and school-based school principals, assistant principals, principal resident directors, assistant directors, and other educators in such public elementary and secondary schools to provide an effective education, including the design, adaptation, and implementation of high-quality formative assessments; (2) the establishment of partnerships with nonprofit entities with a demonstrated track record in recruiting and retaining outstanding teachers and other school-based school principals, assistant principals, principal resident directors, and assistant directors; and (3) paid release time for teachers and principals to identify and replicate successful practices from the fastest-improving and highest-performing schools: *Provided further*, That the Secretary of Education shall allocate amounts available under this heading among such States that submit applications; that such allocation shall be based on the number of public elementary and secondary schools in each State that were closed for 19 days or more during the period beginning on August 29, 2005, and ending on December 31, 2005, due to Hurricane Katrina or Hurricane Rita; and that such States shall in turn allocate funds to local educational agencies, with priority given first to such agencies with the highest percentages of public elementary and secondary schools that are closed as a result of such hurricanes as of the date of enactment of this Act and then to such agencies with the highest percentages of public elementary and secondary schools with a student-teacher ratio of at least 25 to 1, and with any remaining amounts to be distributed to such agencies with demonstrated need, as determined by the State Superintendent of Education: *Provided further*, That, in the case of any State that chooses to use amounts available under this heading for performance bonuses, not later than 60 days after the date of enactment of this Act, and in collaboration with local educational agencies, teachers’ unions, local principals’ organizations, local parents’ organizations, local business organizations, and local charter schools organizations, the State educational agency shall develop a plan for a rating system for performance bonuses, and if no agreement has been reached that is satisfactory to all consulting entities by such deadline, the State educational agency shall immediately send a letter notifying Congress and shall, not later than 30 days after such notification, establish and implement a rating system that shall be based on classroom observation and feedback more than once annually, conducted by multiple sources (including, but not limited to, principals and master teachers), and evaluated against research-based rubrics that use planning, instructional, and learning environment standards to measure teacher performance, except that the requirements of this proviso shall not apply to a State that has enacted a State law in 2006 authorizing performance pay for teachers.

PROGRAMS TO RESTART SCHOOL OPERATIONS

Funds made available under section 102 of the Hurricane Education Recovery Act (title IV of division B of Public Law 109-148) may

be used by the States of Louisiana, Mississippi, Alabama, and Texas, in addition to the uses of funds described in section 102(e), for the following costs: (1) recruiting, retaining, and compensating new and current teachers, school principals, assistant principals, principal resident directors, assistant directors, and other educators for school-based positions in public elementary and secondary schools impacted by Hurricane Katrina or Hurricane Rita, including through such mechanisms as paying salary premiums, performance bonuses, housing subsidies, signing bonuses, and relocation costs and providing loan forgiveness; (2) activities to build the capacity, knowledge, and skills of teachers and school-based school principals, assistant principals, principal resident directors, assistant directors, and other educators in such public elementary and secondary schools to provide an effective education, including the design, adaptation, and implementation of high-quality formative assessments; (3) the establishment of partnerships with nonprofit entities with a demonstrated track record in recruiting and retaining outstanding teachers and school-based school principals, assistant principals, principal resident directors, and assistant directors; and (4) paid release time for teachers and principals to identify and replicate successful practices from the fastest-improving and highest-performing schools.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 4701. Section 105(b) of title IV of division B of Public Law 109-148 is amended by adding at the end the following new sentence: “With respect to the program authorized by section 102 of this Act, the waiver authority in subsection (a) of this section shall be available until the end of fiscal year 2008.”.

SEC. 4702. Notwithstanding section 2002(c) of the Social Security Act (42 U.S.C. 1397a(c)), funds made available under the heading “Social Services Block Grant” in division B of Public Law 109-148 shall be available for expenditure by the States through the end of fiscal year 2009.

SEC. 4703. (a) In the event that Louisiana, Mississippi, Alabama, or Texas fails to meet its match requirement with funds appropriated in fiscal years 2006 or 2007, for fiscal years 2008 and 2009, the Secretary of Health and Human Services may waive the application of section 2617(d)(4) of the Public Health Service Act for Louisiana, Mississippi, Alabama, and Texas.

(b) The Secretary may not exercise the waiver authority available under subsection (a) to allow a grantee to provide less than a 25 percent matching grant.

(c) For grant years beginning in 2008, Louisiana, Mississippi, Alabama, and Texas and any eligible metropolitan area in Louisiana, Mississippi, Alabama, and Texas shall comply with each of the applicable requirements under title XXVI of the Public Health Service Act (42 U.S.C. 300ff–11 et seq.).

CHAPTER 8

DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for the Emergency Relief Program as authorized under section 125 of title 23, United States Code, \$871,022,000, to remain available until expended: *Provided*, That section 125(d)(1) of title 23, United States Code, shall not apply to emergency relief projects that respond to damage caused by the 2005–2006 winter storms in the State of California: *Provided*

further, That of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, \$871,022,000 are rescinded: *Provided further*, That such rescission shall not apply to the funds distributed in accordance with sections 130(f) and 104(b)(5) of title 23, United States Code; sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of Public Law 109-59; and the first sentence of section 133(d)(3)(A) of such title.

FEDERAL TRANSIT ADMINISTRATION  
FORMULA GRANTS

For an additional amount to be allocated by the Secretary to recipients of assistance under chapter 53 of title 49, United States Code, directly affected by Hurricanes Katrina and Rita, \$35,000,000, for the operating and capital costs of transit services, to remain available until expended: *Provided*, That the Federal share for any project funded from this amount shall be 100 percent.

DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT

OFFICE OF INSPECTOR GENERAL

For an additional amount for the Office of Inspector General, for the necessary costs related to the consequences of Hurricanes Katrina and Rita, \$7,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 4801. The third proviso under the heading “Department of Housing and Urban Development—Public and Indian Housing—Tenant-Based Rental Assistance” in chapter 9 of title I of division B of Public Law 109-148 (119 Stat. 2779) is amended by striking “for up to 18 months” and inserting “until December 31, 2007”.

SEC. 4802. Section 21033 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by adding after the third proviso: “: *Provided further*, That notwithstanding the previous proviso, except for applying the 2007 Annual Adjustment Factor and making any other specified adjustments, public housing agencies specified in category 1 below shall receive funding for calendar year 2007 based on the higher of the amounts the agencies would receive under the previous proviso or the amounts the agencies received in calendar year 2006, and public housing agencies specified in categories 2 and 3 below shall receive funding for calendar year 2007 equal to the amounts the agencies received in calendar year 2006, except that public housing agencies specified in categories 1 and 2 below shall receive funding under this proviso only if, and to the extent that, any such public housing agency submits a plan, approved by the Secretary, that demonstrates that the agency can effectively use within 12 months the funding that the agency would receive under this proviso that is in addition to the funding that the agency would receive under the previous proviso: (1) public housing agencies that are eligible for assistance under section 901 in Public Law 109-148 (119 Stat. 2781) or are located in the same counties as those eligible under section 901 and operate voucher programs under section 8(o) of the United States Housing Act of 1937 but do not operate public housing under section 9 of such Act, and any public housing agency that otherwise qualifies under this category must demonstrate that they have experienced a loss of rental housing stock as a result of the 2005 hurricanes; (2) public housing agencies that would receive less funding under the previous proviso than they would receive under this proviso and that have been placed in receivership or the Secretary has declared to be in breach of an Annual Contributions Contract by June 1, 2007; and (3) public housing agen-

cies that spent more in calendar year 2006 than the total of the amounts of any such public housing agency’s allocation amount for calendar year 2006 and the amount of any such public housing agency’s available housing assistance payments undesignated funds balance from calendar year 2005 and the amount of any such public housing agency’s available administrative fees undesignated funds balance through calendar year 2006”.

SEC. 4803. Section 901 of Public Law 109-148 is amended by deleting “calendar year 2006” and inserting “calendar years 2006 and 2007”.

CHAPTER 9

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MINOR PROJECTS

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for Department of Veterans Affairs, “Construction, Minor Projects”, \$14,484,754, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season.

Of the funds available until September 30, 2007, for the “Construction, Minor Projects” account of the Department of Veterans Affairs, pursuant to section 2702 of Public Law 109-234, \$14,484,754 are hereby rescinded.

TITLE V—OTHER EMERGENCY  
APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

GENERAL PROVISION—THIS CHAPTER

SEC. 5101. In addition to any other available funds, there is hereby appropriated \$40,000,000 to the Secretary of Agriculture, to remain available until expended, for programs and activities of the Department of Agriculture, as determined by the Secretary, to provide recovery assistance in response to damage in conjunction with the Presidential declaration of a major disaster (FEMA-1699-DR) dated May 6, 2007, for needs not met by the Federal Emergency Management Agency or private insurers: *Provided*, That, in addition, the Secretary may use funds provided under this section, consistent with the provisions of this section, to respond to any other Presidential declaration of a major disaster issued under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5206 (the Stafford Act), declared during fiscal year 2007 for events occurring before the date of the enactment of this Act or a Secretary of Agriculture declaration of a natural disaster, declared during fiscal year 2007 for events occurring before the date of the enactment of this Act.

CHAPTER 2

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC

ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities”, \$60,400,000, to remain available until September 30, 2008: *Provided*, That the National Marine Fisheries Service shall cause such amounts to be distributed among eligible recipients of assistance for the commercial fishery failure designated under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(a)) and declared by the Secretary of Commerce on August 10, 2006.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

For an additional amount for “Investigations” for flood damage reduction studies to

address flooding associated with disasters covered by Presidential Disaster Declaration FEMA-1692-DR, \$8,165,000, to remain available until expended.

CONSTRUCTION

For an additional amount for “Construction” for flood damage reduction activities associated with disasters covered by Presidential Disaster Declarations FEMA-1692-DR and FEMA-1694-DR, \$11,200,000, to remain available until expended.

OPERATION AND MAINTENANCE

For an additional amount for “Operation and Maintenance” to dredge navigation channels related to the consequences of hurricanes of the 2005 season, \$3,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for “Flood Control and Coastal Emergencies”, as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), to support emergency operations, repairs and other activities in response to flood, drought and earthquake emergencies as authorized by law, \$153,300,000, to remain available until expended: *Provided*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide a monthly report to the House and Senate Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act: *Provided further*, That of the funds provided under this heading, \$7,000,000 shall be available for drought emergency assistance.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for “Water and Related Resources”, \$18,000,000, to remain available until expended for drought assistance: *Provided*, That drought assistance may be provided under the Reclamation States Drought Emergency Act or other applicable Reclamation authorities to assist drought plagued areas of the West.

CHAPTER 4

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Wildland Fire Management”, \$95,000,000, to remain available until expended, for urgent wildland fire suppression activities: *Provided*, That such funds shall only become available if funds previously provided for wildland fire suppression will be exhausted imminently and the Secretary of the Interior notifies the House and Senate Committees on Appropriations in writing of the need for these additional funds: *Provided further*, That such funds are also available for repayment to other appropriations accounts from which funds were transferred for wildfire suppression.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for “Resource Management” for the detection of highly pathogenic avian influenza in wild birds, including the investigation of morbidity and mortality events, targeted surveillance in live wild birds, and targeted surveillance in hunter-taken birds, \$7,398,000, to remain available until September 30, 2008.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For an additional amount for “Operation of the National Park System” for the detection of highly pathogenic avian influenza in

wild birds, including the investigation of morbidity and mortality events, \$525,000, to remain available until September 30, 2008.

UNITED STATES GEOLOGICAL SURVEY  
SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for “Surveys, Investigations, and Research” for the detection of highly pathogenic avian influenza in wild birds, including the investigation of morbidity and mortality events, targeted surveillance in live wild birds, and targeted surveillance in hunter-taken birds, \$5,270,000, to remain available until September 30, 2008.

DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
NATIONAL FOREST SYSTEM

For an additional amount for “National Forest System” for the implementation of a nationwide initiative to increase protection of national forest lands from drug-trafficking organizations, including funding for additional law enforcement personnel, training, equipment and cooperative agreements, \$12,000,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT  
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Wildland Fire Management”, \$370,000,000, to remain available until expended, for urgent wildland fire suppression activities: *Provided*, That such funds shall only become available if funds provided previously for wildland fire suppression will be exhausted imminently and the Secretary of Agriculture notifies the House and Senate Committees on Appropriations in writing of the need for these additional funds: *Provided further*, That such funds are also available for repayment to other appropriation accounts from which funds were transferred for wildfire suppression.

GENERAL PROVISION—THIS CHAPTER

SEC. 5401. (a) For fiscal year 2007, payments shall be made from any revenues, fees, penalties, or miscellaneous receipts described in sections 102(b)(3) and 103(b)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393; 16 U.S.C. 500 note), not to exceed \$100,000,000, and the payments shall be made, to the maximum extent practicable, in the same amounts, for the same purposes, and in the same manner as were made to States and counties in 2006 under that Act.

(b) There is appropriated \$425,000,000, to remain available until December 31, 2007, to be used to cover any shortfall for payments made under this section from funds not otherwise appropriated.

(c) Titles II and III of Public Law 106-393 are amended, effective September 30, 2006, by striking “2006” and “2007” each place they appear and inserting “2007” and “2008”, respectively.

CHAPTER 5

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH AND TRAINING

For an additional amount for “Department of Health and Human Services, Centers for Disease Control and Prevention, Disease Control, Research and Training”, to carry out section 501 of the Federal Mine Safety and Health Act of 1977 and section 6 of the Mine Improvement and New Emergency Response Act of 2006, \$13,000,000 for research to develop mine safety technology, including necessary repairs and improvements to leased laboratories: *Provided*, That progress reports on technology development shall be

submitted to the House and Senate Committees on Appropriations and the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives on a quarterly basis: *Provided further*, That the amount provided under this heading shall remain available until September 30, 2008.

For an additional amount for “Department of Health and Human Services, Centers for Disease Control and Prevention, Disease Control, Research and Training”, to carry out activities under section 501(b) of the Emergency Supplemental Appropriations Act to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 (Public Law 109-148), \$50,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING RESCISSIONS)

SEC. 5501. (a) From unexpended balances available for the Training and Employment Services account under the Department of Labor, the following amounts are hereby rescinded—

(1) \$3,589,000 transferred pursuant to the 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States (Public Law 107-38);

(2) \$834,000 transferred pursuant to the Emergency Supplemental Appropriations Act of 1994 (Public Law 103-211); and

(3) \$71,000 for the Consortium for Worker Education pursuant to the Emergency Supplemental Act, 2002 (Public Law 107-117).

(b) From unexpended balances available for the State Unemployment Insurance and Employment Service Operations account under the Department of Labor pursuant to the Emergency Supplemental Act, 2002 (Public Law 107-117), \$4,100,000 are hereby rescinded.

SEC. 5502. (a) For an additional amount under “Department of Education, Safe Schools and Citizenship Education”, \$8,594,000 shall be available for Safe and Drug-Free Schools National Programs for competitive grants to local educational agencies to address youth violence and related issues.

(b) The competition under subsection (a) shall be limited to local educational agencies that operate schools currently identified as persistently dangerous under section 9532 of the Elementary and Secondary Education Act of 1965.

SEC. 5503. Unobligated balances from funds appropriated in the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002 (Public Law 107-117) to the Department of Health and Human Services under the heading “Public Health and Social Services Emergency Fund” that are available for bioterrorism preparedness and disaster response activities in the Office of the Secretary shall also be available for the construction, renovation and improvement of facilities on federally-owned land as necessary for continuity of operations activities.

CHAPTER 6

LEGISLATIVE BRANCH

CAPITOL POLICE

GENERAL EXPENSES

For an additional amount for “Capitol Police, General Expenses”, \$10,000,000 for a radio modernization program, to remain available until expended: *Provided*, That the Chief of the Capitol Police may not obligate any of the funds appropriated under this heading without approval of an obligation plan by the Committees on Appropriations of the Senate and the House of Representatives.

ARCHITECT OF THE CAPITOL

CAPITOL POWER PLANT

For an additional amount for “Capitol Power Plant”, \$50,000,000, for utility tunnel repairs and asbestos abatement, to remain available until September 30, 2011: *Provided*, That the Architect of the Capitol may not obligate any of the funds appropriated under this heading without approval of an obligation plan by the Committees on Appropriations of the Senate and House of Representatives.

CHAPTER 7

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for “Medical Services”, \$466,778,000, to remain available until expended, of which \$30,000,000 shall be for the establishment of at least one new Level I comprehensive polytrauma center; \$9,440,000 shall be for the establishment of polytrauma residential transitional rehabilitation programs; \$10,000,000 shall be for additional transition caseworkers; \$20,000,000 shall be for substance abuse treatment programs; \$20,000,000 shall be for readjustment counseling; \$10,000,000 shall be for blind rehabilitation services; \$100,000,000 shall be for enhancements to mental health services; \$8,000,000 shall be for polytrauma support clinic teams; \$5,356,000 shall be for additional polytrauma points of contact; \$228,982,000 shall be for treatment of Operation Enduring Freedom and Operation Iraqi Freedom veterans; and \$25,000,000 shall be for prosthetics.

MEDICAL ADMINISTRATION

For an additional amount for “Medical Administration”, \$250,000,000, to remain available until expended.

MEDICAL FACILITIES

For an additional amount for “Medical Facilities”, \$595,000,000, to remain available until expended, of which \$45,000,000 shall be used for facility and equipment upgrades at the Department of Veterans Affairs polytrauma network sites; and \$550,000,000 shall be for non-recurring maintenance as identified in the Department of Veterans Affairs Facility Condition Assessment report: *Provided*, That the amount provided under this heading for non-recurring maintenance shall be allocated in a manner not subject to the Veterans Equitable Resource Allocation: *Provided further*, That within 30 days of enactment of this Act the Secretary shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan, by project, for non-recurring maintenance prior to obligation: *Provided further*, That semi-annually, on October 1 and April 1, the Secretary shall submit to the Committees on Appropriations of both Houses of Congress a report on the status of funding for non-recurring maintenance, including obligations and unobligated balances for each project identified in the expenditure plan.

MEDICAL AND PROSTHETIC RESEARCH

For an additional amount for “Medical and Prosthetic Research”, \$32,500,000, to remain available until expended, which shall be used for research related to the unique medical needs of returning Operation Enduring Freedom and Operation Iraqi Freedom veterans.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “General Operating Expenses”, \$83,200,000, to remain available until expended, of which \$1,250,000 shall be for digitization of military records; \$60,750,000 shall be for expenses related to hiring and training new claims processing

personnel; up to \$1,200,000 shall be for an independent study of the organizational structure, management and coordination processes, including seamless transition, utilized by the Department of Veterans Affairs to provide health care and benefits to active duty personnel and veterans, including those returning Operation Enduring Freedom and Operation Iraqi Freedom veterans; and \$20,000,000 shall be for disability examinations: *Provided*, That not to exceed \$1,250,000 of the amount appropriated under this heading may be transferred to the Department of Defense for the digitization of military records used to verify stressors for benefits claims.

#### INFORMATION TECHNOLOGY SYSTEMS

For an additional amount for "Information Technology Systems", \$35,100,000, to remain available until expended, of which \$20,000,000 shall be for information technology support and improvements for processing of Operation Enduring Freedom and Operation Iraqi Freedom veterans benefits claims, including making electronic Department of Defense medical records available for claims processing and enabling electronic benefits applications by veterans; and \$15,100,000 shall be for electronic data breach remediation and prevention.

#### CONSTRUCTION, MINOR PROJECTS

For an additional amount for "Construction, Minor Projects", \$326,000,000, to remain available until expended, of which up to \$36,000,000 shall be for construction costs associated with the establishment of polytrauma residential transitional rehabilitation programs.

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 5701. The Director of the Congressional Budget Office shall, not later than November 15, 2007, submit to the Committees on Appropriations of the House of Representatives and the Senate a report projecting appropriations necessary for the Departments of Defense and Veterans Affairs to continue providing necessary health care to veterans of the conflicts in Iraq and Afghanistan. The projections should span several scenarios for the duration and number of forces deployed in Iraq and Afghanistan, and more generally, for the long-term health care needs of deployed troops engaged in the global war on terrorism over the next ten years.

SEC. 5702. Notwithstanding any other provision of law, appropriations made by Public Law 110-5, which the Secretary of Veterans Affairs contributes to the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund under the authority of section 811(d) of title 38, United States Code, shall remain available until expended for any purpose authorized by section 811 of title 38, United States Code.

SEC. 5703. (a)(1) The Secretary of Veterans Affairs (referred to in this section as the "Secretary") may convey to the State of Texas, without consideration, all rights, title, and interest of the United States in and to the parcel of real property comprising the location of the Marlin, Texas, Department of Veterans Affairs Medical Center.

(2) The property conveyed under paragraph (1) shall be used by the State of Texas for the purposes of a prison.

(b) In carrying out the conveyance under subsection (a), the Secretary shall conduct environmental cleanup on the parcel to be conveyed, at a cost not to exceed \$500,000, using amounts made available for environmental cleanup of sites under the jurisdiction of the Secretary.

(c) Nothing in this section may be construed to affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of the

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

SEC. 5704. (a) Funds provided in this Act for the following accounts shall be made available for programs under the conditions contained in the language of the joint explanatory statement of managers accompanying the conference report on H.R. 1591 of the 110th Congress (H. Rept. 110-107):

"Medical Services".  
 "Medical Administration".  
 "Medical Facilities".  
 "Medical and Prosthetic Research".  
 "General Operating Expenses".  
 "Information Technology Systems".  
 "Construction, Minor Projects".

(b) The Secretary of Veterans Affairs shall submit all reports requested in House Report 110-60 and Senate Report 110-37, to the Committees on Appropriations of both Houses of Congress.

SEC. 5705. Subsection (d) of section 2023 of title 38, United States Code, is amended by striking "shall cease" and all that follows through "program" and inserting "shall cease on September 30, 2007".

### TITLE VI—OTHER MATTERS

#### CHAPTER 1

##### DEPARTMENT OF AGRICULTURE

##### FARM SERVICE AGENCY

##### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" of the Farm Service Agency, \$37,500,000, to remain available until September 30, 2008: *Provided*, That this amount shall only be available for network and database/application stabilization.

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 6101. Of the funds made available through appropriations to the Food and Drug Administration for fiscal year 2007, not less than \$4,000,000 shall be for the Office of Women's Health of such Administration.

SEC. 6102. None of the funds made available to the Department of Agriculture for fiscal year 2007 may be used to implement the risk-based inspection program in the 30 prototype locations announced on February 22, 2007, by the Under Secretary for Food Safety, or at any other locations, until the USDA Office of Inspector General has provided its findings to the Food Safety and Inspection Service and the Committees on Appropriations of the House of Representatives and the Senate on the data used in support of the development and design of the risk-based inspection program and FSIS has addressed and resolved issues identified by OIG.

#### CHAPTER 2

##### GENERAL PROVISIONS—THIS CHAPTER

SEC. 6201. Hereafter, federal employees at the National Energy Technology Laboratory shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 6202. None of the funds made available under this or any other Act shall be used during fiscal year 2007 to make, or plan or prepare to make, any payment on bonds issued by the Administrator of the Bonneville Power Administration (referred to in this section as the "Administrator") or for an appropriated Federal Columbia River Power System investment, if the payment is both—

(1) greater, during any fiscal year, than the payments calculated in the rate hearing of the Administrator to be made during that fiscal year using the repayment method used to establish the rates of the Administrator as in effect on October 1, 2006; and

(2) based or conditioned on the actual or expected net secondary power sales receipts of the Administrator.

#### CHAPTER 3

##### GENERAL PROVISIONS—THIS CHAPTER

SEC. 6301. (a) Section 102(a)(3)(B) of the Help America Vote Act of 2002 (42 U.S.C. 15302(a)(3)(B)) is amended by striking "January 1, 2006" and inserting "March 1, 2008".

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

SEC. 6302. The structure of any of the offices or components within the Office of National Drug Control Policy shall remain as they were on October 1, 2006. None of the funds appropriated or otherwise made available in the Continuing Appropriations Resolution, 2007 (Public Law 110-5) may be used to implement a reorganization of offices within the Office of National Drug Control Policy without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 6303. From the amount provided by section 21067 of the Continuing Appropriations Resolution, 2007 (Public Law 110-5), the National Archives and Records Administration may obligate monies necessary to carry out the activities of the Public Interest Declassification Board.

SEC. 6304. Notwithstanding the notice requirement of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006, 119 Stat. 2509 (Public Law 109-115), as continued in section 104 of the Continuing Appropriations Resolution, 2007 (Public Law 110-5), the District of Columbia Courts may reallocate not more than \$1,000,000 of the funds provided for fiscal year 2007 under the Federal Payment to the District of Columbia Courts for facilities among the items and entities funded under that heading for operations.

SEC. 6305. (a) Not later than 90 days after the date of enactment of this Act, the Secretary of the Treasury, in coordination with the Securities and Exchange Commission and in consultation with the Departments of State and Energy, shall prepare and submit to the Senate Committee on Appropriations, the House Committee on Appropriations, the Senate Committee on Banking, Housing, and Urban Affairs, the House Committee on Financial Services, the Senate Foreign Relations Committee, and the House Foreign Affairs Committee a written report, which may include a classified annex, containing the names of companies which either directly or through a parent or subsidiary company, including partly-owned subsidiaries, are known to conduct significant business operations in Sudan relating to natural resource extraction, including oil-related activities and mining of minerals. The reporting provision shall not apply to companies operating under licenses from the Office of Foreign Assets Control or otherwise expressly exempted under United States law from having to obtain such licenses in order to operate in Sudan.

(b) Not later than 45 days following the submission to Congress of the list of companies conducting business operations in Sudan relating to natural resource extraction as required above, the General Services Administration shall determine whether the United States Government has an active contract for the procurement of goods or services with any of the identified companies, and provide notification to the appropriate committees of Congress, which may include a classified annex, regarding the companies, nature of the contract, and dollar amounts involved.

#### (INCLUDING RESCISSION)

SEC. 6306. (a) Of the funds provided for the General Services Administration, "Office of Inspector General" in section 21061 of the

Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5), \$4,500,000 are rescinded.

(b) For an additional amount for the General Services Administration, "Office of Inspector General", \$4,500,000, to remain available until September 30, 2008.

(c) With the additional amount of \$9,336,000 appropriated in Public Law 110-5 and in this Act, above the amount appropriated in Public Law 109-115, of which \$4,500,000 remains available for obligation in fiscal year 2008, the Office of Inspector General shall hire additional staff for internal audits and investigations, and the remaining funds shall be for one-time associated needs such as information technology and other such administrative support.

SEC. 6307. Section 21073 of the Continuing Appropriations Resolution, 2007 (Public Law 110-5) is amended by adding a new subsection (j) as follows:

"(j) Notwithstanding section 101, any appropriation or funds made available to the District of Columbia pursuant to this Act for 'Federal Payment for Foster Care Improvement in the District of Columbia' shall be available in accordance with an expenditure plan submitted by the Mayor of the District of Columbia not later than 60 days after the enactment of this section which details the activities to be carried out with such Federal Payment."

SEC. 6308. It is the sense of Congress that the Small Business Administration will provide, through funds available within amounts already appropriated for Small Business Administration disaster assistance, physical and economic injury disaster loans to Kansas businesses and homeowners devastated by the severe tornadoes, storms, and flooding that occurred beginning on May 4, 2007.

#### CHAPTER 4

##### DEPARTMENT OF HOMELAND SECURITY GENERAL PROVISIONS—THIS CHAPTER

SEC. 6401. Not to exceed \$30,000,000 from unobligated balances remaining from prior appropriations for United States Coast Guard, "Retired Pay", shall remain available until expended in the account and for the purposes for which the appropriations were provided, including the payment of obligations otherwise chargeable to lapsed or current appropriations for this purpose: *Provided*, That within 45 days after the date of enactment of this Act, the United States Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following: (1) a report on steps being taken to improve the accuracy of its estimates for the "Retired Pay" appropriation, and (2) quarterly reports on the use of unobligated balances made available by this Act to address the projected shortfall in the "Retired Pay" appropriation, as well as updated estimates for fiscal year 2008.

SEC. 6402. (a) IN GENERAL.—Any contract, subcontract, task or delivery order described in subsection (b) shall contain the following:

(1) A requirement for a technical review of all designs, design changes, and engineering change proposals, and a requirement to specifically address all engineering concerns identified in the review before the obligation of further funds may occur.

(2) A requirement that the Coast Guard maintain technical warrant holder authority, or the equivalent, for major assets.

(3) A requirement that no procurement subject to subsection (b) for lead asset production or the implementation of a major design change shall be entered into unless an independent third party with no financial interest in the development, construction, or modification of any component of the asset, selected by the Commandant, determines that such action is advisable.

(4) A requirement for independent life-cycle cost estimates of lead assets and major design and engineering changes.

(5) A requirement for the measurement of contractor and subcontractor performance based on the status of all work performed. For contracts under the Integrated Deepwater Systems program, such requirement shall include a provision that links award fees to successful acquisition outcomes (which shall be defined in terms of cost, schedule, and performance).

(6) A requirement that the Commandant of the Coast Guard assign an appropriate officer or employee of the Coast Guard to act as chair of each integrated product team and higher-level team assigned to the oversight of each integrated product team.

(7) A requirement that the Commandant of the Coast Guard may not award or issue any contract, task or delivery order, letter contract modification thereof, or other similar contract, for the acquisition or modification of an asset under a procurement subject to subsection (b) unless the Coast Guard and the contractor concerned have formally agreed to all terms and conditions or the head of contracting activity for the Coast Guard determines that a compelling need exists for the award or issue of such instrument.

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

(1) any major procurement contract, first-tier subcontract, delivery or task order entered into by the Coast Guard;

(2) any first-tier subcontract entered into under such a contract; and

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

(c) EXPENDITURE OF DEEPWATER FUNDS.—Of the funds available for the Integrated Deepwater Systems program, \$650,000,000 may not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive an expenditure plan directly from the Coast Guard that—

(1) defines activities, milestones, yearly costs, and life-cycle costs for each procurement of a major asset;

(2) identifies life-cycle staffing and training needs of Coast Guard project managers and of procurement and contract staff;

(3) identifies competition to be conducted in each procurement;

(4) describes procurement plans that do not rely on a single industry entity or contract;

(5) contains very limited indefinite delivery/indefinite quantity contracts and explains the need for any indefinite delivery/indefinite quantity contracts;

(6) complies with all applicable acquisition rules, requirements, and guidelines, and incorporates the best systems acquisition management practices of the Federal Government;

(7) complies with the capital planning and investment control requirements established by the Office of Management and Budget, including circular A-11, part 7;

(8) includes a certification by the head of contracting activity for the Coast Guard and the Chief Procurement Officer of the Department of Homeland Security that the Coast Guard has established sufficient controls and procedures and has sufficient staffing to comply with all contracting requirements, and that any conflicts of interest have been sufficiently addressed;

(9) includes a description of the process used to act upon deviations from the contractually specified performance requirements and clearly explains the actions taken on such deviations;

(10) includes a certification that the Assistant Commandant of the Coast Guard for Engineering and Logistics is designated as

the technical authority for all engineering, design, and logistics decisions pertaining to the Integrated Deepwater Systems program; and

(11) identifies progress in complying with the requirements of subsection (a).

(d) REPORTS.—(1) Not later than 30 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives; the Committee on Commerce, Science and Transportation of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: (i) a report on the resources (including training, staff, and expertise) required by the Coast Guard to provide appropriate management and oversight of the Integrated Deepwater Systems program; and (ii) a report on how the Coast Guard will utilize full and open competition for any contract that provides for the acquisition or modification of assets under, or in support of, the Integrated Deepwater Systems program, entered into after the date of enactment of this Act.

(2) Within 30 days following the submission of the expenditure plan required under subsection (c), the Government Accountability Office shall review the plan and brief the Committees on Appropriations of the Senate and the House of Representatives on its findings.

SEC. 6403. None of the funds provided in this Act or any other Act may be used to alter or reduce operations within the Civil Engineering Program of the Coast Guard nationwide, including the civil engineering units, facilities, design and construction centers, maintenance and logistics command centers, and the Coast Guard Academy, except as specifically authorized by a statute enacted after the date of enactment of this Act.

#### (INCLUDING RESCISSIONS OF FUNDS)

SEC. 6404. (a) RESCISSIONS.—The following unobligated balances made available pursuant to section 505 of Public Law 109-90 are rescinded: \$1,200,962 from the "Office of the Secretary and Executive Management"; \$512,855 from the "Office of the Under Secretary for Management"; \$461,874 from the "Office of the Chief Information Officer"; \$45,080 from the "Office of the Chief Financial Officer"; \$968,211 from Preparedness "Management and Administration"; \$1,215,486 from Science and Technology "Management and Administration"; \$450,000 from United States Secret Service "Salaries and Expenses"; \$450,000 from Federal Emergency Management Agency "Administrative and Regional Operations"; and \$25,595,532 from United States Coast Guard "Operating Expenses".

(b) ADDITIONAL APPROPRIATIONS.—

(1) For an additional amount for United States Coast Guard "Acquisition, Construction, and Improvements", \$30,000,000, to remain available until September 30, 2009, to mitigate the Service's patrol boat operational gap.

(2) For an additional amount for the "Office of the Under Secretary for Management", \$900,000 for an independent study to compare the Department of Homeland Security senior career and political staffing levels and senior career training programs with those of similarly structured cabinet-level agencies as detailed in House Report 110-107: *Provided*, That the Department of Homeland Security shall provide to the Committees on Appropriations of the Senate and the House of Representatives by July 20, 2007, a report on senior staffing, as detailed in Senate Report 110-37, and the Government Accountability Office shall report on the strengths and weakness of this report within 90 days after its submission.

SEC. 6405. (a) IN GENERAL.—With respect to contracts entered into after July 1, 2007, and except as provided in subsection (b), no entity performing lead system integrator functions in the acquisition of a major system by the Department of Homeland Security may have any direct financial interest in the development or construction of any individual system or element of any system of systems.

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

(1) the Secretary of Homeland Security certifies to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Homeland Security of the House of Representatives, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Commerce, Science and Transportation of the Senate that—

(A) the entity was selected by the Department of Homeland Security as a contractor to develop or construct the system or element concerned through the use of competitive procedures; and

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

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

(c) CONSTRUCTION.—Nothing in this section shall be construed to preclude an entity described in subsection (a) from performing work necessary to integrate two or more individual systems or elements of a system of systems with each other.

(d) REGULATIONS UPDATE.—Not later than July 1, 2007, the Secretary of Homeland Security shall update the acquisition regulations of the Department of Homeland Security in order to specify fully in such regulations the matters with respect to lead system integrators set forth in this section. Included in such regulations shall be: (1) a precise and comprehensive definition of the term “lead system integrator”, modeled after that used by the Department of Defense; and (2) a specification of various types of contracts and fee structures that are appropriate for use by lead system integrators in the production, fielding, and sustainment of complex systems.

#### CHAPTER 5

##### GENERAL PROVISIONS—THIS CHAPTER

SEC. 6501. Section 20515 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by inserting before the period: “; and of which, not to exceed \$143,628,000 shall be available for contract support costs under the terms and conditions contained in Public Law 109-54”.

SEC. 6502. Section 20512 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by inserting after the first dollar amount: “, of which not to exceed \$7,300,000 shall be transferred to the ‘Indian Health Facilities’ account; the amount in the second proviso shall be \$18,000,000; the amount in the third proviso shall be \$525,099,000; the amount in the ninth proviso shall be \$269,730,000; and the \$15,000,000 allocation of funding under the eleventh proviso shall not be required”.

SEC. 6503. Section 20501 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by inserting after “\$55,663,000” the following: “of which

\$13,000,000 shall be for Save America’s Treasures”.

SEC. 6504. Funds made available to the United States Fish and Wildlife Service for fiscal year 2007 under the heading “Land Acquisition” may be used for land conservation partnerships authorized by the Highlands Conservation Act of 2004.

#### CHAPTER 6

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### NATIONAL INSTITUTES OF HEALTH NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

##### (TRANSFER OF FUNDS)

Of the amount provided by the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) for “National Institute of Allergy and Infectious Diseases”, \$49,500,000 shall be transferred to “Public Health and Social Services Emergency Fund” to carry out activities relating to advanced research and development as provided by section 319L of the Public Health Service Act.

##### OFFICE OF THE DIRECTOR

##### (TRANSFER OF FUNDS)

Of the amount provided by the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) for “Office of the Director”, \$49,500,000 shall be transferred to “Public Health and Social Services Emergency Fund” to carry out activities relating to advanced research and development as provided by section 319L of the Public Health Service Act.

##### NATIONAL COUNCIL ON DISABILITY

##### SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$300,000, to remain available until expended, for necessary expenses related to the requirements of the Post-Katrina Emergency Management Reform Act of 2006, as enacted by the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295).

##### GENERAL PROVISIONS—THIS CHAPTER

##### (INCLUDING TRANSFERS OF FUNDS AND RESCISSIONS)

SEC. 6601. Section 20602 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by inserting the following after “\$5,000,000”: “(together with an additional \$7,000,000 which shall be transferred by the Pension Benefit Guaranty Corporation as an authorized administrative cost), to remain available through September 30, 2008.”.

SEC. 6602. (a) None of the funds available to the Mine Safety and Health Administration under the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) shall be used to enter into or carry out a contract for the performance by a contractor of any operations or services pursuant to the public-private competitions conducted under Office of Management and Budget Circular A-76.

(b) Hereafter, Federal employees at the Mine Safety and Health Administration shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 6603. Section 20607 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by inserting “of which \$9,666,000 shall be for the Women’s Bureau,” after “for child labor activities.”.

SEC. 6604. Of the amount provided for “Department of Health and Human Services, Health Resources and Services Administra-

tion, Health Resources and Services” in the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5), \$23,000,000 shall be for Poison Control Centers.

SEC. 6605. From the amounts made available by the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) for the Office of the Secretary, General Departmental Management under the Department of Health and Human Services, \$500,000 are rescinded.

SEC. 6606. Section 20625(b)(1) of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by—

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

(2) amending subparagraph (A) to read as follows: “(A) \$5,454,824,000 shall be for basic grants under section 1124 of the Elementary and Secondary Education Act of 1965 (ESEA), of which up to \$3,437,000 shall be available to the Secretary of Education on October 1, 2006, to obtain annually updated educational-agency-level census poverty data from the Bureau of the Census;”; and

(3) amending subparagraph (C) to read as follows: “(C) not to exceed \$2,352,000 may be available for section 1608 of the ESEA and for a clearinghouse on comprehensive school reform under part D of title V of the ESEA.”.

SEC. 6607. The provision in the first proviso under the heading “Rehabilitation Services and Disability Research” in the Department of Education Appropriations Act, 2006, relating to alternative financing programs under section 4(b)(2)(D) of the Assistive Technology Act of 1998 shall not apply to funds appropriated by the Continuing Appropriations Resolution, 2007.

SEC. 6608. From the amounts made available by the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) for administrative expenses of the Department of Education, \$500,000 are rescinded: *Provided*, That such reduction shall not apply to funds available to the Office for Civil Rights and the Office of the Inspector General.

SEC. 6609. Notwithstanding sections 20639 and 20640 of the Continuing Appropriations Resolution, 2007, as amended by section 2 of the Revised Continuing Appropriations Resolution, 2007 (Public Law 110-5), the Chief Executive Officer of the Corporation for National and Community Service may transfer an amount of not more than \$1,360,000 from the account under the heading “National and Community Service Programs, Operating Expenses” under the heading “Corporation for National and Community Service”, to the account under the heading “Salaries and Expenses” under the heading “Corporation for National and Community Service”.

SEC. 6610. (a) Section 1310.12(a) of title 45, Code of Federal Regulations, shall take effect 30 days after the date of enactment of this Act.

(b)(1) Not later than 60 days after the National Highway Traffic Safety Administration of the Department of Transportation submits its study on occupant protection on Head Start transit vehicles (related to Government Accountability Office report GAO-06-767R), the Secretary of Health and Human Services shall review and shall revise as necessary the allowable alternate vehicle standards described in that part 1310 (or any corresponding similar regulation or ruling) relating to allowable alternate vehicles used to transport children for a Head Start program. In making any such revision, the Secretary shall revise the standards to be consistent with the findings contained in such study, including making a determination on the exemption of such a vehicle from Federal seat

spacing requirements, and Federal supporting seating requirements related to compartmentalization, if such vehicle meets all other applicable Federal motor vehicle safety standards, including standards for seating systems, occupant crash protection, seat belt assemblies, and child restraint anchorage systems consistent with that part 1310 (or any corresponding similar regulation or ruling).

(2) Notwithstanding subsection (a), until such date as the Secretary of Health and Human Services completes the review and any necessary revision specified in paragraph (1), the provisions of section 1310.12(a) relating to Federal seat spacing requirements, and Federal supporting seating requirements related to compartmentalization, for allowable alternate vehicles used to transport children for a Head Start program, shall not apply to such a vehicle if such vehicle meets all other applicable Federal motor vehicle safety standards, as described in paragraph (1).

SEC. 6611. (a)(1) Section 3(37)(G) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(37)(G)) (as amended by section 1106(a) of the Pension Protection Act of 2006) is amended—

(A) in clause (i)(II)(aa), by striking “for each of the 3 plan years immediately before the date of the enactment of the Pension Protection Act of 2006,” and inserting “for each of the 3 plan years immediately preceding the first plan year for which the election under this paragraph is effective with respect to the plan,”;

(B) in clause (ii), by striking “starting with the first plan year ending after the date of the enactment of the Pension Protection Act of 2006” and inserting “starting with any plan year beginning on or after January 1, 1999, and ending before January 1, 2008, as designated by the plan in the election made under clause (i)(II)”;

(C) by adding at the end the following new clause:

“(vii) For purposes of this Act and the Internal Revenue Code of 1986, a plan making an election under this subparagraph shall be treated as maintained pursuant to a collective bargaining agreement if a collective bargaining agreement, expressly or otherwise, provides for or permits employer contributions to the plan by one or more employers that are signatory to such agreement, or participation in the plan by one or more employees of an employer that is signatory to such agreement, regardless of whether the plan was created, established, or maintained for such employees by virtue of another document that is not a collective bargaining agreement.”.

(2) Paragraph (6) of section 414(f) of the Internal Revenue Code of 1986 (relating to election with regard to multiemployer status) (as amended by section 1106(b) of the Pension Protection Act of 2006) is amended—

(A) in subparagraph (A)(ii)(I), by striking “for each of the 3 plan years immediately before the date of enactment of the Pension Protection Act of 2006,” and inserting “for each of the 3 plan years immediately preceding the first plan year for which the election under this paragraph is effective with respect to the plan,”;

(B) in subparagraph (B), by striking “starting with the first plan year ending after the date of the enactment of the Pension Protection Act of 2006” and inserting “starting with any plan year beginning on or after January 1, 1999, and ending before January 1, 2008, as designated by the plan in the election made under subparagraph (A)(ii)”;

(C) by adding at the end the following new subparagraph:

“(F) MAINTENANCE UNDER COLLECTIVE BARGAINING AGREEMENT.—For purposes of this

title and the Employee Retirement Income Security Act of 1974, a plan making an election under this paragraph shall be treated as maintained pursuant to a collective bargaining agreement if a collective bargaining agreement, expressly or otherwise, provides for or permits employer contributions to the plan by one or more employers that are signatory to such agreement, or participation in the plan by one or more employees of an employer that is signatory to such agreement, regardless of whether the plan was created, established, or maintained for such employees by virtue of another document that is not a collective bargaining agreement.”.

(b)(1) Clause (vi) of section 3(37)(G) of the Employee Retirement Income Security Act of 1974 (as amended by section 1106(a) of the Pension Protection Act of 2006) is amended by striking “if it is a plan—” and all that follows and inserting the following: “if it is a plan sponsored by an organization which is described in section 501(c)(5) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code and which was established in Chicago, Illinois, on August 12, 1881.”.

(2) Subparagraph (E) of section 414(f)(6) of the Internal Revenue Code of 1986 (as amended by section 1106(b) of the Pension Protection Act of 2006) is amended by striking “if it is a plan—” and all that follows and inserting the following: “if it is a plan sponsored by an organization which is described in section 501(c)(5) and exempt from tax under section 501(a) and which was established in Chicago, Illinois, on August 12, 1881.”.

(c) The amendments made by this section shall take effect as if included in section 1106 of the Pension Protection Act of 2006.

SEC. 6612. (a) Subclause (III) of section 420(f)(2)(E)(i) of the Internal Revenue Code of 1986 is amended by striking “subsection (c)(2)(E)(ii)(II)” and inserting “subsection (c)(3)(E)(ii)(II)”.

(b) Section 420(e)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “funding shortfall” and inserting “funding target”.

(c) The amendments made by this section shall take effect as if included in the provisions of the Pension Protection Act of 2006 to which they relate.

SEC. 6613. (a) Subparagraph (A) of section 420(c)(3) of the Internal Revenue Code of 1986 is amended by striking “transfer.” and inserting “transfer or, in the case of a transfer which involves a plan maintained by an employer described in subsection (f)(2)(E)(i)(III), if the plan meets the requirements of subsection (f)(2)(D)(i)(II).”.

(b) The amendment made by subsection (a) shall apply to transfers after the date of the enactment of this Act.

SEC. 6614. (a) Section 402(i)(1) of the Pension Protection Act of 2006 is amended by striking “December 28, 2007” and inserting “January 1, 2008”.

(b) The amendment made by subsection (a) shall take effect as if included in section 402 of the Pension Protection Act of 2006.

SEC. 6615. (a) Section 402(a)(2) of the Pension Protection Act of 2006 is amended by inserting “and by using, in determining the funding target for each of the 10 plan years during such period, an interest rate of 8.25 percent (rather than the segment rates calculated on the basis of the corporate bond yield curve)” after “such plan year”.

(b) The amendment made by this section shall take effect as if included in the provisions of the Pension Protection Act of 2006 to which such amendment relates.

## CHAPTER 7

### LEGISLATIVE BRANCH

#### HOUSE OF REPRESENTATIVES

##### PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

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

For payment to James McDonald, Jr., widower of Juanita Millender-McDonald, late a Representative from the State of California, \$165,200.

##### GENERAL PROVISION—THIS CHAPTER

SEC. 6701. (a) There is established in the Office of the Architect of the Capitol the position of Chief Executive Officer for Visitor Services (in this section referred to as the “Chief Executive Officer”), who shall be appointed by the Architect of the Capitol.

(b) The Chief Executive Officer shall be responsible for the operation and management of the Capitol Visitor Center, subject to the direction of the Architect of the Capitol. In carrying out these responsibilities, the Chief Executive Officer shall report directly to the Architect of the Capitol and shall be subject to policy review and oversight by the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives.

(c) The Chief Executive Officer shall be paid at an annual rate equal to the annual rate of pay for the Chief Operating Officer of the Office of the Architect of the Capitol.

(d) This section shall apply with respect to fiscal year 2007 and each succeeding fiscal year.

## CHAPTER 8

### GENERAL PROVISIONS—THIS CHAPTER

#### TECHNICAL AMENDMENT

SEC. 6801. (a) Notwithstanding any other provision of law, subsection (c) under the heading “Assistance for the Independent States of the Former Soviet Union” in Public Law 109-102, shall not apply to funds appropriated by the Continuing Appropriations Resolution, 2007 (Public Law 109-289, division B) as amended by Public Laws 109-369, 109-383, and 110-5.

(b) Section 534(k) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109-102) is amended, in the second proviso, by inserting after “subsection (b) of that section” the following: “and the requirement that a majority of the members of the board of directors be United States citizens provided in subsection (d)(3)(B) of that section”.

(c) Subject to section 101(c)(2) of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5), the amount of funds appropriated for “Foreign Military Financing Program” pursuant to such Resolution shall be construed to be the total of the amount appropriated for such program by section 20401 of that Resolution and the amount made available for such program by section 591 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109-102) which is made applicable to the fiscal year 2007 by the provisions of such Resolution.

SEC. 6802. Notwithstanding any provision of title I of division B of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Laws 109-369, 109-383, and 110-5), the dollar amount limitation of the first proviso under the heading, “Administration of Foreign Affairs, Diplomatic and Consular Programs”, in title IV of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109-108; 119 Stat. 2319) shall not apply to funds appropriated under such heading for fiscal year 2007.

## CHAPTER 9

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

OFFICE OF FEDERAL HOUSING ENTERPRISE  
OVERSIGHT  
SALARIES AND EXPENSES  
(INCLUDING TRANSFER OF FUNDS)

For an additional amount to carry out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, \$6,150,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund and to be subject to the same terms and conditions pertaining to funds provided under this heading in Public Law 109-115: *Provided*, That not to exceed the total amount provided for these activities for fiscal year 2007 shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further*, That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than \$0.

## GENERAL PROVISIONS—THIS CHAPTER

SEC. 6901. (a) Hereafter, funds limited or appropriated for the Department of Transportation may be obligated or expended to grant authority to a Mexico-domiciled motor carrier to operate beyond United States municipalities and commercial zones on the United States-Mexico border only to the extent that—

(1) granting such authority is first tested as part of a pilot program;

(2) such pilot program complies with the requirements of section 350 of Public Law 107-87 and the requirements of section 31315(c) of title 49, United States Code, related to pilot programs; and

(3) simultaneous and comparable authority to operate within Mexico is made available to motor carriers domiciled in the United States.

(b) Prior to the initiation of the pilot program described in subsection (a) in any fiscal year—

(1) the Inspector General of the Department of Transportation shall transmit to Congress and the Secretary of Transportation a report verifying compliance with each of the requirements of subsection (a) of section 350 of Public Law 107-87, including whether the Secretary of Transportation has established sufficient mechanisms to apply Federal motor carrier safety laws and regulations to motor carriers domiciled in Mexico that are granted authority to operate beyond the United States municipalities and commercial zones on the United States-Mexico border and to ensure compliance with such laws and regulations; and

(2) the Secretary of Transportation shall—

(A) take such action as may be necessary to address any issues raised in the report of the Inspector General under subsection (b)(1) and submit a report to Congress detailing such actions; and

(B) publish in the Federal Register, and provide sufficient opportunity for public notice and comment—

(1) comprehensive data and information on the pre-authorization safety audits conducted before and after the date of enactment of this Act of motor carriers domiciled in Mexico that are granted authority to operate beyond the United States municipalities and commercial zones on the United States-Mexico border;

(ii) specific measures to be required to protect the health and safety of the public, including enforcement measures and penalties for noncompliance;

(iii) specific measures to be required to ensure compliance with section 391.11(b)(2) and section 365.501(b) of title 49, Code of Federal Regulations;

(iv) specific standards to be used to evaluate the pilot program and compare any change in the level of motor carrier safety as a result of the pilot program; and

(v) a list of Federal motor carrier safety laws and regulations, including the commercial drivers license requirements, for which the Secretary of Transportation will accept compliance with a corresponding Mexican law or regulation as the equivalent to compliance with the United States law or regulation, including for each law or regulation an analysis as to how the corresponding United States and Mexican laws and regulations differ.

(c) During and following the pilot program described in subsection (a), the Inspector General of the Department of Transportation shall monitor and review the conduct of the pilot program and submit to Congress and the Secretary of Transportation an interim report, 6 months after the commencement of the pilot program, and a final report, within 60 days after the conclusion of the pilot program. Such reports shall address whether—

(1) the Secretary of Transportation has established sufficient mechanisms to determine whether the pilot program is having any adverse effects on motor carrier safety;

(2) Federal and State monitoring and enforcement activities are sufficient to ensure that participants in the pilot program are in compliance with all applicable laws and regulations; and

(3) the pilot program consists of a representative and adequate sample of Mexico-domiciled carriers likely to engage in cross-border operations beyond United States municipalities and commercial zones on the United States-Mexico border.

(d) In the event that the Secretary of Transportation in any fiscal year seeks to grant operating authority for the purpose of initiating cross-border operations beyond United States municipalities and commercial zones on the United States-Mexico border either with Mexico-domiciled motor coaches or Mexico-domiciled commercial motor vehicles carrying placardable quantities of hazardous materials, such activities shall be initiated only after the conclusion of a separate pilot program limited to vehicles of the pertinent type. Each such separate pilot program shall follow the same requirements and processes stipulated under subsections (a) through (c) of this section and shall be planned, conducted and evaluated in concert with the Department of Homeland Security or its Inspector General, as appropriate, so as to address any and all security concerns associated with such cross-border operations.

SEC. 6902. Funds provided for the “National Transportation Safety Board, Salaries and Expenses” in section 21031 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) include amounts necessary to make lease payments due in fiscal year 2007 only, on an obligation incurred in 2001 under a capital lease.

SEC. 6903. Section 21033 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5) is amended by adding after the second proviso: “: *Provided further*, That paragraph (2) under such heading in Public Law 109-115 (119 Stat. 2441) shall be funded at \$149,300,000, but additional section 8 tenant protection rental assistance costs may be funded in 2007 by using unobligated balances, notwithstanding the purposes for which such amounts were appropriated, including recaptures and carryover, remaining from funds

appropriated to the Department of Housing and Urban Development under this heading, the heading ‘Annual Contributions for Assisted Housing’, the heading ‘Housing Certificate Fund’, and the heading ‘Project-Based Rental Assistance’ for fiscal year 2006 and prior fiscal years: *Provided further*, That paragraph (3) under such heading in Public Law 109-115 (119 Stat. 2441) shall be funded at \$47,500,000: *Provided further*, That paragraph (4) under such heading in Public Law 109-115 (119 Stat. 2441) shall be funded at \$5,900,000: *Provided further*, That paragraph (5) under such heading in Public Law 109-115 (119 Stat. 2441) shall be funded at \$1,281,100,000, of which \$1,251,100,000 shall be allocated for the calendar year 2007 funding cycle on a pro rata basis to public housing agencies based on the amount public housing agencies were eligible to receive in calendar year 2006, and of which up to \$30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, with up to \$20,000,000 to be for fees associated with section 8 tenant protection rental assistance”.

SEC. 6904. Section 232(b) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001 (Public Law 106-377) is amended to read as follows:

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

TITLE VII—ELIMINATION OF SCHIP  
SHORTFALL AND OTHER HEALTH MATTERS

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR MEDICARE AND MEDICAID SERVICES  
STATE CHILDREN'S HEALTH INSURANCE FUND

For an additional amount to provide additional allotments to remaining shortfall States under section 2104(h)(4) of the Social Security Act, as inserted by section 6001, such sums as may be necessary, but not to exceed \$650,000,000 for fiscal year 2007, to remain available until expended.

## GENERAL PROVISIONS—THIS TITLE

SEC. 7001. (a) ELIMINATION OF REMAINDER OF SCHIP FUNDING SHORTFALLS, TIERED MATCH, AND OTHER LIMITATION ON EXPENDITURES.—Section 2104(h) of the Social Security Act (42 U.S.C. 1397dd(h)), as added by section 201(a) of the National Institutes of Health Reform Act of 2006 (Public Law 109-482), is amended—

(1) in the heading for paragraph (2), by striking “REMAINDER OF REDUCTION” and inserting “PART”; and

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

“(4) ADDITIONAL AMOUNTS TO ELIMINATE REMAINDER OF FISCAL YEAR 2007 FUNDING SHORTFALLS.—

“(A) IN GENERAL.—From the amounts provided in advance in appropriations Acts, the Secretary shall allot to each remaining shortfall State described in subparagraph (B)

such amount as the Secretary determines will eliminate the estimated shortfall described in such subparagraph for the State for fiscal year 2007.

“(B) REMAINING SHORTFALL STATE DESCRIBED.—For purposes of subparagraph (A), a remaining shortfall State is a State with a State child health plan approved under this title for which the Secretary estimates, on the basis of the most recent data available to the Secretary as of the date of the enactment of this paragraph, that the projected Federal expenditures under such plan for the State for fiscal year 2007 will exceed the sum of—

“(i) the amount of the State’s allotments for each of fiscal years 2005 and 2006 that will not be expended by the end of fiscal year 2006;

“(ii) the amount of the State’s allotment for fiscal year 2007; and

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

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

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

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

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

(4) in paragraph (6)—

(A) in the first sentence—

(i) by inserting “or allotted” after “redistributed”; and

(ii) by inserting “or allotments” after “redistributions”; and

(B) by striking “and (3)” and inserting “(3), and (4)”.

SEC. 7002. (a) PROHIBITION.—

(1) LIMITATION ON SECRETARIAL AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Health and Human Services shall not, prior to the date that is 1 year after the date of enactment of this Act, take any action (through promulgation of regulation, issuance of regulatory guidance, or other administrative action) to—

(A) finalize or otherwise implement provisions contained in the proposed rule published on January 18, 2007, on pages 2236 through 2248 of volume 72, Federal Register (relating to parts 433, 447, and 457 of title 42, Code of Federal Regulations);

(B) promulgate or implement any rule or provisions similar to the provisions described in subparagraph (A) pertaining to the Medicaid program established under title XIX of the Social Security Act or the State Children’s Health Insurance Program established under title XXI of such Act; or

(C) promulgate or implement any rule or provisions restricting payments for graduate medical education under the Medicaid program.

(2) CONTINUATION OF OTHER SECRETARIAL AUTHORITY.—The Secretary of Health and Human Service shall not be prohibited during the period described in paragraph (1) from taking any action (through promulgation of regulation, issuance of regulatory guidance, or other administrative action) to enforce a provision of law in effect as of the date of enactment of this Act with respect to the Medicaid program or the State Children’s Health Insurance Program, or to promulgate or implement a new rule or provision during such period with respect to such programs, other than a rule or provision described in paragraph (1) and subject to the prohibition set forth in that paragraph.

(b) REQUIREMENT FOR USE OF TAMPER-RESISTANT PRESCRIPTION PADS UNDER THE MEDICAID PROGRAM.—

(1) IN GENERAL.—Section 1903(i) of the Social Security Act (42 U.S.C. 1396b(i)) is amended—

(A) by striking “or” at the end of paragraph (21);

(B) by striking the period at the end of paragraph (22) and inserting “; or”; and

(C) by inserting after paragraph (22) the following new paragraph:

“(23) with respect to amounts expended for medical assistance for covered outpatient drugs (as defined in section 1927(k)(2)) for which the prescription was executed in written (and non-electronic) form unless the prescription was executed on a tamper-resistant pad.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to prescriptions executed after September 30, 2007.

(c) EXTENSION OF CERTAIN PHARMACY PLUS WAIVERS.—

(1) AUTHORITY TO CONTINUE TO OPERATE WAIVERS.—Notwithstanding any other provision of law, any State that is operating a Pharmacy Plus waiver described in paragraph (2) which would otherwise expire on June 30, 2007, may elect to continue to operate the waiver through December 31, 2009 and if a State elects to continue to operate such a waiver, the Secretary of Health and Human Services shall approve the continuation of the waiver through December 31, 2009.

(2) PHARMACY PLUS WAIVER DESCRIBED.—For purposes of paragraph (1), a Pharmacy Plus waiver described in this paragraph is a waiver approved by the Secretary of Health and Human Services under the authority of section 1115 of the Social Security Act (42 U.S.C. 1315) that provides coverage for prescription drugs for individuals who have attained age 65 and whose family income does not exceed 200 percent of the poverty line (as defined in section 2110(c)(5) of such Act (42 U.S.C. 1397jj(c)(5))).

## TITLE VIII—FAIR MINIMUM WAGE AND TAX RELIEF

### Subtitle A—Fair Minimum Wage

#### SEC. 8101. SHORT TITLE.

This subtitle may be cited as the “Fair Minimum Wage Act of 2007”.

#### SEC. 8102. MINIMUM WAGE.

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

“(1) except as otherwise provided in this section, not less than—

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

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

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

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

#### SEC. 8103. APPLICABILITY OF MINIMUM WAGE TO AMERICAN SAMOA AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

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

(b) TRANSITION.—Notwithstanding subsection (a)—

(1) the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall be—

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

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

actment of this Act and each year thereafter until the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under this paragraph is equal to the minimum wage set forth in such section; and

(2) the minimum wage applicable to American Samoa under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall be—

(A) the applicable wage rate in effect for each industry and classification under section 697 of title 29, Code of Federal Regulations, on the date of enactment of this Act;

(B) increased by \$0.50 an hour, beginning on the 60th day after the date of enactment of this Act; and

(C) increased by \$0.50 an hour (or such lesser amount as may be necessary to equal the minimum wage under section 6(a)(1) of such Act), beginning 1 year after the date of enactment of this Act and each year thereafter until the minimum wage applicable to American Samoa under this paragraph is equal to the minimum wage set forth in such section.

#### (c) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—The Fair Labor Standards Act of 1938 is amended—

(A) by striking sections 5 and 8; and

(B) in section 6(a), by striking paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect 60 days after the date of enactment of this Act.

#### SEC. 8104. STUDY ON PROJECTED IMPACT.

(a) STUDY.—Beginning on the date that is 60 days after the date of enactment of this Act, the Secretary of Labor shall, through the Bureau of Labor Statistics, conduct a study to—

(1) assess the impact of the wage increases required by this Act through such date; and

(2) project the impact of any further wage increase, on living standards and rates of employment in American Samoa and the Commonwealth of the Northern Mariana Islands.

(b) REPORT.—Not later than the date that is 8 months after the date of enactment of this Act, the Secretary of Labor shall transmit to Congress a report on the findings of the study required by subsection (a).

#### Subtitle B—Small Business Tax Incentives

#### SEC. 8201. SHORT TITLE; AMENDMENT OF CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This subtitle may be cited as the “Small Business and Work Opportunity Tax Act of 2007”.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents of this subtitle is as follows:

Sec. 8201. Short title; amendment of Code; table of contents.

#### PART I—SMALL BUSINESS TAX RELIEF PROVISIONS

##### SUBPART A—GENERAL PROVISIONS

Sec. 8211. Extension and modification of work opportunity tax credit.

Sec. 8212. Extension and increase of expensing for small business.

Sec. 8213. Determination of credit for certain taxes paid with respect to employee cash tips.

Sec. 8214. Waiver of individual and corporate alternative minimum tax limits on work opportunity credit and credit for taxes paid with respect to employee cash tips.

Sec. 8215. Family business tax simplification.

SUBPART B—GULF OPPORTUNITY ZONE TAX INCENTIVES

- Sec. 8221. Extension of increased expensing for qualified section 179 Gulf Opportunity Zone property.
- Sec. 8222. Extension and expansion of low-income housing credit rules for buildings in the GO Zones.
- Sec. 8223. Special tax-exempt bond financing rule for repairs and reconstructions of residences in the GO Zones.
- Sec. 8224. GAO study of practices employed by State and local governments in allocating and utilizing tax incentives provided pursuant to the Gulf Opportunity Zone Act of 2005.

SUBPART C—SUBCHAPTER S PROVISIONS

- Sec. 8231. Capital gain of S corporation not treated as passive investment income.
- Sec. 8232. Treatment of bank director shares.
- Sec. 8233. Special rule for bank required to change from the reserve method of accounting on becoming S corporation.
- Sec. 8234. Treatment of the sale of interest in a qualified subchapter S subsidiary.
- Sec. 8235. Elimination of all earnings and profits attributable to pre-1983 years for certain corporations.
- Sec. 8236. Deductibility of interest expense on indebtedness incurred by an electing small business trust to acquire S corporation stock.

PART 2—REVENUE PROVISIONS

- Sec. 8241. Increase in age of children whose unearned income is taxed as if parent's income.
- Sec. 8242. Suspension of certain penalties and interest.
- Sec. 8243. Modification of collection due process procedures for employment tax liabilities.
- Sec. 8244. Permanent extension of IRS user fees.
- Sec. 8245. Increase in penalty for bad checks and money orders.
- Sec. 8246. Understatement of taxpayer liability by return preparers.
- Sec. 8247. Penalty for filing erroneous refund claims.
- Sec. 8248. Time for payment of corporate estimated taxes.

PART 1—SMALL BUSINESS TAX RELIEF PROVISIONS

Subpart A—General Provisions

SEC. 8211. EXTENSION AND MODIFICATION OF WORK OPPORTUNITY TAX CREDIT.

(a) EXTENSION.—Section 51(c)(4)(B) (relating to termination) is amended by striking “December 31, 2007” and inserting “August 31, 2011”.

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

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

“(5) DESIGNATED COMMUNITY RESIDENTS.—

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

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

“(ii) as having his principal place of abode within an empowerment zone, enterprise community, renewal community, or rural renewal county.

“(B) INDIVIDUAL MUST CONTINUE TO RESIDE IN ZONE, COMMUNITY, OR COUNTY.—In the case of a designated community resident, the term ‘qualified wages’ shall not include wages paid or incurred for services per-

formed while the individual's principal place of abode is outside an empowerment zone, enterprise community, renewal community, or rural renewal county.

“(C) RURAL RENEWAL COUNTY.—For purposes of this paragraph, the term ‘rural renewal county’ means any county which—

“(i) is outside a metropolitan statistical area (defined as such by the Office of Management and Budget), and

“(ii) during the 5-year periods 1990 through 1994 and 1995 through 1999 had a net population loss.”.

(2) CONFORMING AMENDMENT.—Subparagraph (D) of section 51(d)(1) is amended to read as follows:

“(D) a designated community resident.”.

(c) CLARIFICATION OF TREATMENT OF INDIVIDUALS UNDER INDIVIDUAL WORK PLANS.—Subparagraph (B) of section 51(d)(6) (relating to vocational rehabilitation referral) is amended by striking “or” at the end of clause (i), by striking the period at the end of clause (ii) and inserting “, or”, and by adding at the end the following new clause:

“(iii) an individual work plan developed and implemented by an employment network pursuant to subsection (g) of section 1148 of the Social Security Act with respect to which the requirements of such subsection are met.”.

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

(1) DISABLED VETERANS TREATED AS MEMBERS OF TARGETED GROUP.—

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

“(i) being a member of a family receiving assistance under a food stamp program under the Food Stamp Act of 1977 for at least a 3-month period ending during the 12-month period ending on the hiring date, or

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

“(I) having a hiring date which is not more than 1 year after having been discharged or released from active duty in the Armed Forces of the United States, or

“(II) having aggregate periods of unemployment during the 1-year period ending on the hiring date which equal or exceed 6 months.”.

(B) DEFINITIONS.—Paragraph (3) of section 51(d) is amended by adding at the end the following new subparagraph:

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

(2) INCREASE IN AMOUNT OF WAGES TAKEN INTO ACCOUNT FOR DISABLED VETERANS.—Paragraph (3) of section 51(b) is amended—

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

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

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

SEC. 8212. EXTENSION AND INCREASE OF EXPENSING FOR SMALL BUSINESS.

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

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

(1) by striking “\$100,000 in the case of taxable years beginning after 2002” in paragraph

(1) and inserting “\$125,000 in the case of taxable years beginning after 2006”, and

(2) by striking “\$400,000 in the case of taxable years beginning after 2002” in paragraph (2) and inserting “\$500,000 in the case of taxable years beginning after 2006”.

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

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

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

(3) by striking “2002” in clause (ii) and inserting “2006”.

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

SEC. 8213. DETERMINATION OF CREDIT FOR CERTAIN TAXES PAID WITH RESPECT TO EMPLOYEE CASH TIPS.

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

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to tips received for services performed after December 31, 2006.

SEC. 8214. WAIVER OF INDIVIDUAL AND CORPORATE ALTERNATIVE MINIMUM TAX LIMITS ON WORK OPPORTUNITY CREDIT AND CREDIT FOR TAXES PAID WITH RESPECT TO EMPLOYEE CASH TIPS.

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

“(iii) the credit determined under section 45B, and

“(iv) the credit determined under section 51.”.

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

SEC. 8215. FAMILY BUSINESS TAX SIMPLIFICATION.

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

“(f) QUALIFIED JOINT VENTURE.—

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

“(A) such joint venture shall not be treated as a partnership.

“(B) all items of income, gain, loss, deduction, and credit shall be divided between the spouses in accordance with their respective interests in the venture, and

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

“(2) QUALIFIED JOINT VENTURE.—For purposes of paragraph (1), the term ‘qualified joint venture’ means any joint venture involving the conduct of a trade or business if—

“(A) the only members of such joint venture are a husband and wife,

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

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

(b) NET EARNINGS FROM SELF-EMPLOYMENT.—

(1) Subsection (a) of section 1402 (defining net earnings from self-employment) is

amended by striking “, and” at the end of paragraph (15) and inserting a semicolon, by striking the period at the end of paragraph (16) and inserting “; and”, and by inserting after paragraph (16) the following new paragraph:

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

(2) Subsection (a) of section 211 of the Social Security Act (defining net earnings from self-employment) is amended by striking “and” at the end of paragraph (14), by striking the period at the end of paragraph (15) and inserting “; and”, and by inserting after paragraph (15) the following new paragraph:

“(16) Notwithstanding the preceding provisions of this subsection, each spouse’s share of income or loss from a qualified joint venture shall be taken into account as provided in section 761(f) of the Internal Revenue Code of 1986 in determining net earnings from self-employment of such spouse.”.

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

#### **Subpart B—Gulf Opportunity Zone Tax Incentives**

#### **SEC. 8221. EXTENSION OF INCREASED EXPENSING FOR QUALIFIED SECTION 179 GULF OPPORTUNITY ZONE PROPERTY.**

Paragraph (2) of section 1400N(e) (relating to qualified section 179 Gulf Opportunity Zone property) is amended—

(1) by striking “this subsection, the term” and inserting:

“this subsection—

“(A) IN GENERAL.—The term”, and

(2) by adding at the end the following new subparagraph:

“(B) EXTENSION FOR CERTAIN PROPERTY.—In the case of property substantially all of the use of which is in one or more specified portions of the GO Zone (as defined by subsection (d)(6)), such term shall include section 179 property (as so defined) which is described in subsection (d)(2), determined—

“(i) without regard to subsection (d)(6), and

“(ii) by substituting ‘2008’ for ‘2007’ in subparagraph (A)(v) thereof.”.

#### **SEC. 8222. EXTENSION AND EXPANSION OF LOW-INCOME HOUSING CREDIT RULES FOR BUILDINGS IN THE GO ZONES.**

(a) TIME FOR MAKING LOW-INCOME HOUSING CREDIT ALLOCATIONS.—Subsection (c) of section 1400N (relating to low-income housing credit) is amended by redesignating paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

“(5) TIME FOR MAKING LOW-INCOME HOUSING CREDIT ALLOCATIONS.—Section 42(h)(1)(B) shall not apply to an allocation of housing credit dollar amount to a building located in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone, if such allocation is made in 2006, 2007, or 2008, and such building is placed in service before January 1, 2011.”.

(b) EXTENSION OF PERIOD FOR TREATING GO ZONES AS DIFFICULT DEVELOPMENT AREAS.—

(1) IN GENERAL.—Subparagraph (A) of section 1400N(c)(3) is amended by striking “2006, 2007, or 2008” and inserting “the period beginning on January 1, 2006, and ending on December 31, 2010”.

(2) CONFORMING AMENDMENT.—Clause (ii) of section 1400N(c)(3)(B) is amended by striking “such period” and inserting “the period described in subparagraph (A)”.

(c) COMMUNITY DEVELOPMENT BLOCK GRANTS NOT TAKEN INTO ACCOUNT IN DETER-

MINING IF BUILDINGS ARE FEDERALLY SUBSIDIZED.—Subsection (c) of section 1400N (relating to low-income housing credit), as amended by this Act, is amended by redesignating paragraph (6) as paragraph (7) and by inserting after paragraph (5) the following new paragraph:

“(6) COMMUNITY DEVELOPMENT BLOCK GRANTS NOT TAKEN INTO ACCOUNT IN DETERMINING IF BUILDINGS ARE FEDERALLY SUBSIDIZED.—For purpose of applying section 42(i)(2)(D) to any building which is placed in service in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone during the period beginning on January 1, 2006, and ending on December 31, 2010, a loan shall not be treated as a below market Federal loan solely by reason of any assistance provided under section 106, 107, or 108 of the Housing and Community Development Act of 1974 by reason of section 122 of such Act or any provision of the Department of Defense Appropriations Act, 2006, or the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006.”.

#### **SEC. 8223. SPECIAL TAX-EXEMPT BOND FINANCING RULE FOR REPAIRS AND RECONSTRUCTIONS OF RESIDENCES IN THE GO ZONES.**

Subsection (a) of section 1400N (relating to tax-exempt bond financing) is amended by adding at the end the following new paragraph:

“(7) SPECIAL RULE FOR REPAIRS AND RECONSTRUCTIONS.—

“(A) IN GENERAL.—For purposes of section 143 and this subsection, any qualified GO Zone repair or reconstruction shall be treated as a qualified rehabilitation.

“(B) QUALIFIED GO ZONE REPAIR OR RECONSTRUCTION.—For purposes of subparagraph (A), the term ‘qualified GO Zone repair or reconstruction’ means any repair of damage caused by Hurricane Katrina, Hurricane Rita, or Hurricane Wilma to a building located in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone (or reconstruction of such building in the case of damage constituting destruction) if the expenditures for such repair or reconstruction are 25 percent or more of the mortgagor’s adjusted basis in the residence. For purposes of the preceding sentence, the mortgagor’s adjusted basis shall be determined as of the completion of the repair or reconstruction or, if later, the date on which the mortgagor acquires the residence.

“(C) TERMINATION.—This paragraph shall apply only to owner-financing provided after the date of the enactment of this paragraph and before January 1, 2011.”.

#### **SEC. 8224. GAO STUDY OF PRACTICES EMPLOYED BY STATE AND LOCAL GOVERNMENTS IN ALLOCATING AND UTILIZING TAX INCENTIVES PROVIDED PURSUANT TO THE GULF OPPORTUNITY ZONE ACT OF 2005.**

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the practices employed by State and local governments, and subdivisions thereof, in allocating and utilizing tax incentives provided pursuant to the Gulf Opportunity Zone Act of 2005 and this Act.

(b) SUBMISSION OF REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit a report on the findings of the study conducted under subsection (a) and shall include therein recommendations (if any) relating to such findings. The report shall be submitted to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

(c) CONGRESSIONAL HEARINGS.—In the case that the report submitted under this section includes findings of significant fraud, waste

or abuse, each Committee specified in subsection (b) shall, within 60 days after the date the report is submitted under subsection (b), hold a public hearing to review such findings.

#### **Subpart C—Subchapter S Provisions**

#### **SEC. 8231. CAPITAL GAIN OF S CORPORATION NOT TREATED AS PASSIVE INVESTMENT INCOME.**

(a) IN GENERAL.—Section 1362(d)(3) is amended by striking subparagraphs (B), (C), (D), (E), and (F) and inserting the following new subparagraphs:

“(B) GROSS RECEIPTS FROM THE SALES OF CERTAIN ASSETS.—For purposes of this paragraph—

“(i) in the case of dispositions of capital assets (other than stock and securities), gross receipts from such dispositions shall be taken into account only to the extent of the capital gain net income therefrom, and

“(ii) in the case of sales or exchanges of stock or securities, gross receipts shall be taken into account only to the extent of the gains therefrom.

“(C) PASSIVE INVESTMENT INCOME DEFINED.—

“(i) IN GENERAL.—Except as otherwise provided in this subparagraph, the term ‘passive investment income’ means gross receipts derived from royalties, rents, dividends, interest, and annuities.

“(ii) EXCEPTION FOR INTEREST ON NOTES FROM SALES OF INVENTORY.—The term ‘passive investment income’ shall not include interest on any obligation acquired in the ordinary course of the corporation’s trade or business from its sale of property described in section 1221(a)(1).

“(iii) TREATMENT OF CERTAIN LENDING OR FINANCE COMPANIES.—If the S corporation meets the requirements of section 542(c)(6) for the taxable year, the term ‘passive investment income’ shall not include gross receipts for the taxable year which are derived directly from the active and regular conduct of a lending or finance business (as defined in section 542(d)(1)).

“(iv) TREATMENT OF CERTAIN DIVIDENDS.—If an S corporation holds stock in a C corporation meeting the requirements of section 1504(a)(2), the term ‘passive investment income’ shall not include dividends from such C corporation to the extent such dividends are attributable to the earnings and profits of such C corporation derived from the active conduct of a trade or business.

“(v) EXCEPTION FOR BANKS, ETC.—In the case of a bank (as defined in section 581) or a depository institution holding company (as defined in section 3(w)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1813(w)(1)), the term ‘passive investment income’ shall not include—

“(I) interest income earned by such bank or company, or

“(II) dividends on assets required to be held by such bank or company, including stock in the Federal Reserve Bank, the Federal Home Loan Bank, or the Federal Agricultural Mortgage Bank or participation certificates issued by a Federal Intermediate Credit Bank.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

#### **SEC. 8232. TREATMENT OF BANK DIRECTOR SHARES.**

(a) IN GENERAL.—Section 1361 (defining S corporation) is amended by adding at the end the following new subsection:

“(f) RESTRICTED BANK DIRECTOR STOCK.—

“(1) IN GENERAL.—Restricted bank director stock shall not be taken into account as outstanding stock of the S corporation in applying this subchapter (other than section 1368(f)).

“(2) RESTRICTED BANK DIRECTOR STOCK.—For purposes of this subsection, the term ‘restricted bank director stock’ means stock in a bank (as defined in section 581) or a depository institution holding company (as defined in section 3(w)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1813(w)(1)), if such stock—

“(A) is required to be held by an individual under applicable Federal or State law in order to permit such individual to serve as a director, and

“(B) is subject to an agreement with such bank or company (or a corporation which controls (within the meaning of section 368(c)) such bank or company) pursuant to which the holder is required to sell back such stock (at the same price as the individual acquired such stock) upon ceasing to hold the office of director.”

“(3) CROSS REFERENCE.—

“For treatment of certain distributions with respect to restricted bank director stock, see section 1368(f).”

(b) DISTRIBUTIONS.—Section 1368 (relating to distributions) is amended by adding at the end the following new subsection:

“(f) RESTRICTED BANK DIRECTOR STOCK.—If a director receives a distribution (not in part or full payment in exchange for stock) from an S corporation with respect to any restricted bank director stock (as defined in section 1361(f)), the amount of such distribution—

“(1) shall be includible in gross income of the director, and

“(2) shall be deductible by the corporation for the taxable year of such corporation in which or with which ends the taxable year in which such amount is included in the gross income of the director.”

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

(2) SPECIAL RULE FOR TREATMENT AS SECOND CLASS OF STOCK.—In the case of any taxable year beginning after December 31, 1996, restricted bank director stock (as defined in section 1361(f) of the Internal Revenue Code of 1986, as added by this section) shall not be taken into account in determining whether an S corporation has more than 1 class of stock.

**SEC. 8233. SPECIAL RULE FOR BANK REQUIRED TO CHANGE FROM THE RESERVE METHOD OF ACCOUNTING ON BECOMING S CORPORATION.**

(a) IN GENERAL.—Section 1361, as amended by this Act, is amended by adding at the end the following new subsection:

“(g) SPECIAL RULE FOR BANK REQUIRED TO CHANGE FROM THE RESERVE METHOD OF ACCOUNTING ON BECOMING S CORPORATION.—In the case of a bank which changes from the reserve method of accounting for bad debts described in section 585 or 593 for its first taxable year for which an election under section 1362(a) is in effect, the bank may elect to take into account any adjustments under section 481 by reason of such change for the taxable year immediately preceding such first taxable year.”

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

**SEC. 8234. TREATMENT OF THE SALE OF INTEREST IN A QUALIFIED SUBCHAPTER S SUBSIDIARY.**

(a) IN GENERAL.—Subparagraph (C) of section 1361(b)(3) (relating to treatment of terminations of qualified subchapter S subsidiary status) is amended—

(1) by striking “For purposes of this title,” and inserting the following:

“(i) IN GENERAL.—For purposes of this title,” and

(2) by inserting at the end the following new clause:

“(ii) TERMINATION BY REASON OF SALE OF STOCK.—If the failure to meet the requirements of subparagraph (B) is by reason of the sale of stock of a corporation which is a qualified subchapter S subsidiary, the sale of such stock shall be treated as if—

“(I) the sale were a sale of an undivided interest in the assets of such corporation (based on the percentage of the corporation’s stock sold), and

“(II) the sale were followed by an acquisition by such corporation of all of its assets (and the assumption by such corporation of all of its liabilities) in a transaction to which section 351 applies.”

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

**SEC. 8235. ELIMINATION OF ALL EARNINGS AND PROFITS ATTRIBUTABLE TO PRE-1983 YEARS FOR CERTAIN CORPORATIONS.**

In the case of a corporation which is—

(1) described in section 1311(a)(1) of the Small Business Job Protection Act of 1996, and

(2) not described in section 1311(a)(2) of such Act,

the amount of such corporation’s accumulated earnings and profits (for the first taxable year beginning after the date of the enactment of this Act) shall be reduced by an amount equal to the portion (if any) of such accumulated earnings and profits which were accumulated in any taxable year beginning before January 1, 1983, for which such corporation was an electing small business corporation under subchapter S of the Internal Revenue Code of 1986.

**SEC. 8236. DEDUCTIBILITY OF INTEREST EXPENSE ON INDEBTEDNESS INCURRED BY AN ELECTING SMALL BUSINESS TRUST TO ACQUIRE S CORPORATION STOCK.**

(a) IN GENERAL.—Subparagraph (C) of section 641(c)(2) (relating to modifications) is amended by inserting after clause (iii) the following new clause:

“(iv) Any interest expense paid or accrued on indebtedness incurred to acquire stock in an S corporation.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2006.

**PART 2—REVENUE PROVISIONS**

**SEC. 8241. INCREASE IN AGE OF CHILDREN WHOSE UNEARNED INCOME IS TAXED AS IF PARENT’S INCOME.**

(a) IN GENERAL.—Subparagraph (A) of section 1(g)(2) (relating to child to whom subsection applies) is amended to read as follows:

“(A) such child—

“(i) has not attained age 18 before the close of the taxable year, or

“(ii) (I) has attained age 18 before the close of the taxable year and meets the age requirements of section 152(c)(3) (determined without regard to subparagraph (B) thereof), and

“(II) whose earned income (as defined in section 911(d)(2)) for such taxable year does not exceed one-half of the amount of the individual’s support (within the meaning of section 152(c)(1)(D) after the application of section 152(f)(5) (without regard to subparagraph (A) thereof) for such taxable year.”

(b) CONFORMING AMENDMENT.—Subsection (g) of section 1 is amended by striking “MINOR” in the heading thereof.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

**SEC. 8242. SUSPENSION OF CERTAIN PENALTIES AND INTEREST.**

(a) IN GENERAL.—Paragraphs (1)(A) and (3)(A) of section 6404(g) are each amended by striking “18-month period” and inserting “36-month period”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to notices provided by the Secretary of the Treasury, or his delegate, after the date which is 6 months after the date of the enactment of this Act.

**SEC. 8243. MODIFICATION OF COLLECTION DUE PROCESS PROCEDURES FOR EMPLOYMENT TAX LIABILITIES.**

(a) IN GENERAL.—Section 6330(f) (relating to jeopardy and State refund collection) is amended—

(1) by striking “; or” at the end of paragraph (1) and inserting a comma,

(2) by adding “or” at the end of paragraph (2), and

(3) by inserting after paragraph (2) the following new paragraph:

“(3) the Secretary has served a disqualified employment tax levy.”

(b) DISQUALIFIED EMPLOYMENT TAX LEVY.—Section 6330 of such Code (relating to notice and opportunity for hearing before levy) is amended by adding at the end the following new subsection:

“(h) DISQUALIFIED EMPLOYMENT TAX LEVY.—For purposes of subsection (f), a disqualified employment tax levy is any levy in connection with the collection of employment taxes for any taxable period if the person subject to the levy (or any predecessor thereof) requested a hearing under this section with respect to unpaid employment taxes arising in the most recent 2-year period before the beginning of the taxable period with respect to which the levy is served. For purposes of the preceding sentence, the term ‘employment taxes’ means any taxes under chapter 21, 22, 23, or 24.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to levies served on or after the date that is 120 days after the date of the enactment of this Act.

**SEC. 8244. PERMANENT EXTENSION OF IRS USER FEES.**

Section 7528 (relating to Internal Revenue Service user fees) is amended by striking subsection (c).

**SEC. 8245. INCREASE IN PENALTY FOR BAD CHECKS AND MONEY ORDERS.**

(a) IN GENERAL.—Section 6657 (relating to bad checks) is amended—

(1) by striking “\$750” and inserting “\$1,250”, and

(2) by striking “\$15” and inserting “\$25”.

(b) EFFECTIVE DATE.—The amendments made by this section apply to checks or money orders received after the date of the enactment of this Act.

**SEC. 8246. UNDERSTATEMENT OF TAXPAYER LIABILITY BY RETURN PREPARERS.**

(a) APPLICATION OF RETURN PREPARER PENALTIES TO ALL TAX RETURNS.—

(1) DEFINITION OF TAX RETURN PREPARER.—Paragraph (36) of section 7701(a) (relating to income tax preparer) is amended—

(A) by striking “income” each place it appears in the heading and the text, and

(B) in subparagraph (A), by striking “sub-title A” each place it appears and inserting “this title”.

(2) CONFORMING AMENDMENTS.—

(A)(i) Section 6060 is amended by striking “INCOME TAX RETURN PREPARERS” in the heading and inserting “TAX RETURN PREPARERS”.

(ii) Section 6060(a) is amended—

(I) by striking “an income tax return preparer” each place it appears and inserting “a tax return preparer”,

(II) by striking “each income tax return preparer” and inserting “each tax return preparer”, and

(III) by striking “another income tax return preparer” and inserting “another tax return preparer”.

(iii) The item relating to section 6060 in the table of sections for subpart F of part III of subchapter A of chapter 61 is amended by striking “income tax return preparers” and inserting “tax return preparers”.

(iv) Subpart F of part III of subchapter A of chapter 61 is amended by striking “**INCOME TAX RETURN PREPARERS**” in the heading and inserting “**TAX RETURN PREPARERS**”.

(v) The item relating to subpart F in the table of subparts for part III of subchapter A of chapter 61 is amended by striking “income tax return preparers” and inserting “tax return preparers”.

(B) Section 6103(k)(5) is amended—

(i) by striking “income tax return preparer” each place it appears and inserting “tax return preparer”, and

(ii) by striking “income tax return preparers” each place it appears and inserting “tax return preparers”.

(C)(i) Section 6107 is amended—

(I) by striking “**INCOME TAX RETURN PREPARER**” in the heading and inserting “**TAX RETURN PREPARER**”,

(II) by striking “an income tax return preparer” each place it appears in subsections (a) and (b) and inserting “a tax return preparer”,

(III) by striking “**INCOME TAX RETURN PREPARER**” in the heading for subsection (b) and inserting “**TAX RETURN PREPARER**”, and

(IV) in subsection (c), by striking “income tax return preparers” and inserting “tax return preparers”.

(ii) The item relating to section 6107 in the table of sections for subchapter B of chapter 61 is amended by striking “Income tax return preparer” and inserting “Tax return preparer”.

(D) Section 6109(a)(4) is amended—

(i) by striking “an income tax return preparer” and inserting “a tax return preparer”, and

(ii) by striking “**INCOME RETURN PREPARER**” in the heading and inserting “**TAX RETURN PREPARER**”.

(E) Section 6503(k)(4) is amended by striking “Income tax return preparers” and inserting “Tax return preparers”.

(F)(i) Section 6694 is amended—

(I) by striking “**INCOME TAX RETURN PREPARER**” in the heading and inserting “**TAX RETURN PREPARER**”,

(II) by striking “an income tax return preparer” each place it appears and inserting “a tax return preparer”,

(III) in subsection (c)(2), by striking “the income tax return preparer” and inserting “the tax return preparer”,

(IV) in subsection (e), by striking “subtitle A” and inserting “this title”, and

(V) in subsection (f), by striking “income tax return preparer” and inserting “tax return preparer”.

(ii) The item relating to section 6694 in the table of sections for part I of subchapter B of chapter 68 is amended by striking “income tax return preparer” and inserting “tax return preparer”.

(G)(i) Section 6695 is amended—

(I) by striking “**INCOME**” in the heading, and

(II) by striking “an income tax return preparer” each place it appears and inserting “a tax return preparer”.

(ii) Section 6695(f) is amended—

(I) by striking “subtitle A” and inserting “this title”, and

(II) by striking “the income tax return preparer” and inserting “the tax return preparer”.

(iii) The item relating to section 6695 in the table of sections for part I of subchapter

B of chapter 68 is amended by striking “income”.

(H) Section 6696(e) is amended by striking “subtitle A” each place it appears and inserting “this title”.

(I)(i) Section 7407 is amended—

(I) by striking “**INCOME TAX RETURN PREPARERS**” in the heading and inserting “**TAX RETURN PREPARERS**”,

(II) by striking “an income tax return preparer” each place it appears and inserting “a tax return preparer”,

(III) by striking “income tax preparer” both places it appears in subsection (a) and inserting “tax return preparer”, and

(IV) by striking “income tax return” in subsection (a) and inserting “tax return”.

(ii) The item relating to section 7407 in the table of sections for subchapter A of chapter 76 is amended by striking “income tax return preparers” and inserting “tax return preparers”.

(J)(i) Section 7427 is amended—

(I) by striking “**INCOME TAX RETURN PREPARERS**” in the heading and inserting “**TAX RETURN PREPARERS**”, and

(II) by striking “an income tax return preparer” and inserting “a tax return preparer”.

(ii) The item relating to section 7427 in the table of sections for subchapter B of chapter 76 is amended to read as follows:

“Sec. 7427. Tax return preparers.”

(b) MODIFICATION OF PENALTY FOR UNDERSTATEMENT OF TAXPAYER'S LIABILITY BY TAX RETURN PREPARER.—Subsections (a) and (b) of section 6694 are amended to read as follows:

“(a) UNDERSTATEMENT DUE TO UNREASONABLE POSITIONS.—

“(1) IN GENERAL.—Any tax return preparer who prepares any return or claim for refund with respect to which any part of an understatement of liability is due to a position described in paragraph (2) shall pay a penalty with respect to each such return or claim in an amount equal to the greater of—

“(A) \$1,000, or

“(B) 50 percent of the income derived (or to be derived) by the tax return preparer with respect to the return or claim.

“(2) UNREASONABLE POSITION.—A position is described in this paragraph if—

“(A) the tax return preparer knew (or reasonably should have known) of the position,

“(B) there was not a reasonable belief that the position would more likely than not be sustained on its merits, and

“(C)(i) the position was not disclosed as provided in section 6662(d)(2)(B)(ii), or

“(ii) there was no reasonable basis for the position.

“(3) REASONABLE CAUSE EXCEPTION.—No penalty shall be imposed under this subsection if it is shown that there is reasonable cause for the understatement and the tax return preparer acted in good faith.

“(b) UNDERSTATEMENT DUE TO WILLFUL OR RECKLESS CONDUCT.—

“(1) IN GENERAL.—Any tax return preparer who prepares any return or claim for refund with respect to which any part of an understatement of liability is due to a conduct described in paragraph (2) shall pay a penalty with respect to each such return or claim in an amount equal to the greater of—

“(A) \$5,000, or

“(B) 50 percent of the income derived (or to be derived) by the tax return preparer with respect to the return or claim.

“(2) WILLFUL OR RECKLESS CONDUCT.—Conduct described in this paragraph is conduct by the tax return preparer which is—

“(A) a willful attempt in any manner to understate the liability for tax on the return or claim, or

“(B) a reckless or intentional disregard of rules or regulations.

“(3) REDUCTION IN PENALTY.—The amount of any penalty payable by any person by reason of this subsection for any return or claim for refund shall be reduced by the amount of the penalty paid by such person by reason of subsection (a).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns prepared after the date of the enactment of this Act.

#### SEC. 8247. PENALTY FOR FILING ERRONEOUS REFUND CLAIMS.

(a) IN GENERAL.—Part I of subchapter B of chapter 68 (relating to assessable penalties) is amended by inserting after section 6675 the following new section:

#### “SEC. 6676. ERRONEOUS CLAIM FOR REFUND OR CREDIT.

“(a) CIVIL PENALTY.—If a claim for refund or credit with respect to income tax (other than a claim for a refund or credit relating to the earned income credit under section 32) is made for an excessive amount, unless it is shown that the claim for such excessive amount has a reasonable basis, the person making such claim shall be liable for a penalty in an amount equal to 20 percent of the excessive amount.

“(b) EXCESSIVE AMOUNT.—For purposes of this section, the term ‘excessive amount’ means in the case of any person the amount by which the amount of the claim for refund or credit for any taxable year exceeds the amount of such claim allowable under this title for such taxable year.

“(c) COORDINATION WITH OTHER PENALTIES.—This section shall not apply to any portion of the excessive amount of a claim for refund or credit which is subject to a penalty imposed under part II of subchapter A of chapter 68.”.

(b) CONFORMING AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 is amended by inserting after the item relating to section 6675 the following new item:

“Sec. 6676. Erroneous claim for refund or credit.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any claim filed or submitted after the date of the enactment of this Act.

#### SEC. 8248. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 is amended by striking “106.25 percent” and inserting “114.25 percent”.

#### Subtitle C—Small Business Incentives

#### SEC. 8301. SHORT TITLE.

This subtitle may be cited as the “Small Business and Work Opportunity Act of 2007”.

#### SEC. 8302. ENHANCED COMPLIANCE ASSISTANCE FOR SMALL BUSINESSES.

(a) IN GENERAL.—Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended by striking subsection (a) and inserting the following:

“(a) COMPLIANCE GUIDE.—

“(1) IN GENERAL.—For each rule or group of related rules for which an agency is required to prepare a final regulatory flexibility analysis under section 605(b) of title 5, United States Code, the agency shall publish 1 or more guides to assist small entities in complying with the rule and shall entitle such publications ‘small entity compliance guides’.

“(2) PUBLICATION OF GUIDES.—The publication of each guide under this subsection shall include—

“(A) the posting of the guide in an easily identified location on the website of the agency; and

“(B) distribution of the guide to known industry contacts, such as small entities, associations, or industry leaders affected by the rule.

“(3) PUBLICATION DATE.—An agency shall publish each guide (including the posting and distribution of the guide as described under paragraph (2))—

“(A) on the same date as the date of publication of the final rule (or as soon as possible after that date); and

“(B) not later than the date on which the requirements of that rule become effective.

“(4) COMPLIANCE ACTIONS.—

“(A) IN GENERAL.—Each guide shall explain the actions a small entity is required to take to comply with a rule.

“(B) EXPLANATION.—The explanation under subparagraph (A)—

“(i) shall include a description of actions needed to meet the requirements of a rule, to enable a small entity to know when such requirements are met; and

“(ii) if determined appropriate by the agency, may include a description of possible procedures, such as conducting tests, that may assist a small entity in meeting such requirements, except that, compliance with any procedures described pursuant to this section does not establish compliance with the rule, or establish a presumption or inference of such compliance.

“(C) PROCEDURES.—Procedures described under subparagraph (B)(ii)—

“(i) shall be suggestions to assist small entities; and

“(ii) shall not be additional requirements, or diminish requirements, relating to the rule.

“(5) AGENCY PREPARATION OF GUIDES.—The agency shall, in its sole discretion, taking into account the subject matter of the rule and the language of relevant statutes, ensure that the guide is written using sufficiently plain language likely to be understood by affected small entities. Agencies may prepare separate guides covering groups or classes of similarly affected small entities and may cooperate with associations of small entities to develop and distribute such guides. An agency may prepare guides and apply this section with respect to a rule or a group of related rules.

“(6) REPORTING.—Not later than 1 year after the date of enactment of the Fair Minimum Wage Act of 2007, and annually thereafter, the head of each agency shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate, the Committee on Small Business of the House of Representatives, and any other committee of relevant jurisdiction describing the status of the agency's compliance with paragraphs (1) through (5).”

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 211(3) of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended by inserting “and entitled” after “designated”.

#### SEC. 8303. SMALL BUSINESS CHILD CARE GRANT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall establish a program to award grants to States, on a competitive basis, to assist States in providing funds to encourage the establishment and operation of employer-operated child care programs.

(b) APPLICATION.—To be eligible to receive a grant under this section, a State shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including an assurance that the funds required under subsection (e) will be provided.

(c) AMOUNT AND PERIOD OF GRANT.—The Secretary shall determine the amount of a grant to a State under this section based on the population of the State as compared to the population of all States receiving grants

under this section. The Secretary shall make the grant for a period of 3 years.

(d) USE OF FUNDS.—

(1) IN GENERAL.—A State shall use amounts provided under a grant awarded under this section to provide assistance to small businesses (or consortia formed in accordance with paragraph (3)) located in the State to enable the small businesses (or consortia) to establish and operate child care programs. Such assistance may include—

(A) technical assistance in the establishment of a child care program;

(B) assistance for the startup costs related to a child care program;

(C) assistance for the training of child care providers;

(D) scholarships for low-income wage earners;

(E) the provision of services to care for sick children or to provide care to school-aged children;

(F) the entering into of contracts with local resource and referral organizations or local health departments;

(G) assistance for care for children with disabilities;

(H) payment of expenses for renovation or operation of a child care facility; or

(I) assistance for any other activity determined appropriate by the State.

(2) APPLICATION.—In order for a small business or consortium to be eligible to receive assistance from a State under this section, the small business involved shall prepare and submit to the State an application at such time, in such manner, and containing such information as the State may require.

(3) PREFERENCE.—

(A) IN GENERAL.—In providing assistance under this section, a State shall give priority to an applicant that desires to form a consortium to provide child care in a geographic area within the State where such care is not generally available or accessible.

(B) CONSORTIUM.—For purposes of subparagraph (A), a consortium shall be made up of 2 or more entities that shall include small businesses and that may include large businesses, nonprofit agencies or organizations, local governments, or other appropriate entities.

(4) LIMITATIONS.—With respect to grant funds received under this section, a State may not provide in excess of \$500,000 in assistance from such funds to any single applicant.

(e) MATCHING REQUIREMENT.—To be eligible to receive a grant under this section, a State shall provide assurances to the Secretary that, with respect to the costs to be incurred by a covered entity receiving assistance in carrying out activities under this section, the covered entity will make available (directly or through donations from public or private entities) non-Federal contributions to such costs in an amount equal to—

(1) for the first fiscal year in which the covered entity receives such assistance, not less than 50 percent of such costs (\$1 for each \$1 of assistance provided to the covered entity under the grant);

(2) for the second fiscal year in which the covered entity receives such assistance, not less than 66 percent of such costs (\$2 for each \$1 of assistance provided to the covered entity under the grant); and

(3) for the third fiscal year in which the covered entity receives such assistance, not less than 75 percent of such costs (\$3 for each \$1 of assistance provided to the covered entity under the grant).

(f) REQUIREMENTS OF PROVIDERS.—To be eligible to receive assistance under a grant awarded under this section, a child care provider—

(1) who receives assistance from a State shall comply with all applicable State and

local licensing and regulatory requirements and all applicable health and safety standards in effect in the State; and

(2) who receives assistance from an Indian tribe or tribal organization shall comply with all applicable regulatory standards.

(g) STATE-LEVEL ACTIVITIES.—A State may not retain more than 3 percent of the amount described in subsection (c) for State administration and other State-level activities.

(h) ADMINISTRATION.—

(1) STATE RESPONSIBILITY.—A State shall have responsibility for administering a grant awarded for the State under this section and for monitoring covered entities that receive assistance under such grant.

(2) AUDITS.—A State shall require each covered entity receiving assistance under the grant awarded under this section to conduct an annual audit with respect to the activities of the covered entity. Such audits shall be submitted to the State.

(3) MISUSE OF FUNDS.—

(A) REPAYMENT.—If the State determines, through an audit or otherwise, that a covered entity receiving assistance under a grant awarded under this section has misused the assistance, the State shall notify the Secretary of the misuse. The Secretary, upon such a notification, may seek from such a covered entity the repayment of an amount equal to the amount of any such misused assistance plus interest.

(B) APPEALS PROCESS.—The Secretary shall by regulation provide for an appeals process with respect to repayments under this paragraph.

(i) REPORTING REQUIREMENTS.—

(1) 2-YEAR STUDY.—

(A) IN GENERAL.—Not later than 2 years after the date on which the Secretary first awards grants under this section, the Secretary shall conduct a study to determine—

(i) the capacity of covered entities to meet the child care needs of communities within States;

(ii) the kinds of consortia that are being formed with respect to child care at the local level to carry out programs funded under this section; and

(iii) who is using the programs funded under this section and the income levels of such individuals.

(B) REPORT.—Not later than 28 months after the date on which the Secretary first awards grants under this section, the Secretary shall prepare and submit to the appropriate committees of Congress a report on the results of the study conducted in accordance with subparagraph (A).

(2) 4-YEAR STUDY.—

(A) IN GENERAL.—Not later than 4 years after the date on which the Secretary first awards grants under this section, the Secretary shall conduct a study to determine the number of child care facilities that are funded through covered entities that received assistance through a grant awarded under this section and that remain in operation, and the extent to which such facilities are meeting the child care needs of the individuals served by such facilities.

(B) REPORT.—Not later than 52 months after the date on which the Secretary first awards grants under this section, the Secretary shall prepare and submit to the appropriate committees of Congress a report on the results of the study conducted in accordance with subparagraph (A).

(j) DEFINITIONS.—In this section:

(1) COVERED ENTITY.—The term “covered entity” means a small business or a consortium formed in accordance with subsection (d)(3).

(2) INDIAN COMMUNITY.—The term “Indian community” means a community served by an Indian tribe or tribal organization.

(3) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms “Indian tribe” and “tribal organization” have the meanings given the terms in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n).

(4) SMALL BUSINESS.—The term “small business” means an employer who employed an average of at least 2 but not more than 50 employees on the business days during the preceding calendar year.

(5) STATE.—The term “State” has the meaning given the term in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n).

(k) APPLICATION TO INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—In this section:

(1) IN GENERAL.—Except as provided in subsection (f)(1), and in paragraphs (2) and (3), the term “State” includes an Indian tribe or tribal organization.

(2) GEOGRAPHIC REFERENCES.—The term “State” includes an Indian community in subsections (c) (the second and third place the term appears), (d)(1) (the second place the term appears), (d)(3)(A) (the second place the term appears), and (i)(1)(A)(i).

(3) STATE-LEVEL ACTIVITIES.—The term “State-level activities” includes activities at the tribal level.

(l) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section, \$50,000,000 for the period of fiscal years 2008 through 2012.

(2) STUDIES AND ADMINISTRATION.—With respect to the total amount appropriated for such period in accordance with this subsection, not more than \$2,500,000 of that amount may be used for expenditures related to conducting studies required under, and the administration of, this section.

(m) TERMINATION OF PROGRAM.—The program established under subsection (a) shall terminate on September 30, 2012.

#### SEC. 8304. STUDY OF UNIVERSAL USE OF ADVANCE PAYMENT OF EARNED INCOME CREDIT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall report to Congress on a study of the benefits, costs, risks, and barriers to workers and to businesses (with a special emphasis on small businesses) if the advance earned income tax credit program (under section 3507 of the Internal Revenue Code of 1986) included all recipients of the earned income tax credit (under section 32 of such Code) and what steps would be necessary to implement such inclusion.

#### SEC. 8305. RENEWAL GRANTS FOR WOMEN'S BUSINESS CENTERS.

(a) IN GENERAL.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended by adding at the end the following:

“(m) CONTINUED FUNDING FOR CENTERS.—

“(1) IN GENERAL.—A nonprofit organization described in paragraph (2) shall be eligible to receive, subject to paragraph (3), a 3-year grant under this subsection.

“(2) APPLICABILITY.—A nonprofit organization described in this paragraph is a nonprofit organization that has received funding under subsection (b) or (1).

“(3) APPLICATION AND APPROVAL CRITERIA.—

“(A) CRITERIA.—Subject to subparagraph (B), the Administrator shall develop and publish criteria for the consideration and approval of applications by nonprofit organizations under this subsection.

“(B) CONTENTS.—Except as otherwise provided in this subsection, the conditions for participation in the grant program under this subsection shall be the same as the conditions for participation in the program under subsection (1), as in effect on the date of enactment of this Act.

“(C) NOTIFICATION.—Not later than 60 days after the date of the deadline to submit ap-

plications for each fiscal year, the Administrator shall approve or deny any application under this subsection and notify the applicant for each such application.

“(4) AWARD OF GRANTS.—

“(A) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall make a grant for the Federal share of the cost of activities described in the application to each applicant approved under this subsection.

“(B) AMOUNT.—A grant under this subsection shall be for not more than \$150,000, for each year of that grant.

“(C) FEDERAL SHARE.—The Federal share under this subsection shall be not more than 50 percent.

“(D) PRIORITY.—In allocating funds made available for grants under this section, the Administrator shall give applications under this subsection or subsection (1) priority over first-time applications under subsection (b).

“(5) RENEWAL.—

“(A) IN GENERAL.—The Administrator may renew a grant under this subsection for additional 3-year periods, if the nonprofit organization submits an application for such renewal at such time, in such manner, and accompanied by such information as the Administrator may establish.

“(B) UNLIMITED RENEWALS.—There shall be no limitation on the number of times a grant may be renewed under subparagraph (A).

“(n) PRIVACY REQUIREMENTS.—

“(1) IN GENERAL.—A women's business center may not disclose the name, address, or telephone number of any individual or small business concern receiving assistance under this section without the consent of such individual or small business concern, unless—

“(A) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

“(B) the Administrator considers such a disclosure to be necessary for the purpose of conducting a financial audit of a women's business center, but a disclosure under this subparagraph shall be limited to the information necessary for such audit.

“(2) ADMINISTRATION USE OF INFORMATION.—This subsection shall not—

“(A) restrict Administration access to program activity data; or

“(B) prevent the Administration from using client information (other than the information described in subparagraph (A)) to conduct client surveys.

“(3) REGULATIONS.—The Administrator shall issue regulations to establish standards for requiring disclosures during a financial audit under paragraph (1)(B).”

(b) REPEAL.—Section 29(1) of the Small Business Act (15 U.S.C. 656(1)) is repealed effective October 1 of the first full fiscal year after the date of enactment of this Act.

(c) TRANSITIONAL RULE.—Notwithstanding any other provision of law, a grant or cooperative agreement that was awarded under subsection (1) of section 29 of the Small Business Act (15 U.S.C. 656), on or before the day before the date described in subsection (b) of this section, shall remain in full force and effect under the terms, and for the duration, of such grant or agreement.

#### SEC. 8306. REPORTS ON ACQUISITIONS OF ARTICLES, MATERIALS, AND SUPPLIES MANUFACTURED OUTSIDE THE UNITED STATES.

Section 2 of the Buy American Act (41 U.S.C. 10a) is amended—

(1) by striking “Notwithstanding” and inserting the following:

“(a) IN GENERAL.—Notwithstanding”; and

(2) by adding at the end the following:

“(b) REPORTS.—

“(1) IN GENERAL.—Not later than 180 days after the end of each of fiscal years 2007

through 2011, the head of each Federal agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on the amount of the acquisitions made by the agency in that fiscal year of articles, materials, or supplies purchased from entities that manufacture the articles, materials, or supplies outside of the United States.

“(2) CONTENTS OF REPORT.—The report required by paragraph (1) shall separately include, for the fiscal year covered by such report—

“(A) the dollar value of any articles, materials, or supplies that were manufactured outside the United States;

“(B) an itemized list of all waivers granted with respect to such articles, materials, or supplies under this Act, and a citation to the treaty, international agreement, or other law under which each waiver was granted;

“(C) if any articles, materials, or supplies were acquired from entities that manufacture articles, materials, or supplies outside the United States, the specific exception under this section that was used to purchase such articles, materials, or supplies; and

“(D) a summary of—

“(i) the total procurement funds expended on articles, materials, and supplies manufactured inside the United States; and

“(ii) the total procurement funds expended on articles, materials, and supplies manufactured outside the United States.

“(3) PUBLIC AVAILABILITY.—The head of each Federal agency submitting a report under paragraph (1) shall make the report publicly available to the maximum extent practicable.

“(4) EXCEPTION FOR INTELLIGENCE COMMUNITY.—This subsection shall not apply to acquisitions made by an agency, or component thereof, that is an element of the intelligence community as specified in, or designated under, section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).”

#### TITLE IX—AGRICULTURAL ASSISTANCE

##### SEC. 9001. CROP DISASTER ASSISTANCE.

(a) ASSISTANCE AVAILABLE.—There are hereby appropriated to the Secretary of Agriculture such sums as are necessary, to remain available until expended, to make emergency financial assistance available to producers on a farm that incurred qualifying quantity or quality losses for the 2005, 2006, or 2007 crop, due to damaging weather or any related condition (including losses due to crop diseases, insects, and delayed planting), as determined by the Secretary. However, to be eligible for assistance, the crop subject to the loss must have been planted before February 28, 2007, or, in the case of prevented planting or other total loss, would have been planted before February 28, 2007, in the absence of the damaging weather or any related condition.

(b) ELECTION OF CROP YEAR.—If a producer incurred qualifying crop losses in more than one of the 2005, 2006, or 2007 crop years, the producer shall elect to receive assistance under this section for losses incurred in only one of such crop years. The producer may not receive assistance under this section for more than one crop year.

(c) ADMINISTRATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Agriculture shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for quantity and economic losses as were used in

administering that section, except that the payment rate shall be 42 percent of the established price, instead of 65 percent.

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

(d) **QUALITY LOSSES.**—

(1) **IN GENERAL.**—Subject to paragraph (3), the amount of a payment made to producers on a farm for a quality loss for a crop under subsection (a) shall be equal to the amount obtained by multiplying—

(A) 65 percent of the payment quantity determined under paragraph (2); by

(B) 42 percent of the payment rate determined under paragraph (3).

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

(A) the actual production of the crop affected by a quality loss of the commodity on the farm; or

(B) the quantity of expected production of the crop affected by a quality loss of the commodity on the farm, using the formula used by the Secretary of Agriculture to determine quantity losses for the crop of the commodity under subsection (a).

(3) **PAYMENT RATE.**—For the purpose of paragraph (1)(B) and in accordance with paragraphs (5) and (6), the payment rate for quality losses for a crop of a commodity on a farm shall be equal to the difference between—

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

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

(4) **ELIGIBILITY.**—For producers on a farm to be eligible to obtain a payment for a quality loss for a crop under subsection (a), the amount obtained by multiplying the per unit loss determined under paragraph (1) by the number of units affected by the quality loss shall be at least 25 percent of the value that all affected production of the crop would have had if the crop had not suffered a quality loss.

(5) **MARKETING CONTRACTS.**—In the case of any production of a commodity that is sold pursuant to one or more marketing contracts (regardless of whether the contract is entered into by the producers on the farm before or after harvest) and for which appropriate documentation exists, the quantity designated in the contracts shall be eligible for quality loss assistance based on the one or more prices specified in the contracts.

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

(7) **QUALITY ADJUSTMENTS AND DISCOUNTS.**—The appropriate State committee of the Farm Service Agency shall identify the appropriate quality adjustment and discount factors to be considered in carrying out this subsection, including—

(A) the average local discounts actually applied to a crop; and

(B) the discount schedules applied to loans made by the Farm Service Agency or crop insurance coverage under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(8) **ELIGIBLE PRODUCTION.**—The Secretary of Agriculture shall carry out this subsection in a fair and equitable manner for all eligible production, including the production of

fruits and vegetables, other specialty crops, and field crops.

(e) **PAYMENT LIMITATIONS.**—

(1) **LIMIT ON AMOUNT OF ASSISTANCE.**—Assistance provided under this section to a producer for losses to a crop, together with the amounts specified in paragraph (2) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary of Agriculture.

(2) **OTHER PAYMENTS.**—In applying the limitation in paragraph (1), the Secretary shall include the following:

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

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

(f) **ELIGIBILITY REQUIREMENTS AND LIMITATIONS.**—The producers on a farm shall not be eligible for assistance under this section with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

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

(2) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses; or

(3) were not in compliance with highly erodible land conservation and wetland conservation provisions.

(g) **TIMING.**—

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

(2) **INTEREST.**—If the Secretary does not make payments to the producers on a farm by the date described in paragraph (1), the Secretary shall pay to the producers on a farm interest on the payments at a rate equal to the current (as of the sign-up deadline established by the Secretary) market yield on outstanding, marketable obligations of the United States with maturities of 30 years.

(h) **DEFINITIONS.**—In this section:

(1) **INSURABLE COMMODITY.**—The term “insurable commodity” means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(2) **NONINSURABLE COMMODITY.**—The term “noninsurable commodity” means a crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

## **SEC. 9002. LIVESTOCK ASSISTANCE.**

(a) **LIVESTOCK COMPENSATION PROGRAM.**—

(1) **AVAILABILITY OF ASSISTANCE.**—There are hereby appropriated to the Secretary of Agriculture such sums as are necessary, to remain available until expended, to carry out the livestock compensation program established under subpart B of part 1416 of title 7, Code of Federal Regulations, as announced by the Secretary on February 12, 2007 (72

Fed. Reg. 6443), to provide compensation for livestock losses between January 1, 2005 and February 28, 2007, due to a disaster, as determined by the Secretary (including losses due to blizzards that started in 2006 and continued into January 2007). However, the payment rate for compensation under this subsection shall be 61 percent of the payment rate otherwise applicable under such program. In addition, section 1416.102(b)(2)(ii) of title 7, Code of Federal Regulations (72 Fed. Reg. 6444) shall not apply.

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

(A) conducts a livestock operation that is located in a disaster county with eligible livestock specified in paragraph (1) of section 1416.102(a) of title 7, Code of Federal Regulations (72 Fed. Reg. 6444), an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1)), or other animals designated by the Secretary as livestock for purposes of this subsection; and

(B) meets the requirements of paragraphs (3) and (4) of section 1416.102(a) of title 7, Code of Federal Regulations, and all other eligibility requirements established by the Secretary for the program.

(3) **ELECTION OF LOSSES.**—

(A) If a producer incurred eligible livestock losses in more than one of the 2005, 2006, or 2007 calendar years, the producer shall elect to receive payments under this subsection for losses incurred in only one of such calendar years, and such losses must have been incurred in a county declared or designated as a disaster county in that same calendar year.

(B) Producers may elect to receive compensation for losses in the calendar year 2007 grazing season that are attributable to wildfires occurring during the applicable period, as determined by the Secretary.

(4) **MITIGATION.**—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock compensation program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.

(5) **DEFINITIONS.**—In this subsection:

(A) **DISASTER COUNTY.**—The term “disaster county” means—

(i) a county included in the geographic area covered by a natural disaster declaration; and

(ii) each county contiguous to a county described in clause (i).

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

(i) a natural disaster declared by the Secretary between January 1, 2005 and February 28, 2007, under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a));

(ii) a major disaster or emergency designated by the President between January 1, 2005 and February 28, 2007, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

(iii) a determination of a Farm Service Agency Administrator's Physical Loss Notice if such notice applies to a county included under (ii).

(b) **LIVESTOCK INDEMNITY PAYMENTS.**—

(1) **AVAILABILITY OF ASSISTANCE.**—There are hereby appropriated to the Secretary of Agriculture such sums as are necessary, to remain available until expended, to make livestock indemnity payments to producers on farms that have incurred livestock losses between January 1, 2005 and February 28, 2007,

due to a disaster, as determined by the Secretary (including losses due to blizzards that started in 2006 and continued into January 2007) in a disaster county. To be eligible for assistance, applicants must meet all eligibility requirements established by the Secretary for the program.

(2) **ELECTION OF LOSSES.**—If a producer incurred eligible livestock losses in more than one of the 2005, 2006, or 2007 calendar years, the producer shall elect to receive payments under this subsection for losses incurred in only one of such calendar years. The producer may not receive payments under this subsection for more than one calendar year.

(3) **PAYMENT RATES.**—Indemnity payments to a producer on a farm under paragraph (1) shall be made at a rate of not less than 26 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

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

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

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

(5) **DEFINITIONS.**—In this subsection:

(A) **DISASTER COUNTY.**—The term “disaster county” means—

(i) a county included in the geographic area covered by a natural disaster declaration; and

(ii) each county contiguous to a county described in clause (i).

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

(i) a natural disaster declared by the Secretary between January 1, 2005 and February 28, 2007, under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a));

(ii) a major disaster or emergency designated by the President between January 1, 2005 and February 28, 2007, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

(iii) a determination of a Farm Service Agency Administrator's Physical Loss Notice if such notice applies to a county included under (ii).

#### **SEC. 9003. EMERGENCY CONSERVATION PROGRAM.**

There is hereby appropriated to the Secretary of Agriculture \$16,000,000, to remain available until expended, to provide assistance under the Emergency Conservation Program under title IV of the Agriculture Credit Act of 1978 (16 U.S.C. 2201 et seq.) for the cleanup and restoration of farm and agricultural production lands.

#### **SEC. 9004. PAYMENT LIMITATIONS.**

(a) **REDUCTION IN PAYMENTS TO REFLECT PAYMENTS FOR SAME OR SIMILAR LOSSES.**—The amount of any payment for which a producer is eligible under sections 9001 and 9002 shall be reduced by any amount received by the producer for the same loss or any similar loss under—

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

(2) an agricultural disaster assistance provision contained in the announcement of the Secretary on January 26, 2006 or August 29, 2006; or

(3) the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 418).

(b) **ADJUSTED GROSS INCOME LIMITATION.**—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308-3a) shall apply with respect to assistance provided under sections 9001, 9002, and 9003.

#### **SEC. 9005. ADMINISTRATION.**

(a) **REGULATIONS.**—The Secretary of Agriculture may promulgate such regulations as are necessary to implement sections 9001 and 9002.

(b) **PROCEDURE.**—The promulgation of the implementing regulations and the administration of sections 9001 and 9002 shall be made without regard to—

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

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

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

(c) **CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.**—In carrying out this section, the Secretary of Agriculture shall use the authority provided under section 808 of title 5, United States Code.

(d) **USE OF COMMODITY CREDIT CORPORATION; LIMITATION.**—In implementing sections 9001 and 9002, the Secretary of Agriculture may use the facilities, services, and authorities of the Commodity Credit Corporation. The Corporation shall not make any expenditures to carry out sections 9001 and 9002 unless funds have been specifically appropriated for such purpose.

#### **SEC. 9006. MILK INCOME LOSS CONTRACT PROGRAM.**

(a) Section 1502(c)(3) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7982(c)(3)) is amended—

(1) in subparagraph (A), by adding “and” at the end;

(2) in subparagraph (B), by striking “August” and all that follows through the end and inserting “September 30, 2007, 34 percent.”; and

(3) by striking subparagraph (C).

(b) Section 10002 of this Act shall not apply to this section except with respect to fiscal years 2007 and 2008.

#### **SEC. 9007. DAIRY ASSISTANCE.**

There is hereby appropriated \$16,000,000 to make payments to dairy producers for dairy production losses in disaster counties, as defined in section 9002 of this title, to remain available until expended.

#### **SEC. 9008. NONINSURED CROP ASSISTANCE PROGRAM.**

For states in which there is a shortage of claims adjusters, as determined by the Secretary, the Secretary shall permit the use of one claims adjuster certified by the Secretary in carrying out 7 CFR 1437.401.

#### **SEC. 9009. EMERGENCY GRANTS TO ASSIST LOW-INCOME MIGRANT AND SEASONAL FARMWORKERS.**

There is hereby appropriated \$16,000,000 to carry out section 2281 of the Food, Agriculture, Conservation and Trade Act of 1990 (42 U.S.C. 5177a), to remain available until expended.

#### **SEC. 9010. CONSERVATION SECURITY PROGRAM.**

Section 20115 of Public Law 110-5 is amended by striking “section 726” and inserting in lieu thereof “section 726; section 741”.

#### **SEC. 9011. ADMINISTRATIVE EXPENSES.**

There is hereby appropriated \$22,000,000 for the “Farm Service Agency, Salaries and Expenses”, to remain available until September 30, 2008.

#### **SEC. 9012. CONTRACT WAIVER.**

In carrying out crop disaster and livestock assistance in this title, the Secretary shall require forage producers to have participated in a crop insurance pilot program or the

Non-Insured Crop Disaster Assistance Program during the crop year for which compensation is received.

### **TITLE X—GENERAL PROVISIONS**

SEC. 10001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 10002. Amounts in this Act (other than in titles VI and VIII) are designated as emergency requirements and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

#### **AMENDMENT 2 TO THE SENATE AMENDMENT TO H.R. 2206**

In lieu of titles I and II of House amendment 1 (or, if such amendment has not been agreed to, in lieu of the matter proposed to be inserted by the Senate amendment), insert the following:

### **TITLE I—SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE, INTERNATIONAL AFFAIRS, AND OTHER SECURITY-RELATED NEEDS**

#### **CHAPTER 1**

##### **DEPARTMENT OF AGRICULTURE**

##### **FOREIGN AGRICULTURAL SERVICE**

##### **PUBLIC LAW 480 TITLE II GRANTS**

For an additional amount for “Public Law 480 Title II Grants”, during the current fiscal year, not otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, \$350,000,000, to remain available until expended.

#### **CHAPTER 2**

##### **DEPARTMENT OF JUSTICE**

##### **LEGAL ACTIVITIES**

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

For an additional amount for “Salaries and Expenses, General Legal Activities”, \$1,648,000, to remain available until September 30, 2008.

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

For an additional amount for “Salaries and Expenses, United States Attorneys”, \$5,000,000, to remain available until September 30, 2008.

##### **UNITED STATES MARSHALS SERVICE**

##### **SALARIES AND EXPENSES**

For an additional amount for “Salaries and Expenses”, \$6,450,000, to remain available until September 30, 2008.

##### **NATIONAL SECURITY DIVISION**

##### **SALARIES AND EXPENSES**

For an additional amount for “Salaries and Expenses”, \$1,736,000, to remain available until September 30, 2008.

##### **FEDERAL BUREAU OF INVESTIGATION**

##### **SALARIES AND EXPENSES**

For an additional amount for “Salaries and Expenses”, \$118,260,000, to remain available until September 30, 2008.

##### **DRUG ENFORCEMENT ADMINISTRATION**

##### **SALARIES AND EXPENSES**

For an additional amount for “Salaries and Expenses”, \$8,468,000, to remain available until September 30, 2008.

##### **BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES**

##### **SALARIES AND EXPENSES**

For an additional amount for “Salaries and Expenses”, \$4,000,000, to remain available until September 30, 2008.

FEDERAL PRISON SYSTEM  
SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$17,000,000, to remain available until September 30, 2008.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1201. Funds provided in this Act for the “Department of Justice, United States Marshals Service, Salaries and Expenses” shall be made available according to the language relating to such account in the joint explanatory statement accompanying the conference report on H.R. 1591 of the 110th Congress (H. Rept. 110-107).

SEC. 1202. Funds provided in this Act for the “Department of Justice, Legal Activities, Salaries and Expenses, General Legal Activities”, shall be made available according to the language relating to such account in the joint explanatory statement accompanying the conference report on H.R. 1591 of the 110th Congress (H. Rept. 110-107).

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY  
MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$8,510,270,000.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$692,127,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$1,386,871,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$1,079,287,000.

RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, \$147,244,000.

RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel, Navy”, \$77,800,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for “Reserve Personnel, Air Force”, \$5,500,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, \$436,025,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, \$24,500,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$20,373,379,000.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Operation and Maintenance, Navy”, \$4,652,670,000, of which up to \$120,293,000 shall be transferred to Coast Guard, “Operating Expenses”, for reimbursement for activities which support activities requested by the Navy.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$1,146,594,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$6,650,881,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$2,714,487,000, of which—

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

(2) not to exceed \$200,000,000, to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided to United States military operations, notwithstanding any other provision of law: *Provided*, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY  
RESERVE

For an additional amount for “Operation and Maintenance, Army Reserve”, \$74,049,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for “Operation and Maintenance, Navy Reserve”, \$111,066,000.

OPERATION AND MAINTENANCE, MARINE CORPS  
RESERVE

For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, \$13,591,000.

OPERATION AND MAINTENANCE, AIR FORCE  
RESERVE

For an additional amount for “Operation and Maintenance, Air Force Reserve”, \$10,160,000.

OPERATION AND MAINTENANCE, ARMY  
NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, \$83,569,000.

OPERATION AND MAINTENANCE, AIR NATIONAL  
GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, \$38,429,000.

AFGHANISTAN SECURITY FORCES FUND

For an additional amount for “Afghanistan Security Forces Fund”, \$5,906,400,000, to remain available until September 30, 2008.

IRAQ SECURITY FORCES FUND

For an additional amount for “Iraq Security Forces Fund”, \$3,842,300,000, to remain available until September 30, 2008.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Iraq Freedom Fund”, \$355,600,000, to remain available for transfer until September 30, 2008: *Provided*, That up to \$50,000,000 may be obligated and expended for purposes of the Task Force to Improve Business and Stability Operations in Iraq.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT  
FUND

For an additional amount for “Joint Improvised Explosive Device Defeat Fund”, \$2,432,800,000, to remain available until September 30, 2009.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for “Aircraft Procurement, Army”, \$619,750,000, to remain available until September 30, 2009.

MISSILE PROCUREMENT, ARMY

For an additional amount for “Missile Procurement, Army”, \$111,473,000, to remain available until September 30, 2009.

PROCUREMENT OF WEAPONS AND TRACKED  
COMBAT VEHICLES, ARMY

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, \$3,404,315,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, \$681,500,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, \$9,859,137,000, to remain available until September 30, 2009.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for “Aircraft Procurement, Navy”, \$1,090,287,000, to remain available until September 30, 2009.

WEAPONS PROCUREMENT, NAVY

For an additional amount for “Weapons Procurement, Navy”, \$163,813,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, NAVY AND  
MARINE CORPS

For an additional amount for “Procurement of Ammunition, Navy and Marine Corps”, \$159,833,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, \$618,709,000, to remain available until September 30, 2009.

PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, \$989,389,000, to remain available until September 30, 2009.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement, Air Force”, \$2,106,468,000, to remain available until September 30, 2009.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, \$94,900,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for “Procurement of Ammunition, Air Force”, \$6,000,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$1,957,160,000, to remain available until September 30, 2009.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, \$721,190,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, \$100,006,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, \$298,722,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$187,176,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$512,804,000, to remain available until September 30, 2008.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$1,115,526,000.

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for “National Defense Sealift Fund”, \$5,000,000.

OTHER DEPARTMENT OF DEFENSE  
PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, \$1,123,147,000.

DRUG INTERDICTION AND COUNTER-DRUG  
ACTIVITIES, DEFENSE

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense”, \$254,665,000, to remain available until expended.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT  
ACCOUNT

For an additional amount for “Intelligence Community Management Account”, \$71,726,000.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1301. Appropriations provided in this Act are available for obligation until September 30, 2007, unless otherwise provided herein.

(TRANSFER OF FUNDS)

SEC. 1302. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to \$3,500,000,000 of the funds made available to the Department of Defense (except for military construction) in this Act: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2007 (Public Law 109-289; 120 Stat. 1257), except for the fourth proviso: *Provided further*, That funds previously transferred to the “Joint Improvised Explosive Device Defeat Fund” and the “Iraq Security Forces Fund” under the authority of section 8005 of Public Law 109-289 and transferred back to their source appropriations accounts shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under section 8005.

SEC. 1303. Funds appropriated in this Act, or made available by the transfer of funds in or pursuant to this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 1304. None of the funds provided in this Act may be used to finance programs or activities denied by Congress in fiscal years 2006 or 2007 appropriations to the Department of Defense (except for military construction) or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

(TRANSFER OF FUNDS)

SEC. 1305. During fiscal year 2007, the Secretary of Defense may transfer not to exceed

\$6,300,000 of the amounts in or credited to the Defense Cooperation Account, pursuant to 10 U.S.C. 2608, to such appropriations or funds of the Department of Defense as he shall determine for use consistent with the purposes for which such funds were contributed and accepted: *Provided*, That such amounts shall be available for the same time period as the appropriation to which transferred: *Provided further*, That the Secretary shall report to the Congress all transfers made pursuant to this authority.

SEC. 1306. (a) **AUTHORITY TO PROVIDE SUPPORT.**—Of the amount appropriated by this Act under the heading, “Drug Interdiction and Counter-Drug Activities, Defense”, not to exceed \$60,000,000 may be used for support for counter-drug activities of the Governments of Afghanistan and Pakistan: *Provided*, That such support shall be in addition to support provided for the counter-drug activities of such Governments under any other provision of the law.

(b) **TYPES OF SUPPORT.**—

(1) Except as specified in subsection (b)(2) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85, as amended by Public Laws 106-398, 108-136, and 109-364) and conditions on the provision of support as contained in section 1033 shall apply for fiscal year 2007.

(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to said Governments for counter-drug activities.

SEC. 1307. (a) From funds made available for operation and maintenance in this Act to the Department of Defense, not to exceed \$456,400,000 may be used, notwithstanding any other provision of law, to fund the Commanders’ Emergency Response Program, for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi and Afghan people.

(b) **QUARTERLY REPORTS.**—Not later than 15 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

SEC. 1308. Section 9010 of division A of Public Law 109-289 is amended by striking “2007” each place it appears and inserting “2008”.

SEC. 1309. During fiscal year 2007, supervision and administration costs associated with projects carried out with funds appropriated to “Afghanistan Security Forces Fund” or “Iraq Security Forces Fund” in this Act may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 1310. Section 1005(c)(2) of the National Defense Authorization Act, Fiscal Year 2007 (Public Law 109-364) is amended by striking “\$310,277,000” and inserting “\$376,446,000”.

SEC. 1311. Section 9007 of Public Law 109-289 is amended by striking “20” and inserting “287”.

SEC. 1312. From funds made available for the “Iraq Security Forces Fund” for fiscal year 2007, up to \$155,500,000 may be used, notwithstanding any other provision of law, to provide assistance, with the concurrence of

the Secretary of State, to the Government of Iraq to support the disarmament, demobilization, and reintegration of militias and illegal armed groups.

(TRANSFER OF FUNDS)

SEC. 1313. Notwithstanding any other provision of law, not to exceed \$110,000,000 may be transferred to the “Economic Support Fund”, Department of State, for use in programs in Pakistan from amounts appropriated by this Act as follows:

“Military Personnel, Army”, \$70,000,000.  
“National Guard Personnel, Army”, \$13,183,000.

“Defense Health Program”, \$26,817,000.

SEC. 1314. (a) **FINDINGS REGARDING PROGRESS IN IRAQ, THE ESTABLISHMENT OF BENCHMARKS TO MEASURE THAT PROGRESS, AND REPORTS TO CONGRESS.**—Congress makes the following findings:

(1) Over 145,000 American military personnel are currently serving in Iraq, like thousands of others since March 2003, with the bravery and professionalism consistent with the finest traditions of the United States Armed Forces, and are deserving of the strong support of all Americans.

(2) Many American service personnel have lost their lives, and many more have been wounded in Iraq; the American people will always honor their sacrifice and honor their families.

(3) The United States Army and Marine Corps, including their Reserve components and National Guard organizations, together with components of the other branches of the military, are performing their missions while under enormous strain from multiple, extended deployments to Iraq and Afghanistan. These deployments, and those that will follow, will have a lasting impact on future recruiting, retention, and readiness of our Nation’s all volunteer force.

(4) Iraq is experiencing a deteriorating problem of sectarian and intrasectarian violence based upon political distrust and cultural differences among factions of the Sunni and Shia populations.

(5) Iraqis must reach political and economic settlements in order to achieve reconciliation, for there is no military solution. The failure of the Iraqis to reach such settlements to support a truly unified government greatly contributes to the increasing violence in Iraq.

(6) The responsibility for Iraq’s internal security and halting sectarian violence rests with the sovereign Government of Iraq.

(7) In December 2006, the bipartisan Iraq Study Group issued a valuable report, suggesting a comprehensive strategy that includes new and enhanced diplomatic and political efforts in Iraq and the region, and a change in the primary mission of U.S. forces in Iraq, that will enable the United States to begin to move its combat forces out of Iraq responsibly.

(8) The President said on January 10, 2007, that “I’ve made it clear to the Prime Minister and Iraq’s other leaders that America’s commitment is not open-ended” so as to dispel the contrary impression that exists.

(9) It is essential that the sovereign Government of Iraq set out measurable and achievable benchmarks and President Bush said, on January 10, 2007, that “America will change our approach to help the Iraqi government as it works to meet these benchmarks”.

(10) As reported by Secretary of State Rice, Iraq’s Policy Committee on National Security agreed upon a set of political, security, and economic benchmarks and an associated timeline in September 2006 that were (A) reaffirmed by Iraq’s Presidency Council on October 6, 2006; (B) referenced by the Iraq Study Group; and (C) posted on the President of Iraq’s Web site.

(11) On April 21, 2007, Secretary of Defense Robert Gates stated that “our [American] commitment to Iraq is long-term, but it is not a commitment to have our young men and women patrolling Iraq’s streets open-endedly” and that “progress in reconciliation will be an important element of our evaluation”.

(12) The President’s January 10, 2007 address had three components: political, military, and economic. Given that significant time has passed since his statement, and recognizing the overall situation is ever changing, Congress must have timely reports to evaluate and execute its constitutional oversight responsibilities.

(b) **CONDITIONING OF FUTURE UNITED STATES STRATEGY IN IRAQ ON THE IRAQI GOVERNMENT’S RECORD OF PERFORMANCE ON ITS BENCHMARKS.**—

(1) **IN GENERAL.**—

(A) The United States strategy in Iraq, hereafter, shall be conditioned on the Iraqi government meeting benchmarks, as told to members of Congress by the President, the Secretary of State, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, and reflected in the Iraqi Government’s commitments to the United States, and to the international community, including:

(i) Forming a Constitutional Review Committee and then completing the constitutional review.

(ii) Enacting and implementing legislation on de-Baathification.

(iii) Enacting and implementing legislation to ensure the equitable distribution of hydrocarbon resources of the people of Iraq without regard to the sect or ethnicity of recipients, and enacting and implementing legislation to ensure that the energy resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds, and other Iraqi citizens in an equitable manner.

(iv) Enacting and implementing legislation on procedures to form semi-autonomous regions.

(v) Enacting and implementing legislation establishing an Independent High Electoral Commission, provincial elections law, provincial council authorities, and a date for provincial elections.

(vi) Enacting and implementing legislation addressing amnesty.

(vii) Enacting and implementing legislation establishing a strong militia disarmament program to ensure that such security forces are accountable only to the central government and loyal to the Constitution of Iraq.

(viii) Establishing supporting political, media, economic, and services committees in support of the Baghdad Security Plan.

(ix) Providing three trained and ready Iraqi brigades to support Baghdad operations.

(x) Providing Iraqi commanders with all authorities to execute this plan and to make tactical and operational decisions, in consultation with U.S. commanders, without political intervention, to include the authority to pursue all extremists, including Sunni insurgents and Shiite militias.

(xi) Ensuring that the Iraqi Security Forces are providing even handed enforcement of the law.

(xii) Ensuring that, according to President Bush, Prime Minister Maliki said “the Baghdad security plan will not provide a safe haven for any outlaws, regardless of [their] sectarian or political affiliation”.

(xiii) Reducing the level of sectarian violence in Iraq and eliminating militia control of local security.

(xiv) Establishing all of the planned joint security stations in neighborhoods across Baghdad.

(xv) Increasing the number of Iraqi security forces units capable of operating independently.

(xvi) Ensuring that the rights of minority political parties in the Iraqi legislature are protected.

(xvii) Allocating and spending \$10 billion in Iraqi revenues for reconstruction projects, including delivery of essential services, on an equitable basis.

(xviii) Ensuring that Iraq’s political authorities are not undermining or making false accusations against members of the Iraqi Security Forces.

(B) The President shall submit reports to Congress on how the sovereign Government of Iraq is, or is not, achieving progress towards accomplishing the aforementioned benchmarks, and shall advise the Congress on how that assessment requires, or does not require, changes to the strategy announced on January 10, 2007.

(2) **REPORTS REQUIRED.**—

(A) The President shall submit an initial report, in classified and unclassified format, to the Congress, not later than July 15, 2007, assessing the status of each of the specific benchmarks established above, and declaring, in his judgment, whether satisfactory progress toward meeting these benchmarks is, or is not, being achieved.

(B) The President, having consulted with the Secretary of State, the Secretary of Defense, the Commander, Multi-National Forces-Iraq, the United States Ambassador to Iraq, and the Commander of U.S. Central Command, will prepare the report and submit the report to Congress.

(C) If the President’s assessment of any of the specific benchmarks established above is unsatisfactory, the President shall include in that report a description of such revisions to the political, economic, regional, and military components of the strategy, as announced by the President on January 10, 2007. In addition, the President shall include in the report, the advisability of implementing such aspects of the bipartisan Iraq Study Group, as he deems appropriate.

(D) The President shall submit a second report to the Congress, not later than September 15, 2007, following the same procedures and criteria outlined above.

(E) The reporting requirement detailed in section 1227 of the National Defense Authorization Act for Fiscal Year 2006 is waived from the date of the enactment of this Act through the period ending September 15, 2007.

(3) **TESTIMONY BEFORE CONGRESS.**—Prior to the submission of the President’s second report on September 15, 2007, and at a time to be agreed upon by the leadership of the Congress and the Administration, the United States Ambassador to Iraq and the Commander, Multi-National Forces Iraq will be made available to testify in open and closed sessions before the relevant committees of the Congress.

(c) **LIMITATIONS ON AVAILABILITY OF FUNDS.**—

(1) **LIMITATION.**—No funds appropriated or otherwise made available for the “Economic Support Fund” and available for Iraq may be obligated or expended unless and until the President of the United States certifies in the report outlined in subsection (b)(2)(A) and makes a further certification in the report outlined in subsection (b)(2)(D) that Iraq is making progress on each of the benchmarks set forth in subsection (b)(1)(A).

(2) **WAIVER AUTHORITY.**—The President may waive the requirements of this section if he submits to Congress a written certification setting forth a detailed justification for the waiver, which shall include a detailed report describing the actions being taken by the United States to bring the Iraqi government

into compliance with the benchmarks set forth in subsection (b)(1)(A). The certification shall be submitted in unclassified form, but may include a classified annex.

(d) **REDEPLOYMENT OF U.S. FORCES FROM IRAQ.**—The President of the United States, in respecting the sovereign rights of the nation of Iraq, shall direct the orderly redeployment of elements of U.S. forces from Iraq, if the components of the Iraqi government, acting in strict accordance with their respective powers given by the Iraqi Constitution, reach a consensus as recited in a resolution, directing a redeployment of U.S. forces.

(e) **INDEPENDENT ASSESSMENTS.**—

(1) **ASSESSMENT BY THE COMPTROLLER GENERAL.**—

(A) Not later than September 1, 2007, the Comptroller General of the United States shall submit to Congress an independent report setting forth—

(i) the status of the achievement of the benchmarks specified in subsection (b)(1)(A); and

(ii) the Comptroller General’s assessment of whether or not each such benchmark has been met.

(2) **ASSESSMENT OF THE CAPABILITIES OF IRAQI SECURITY FORCES.**—

(A) **IN GENERAL.**—There is hereby authorized to be appropriated for the Department of Defense, \$750,000, that the Department, in turn, will commission an independent, private sector entity, which operates as a 501(c)(3), with recognized credentials and expertise in military affairs, to prepare an independent report assessing the following:

(i) The readiness of the Iraqi Security Forces (ISF) to assume responsibility for maintaining the territorial integrity of Iraq, denying international terrorists a safe haven, and bringing greater security to Iraq’s 18 provinces in the next 12 to 18 months, and bringing an end to sectarian violence to achieve national reconciliation.

(ii) The training, equipping, command, control and intelligence capabilities, and logistics capacity of the ISF.

(iii) The likelihood that, given the ISF’s record of preparedness to date, following years of training and equipping by U.S. forces, the continued support of U.S. troops will contribute to the readiness of the ISF to fulfill the missions outlined in clause (i).

(B) **REPORT.**—Not later than 120 days after the enactment of this Act, the designated private sector entity shall provide an unclassified report, with a classified annex, containing its findings, to the House and Senate Committees on Armed Services, Appropriations, Foreign Relations/International Relations, and Intelligence.

## CHAPTER 4

### DEPARTMENT OF ENERGY

#### ATOMIC ENERGY DEFENSE ACTIVITIES

##### NATIONAL NUCLEAR SECURITY

##### ADMINISTRATION

##### DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for “Defense Nuclear Nonproliferation”, \$63,000,000, to remain available until expended.

## CHAPTER 5

### DEPARTMENT OF DEFENSE

#### MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, \$1,255,890,000, to remain available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed \$173,700,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*,

That of the funds made available under this heading, \$369,690,000 shall not be obligated or expended until the Secretary of Defense submits a detailed report explaining how military road construction is coordinated with NATO and coalition nations: *Provided further*, That of the funds made available under this heading, \$401,700,000 shall not be obligated or expended until the Secretary of Defense submits a detailed stationing plan to support Army end-strength growth to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That of the funds provided under this heading, \$274,800,000 shall not be obligated or expended until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for the permanent basing of United States military personnel in Iraq.

#### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", \$370,990,000, to remain available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed \$49,600,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*, That of the funds made available under this heading, \$324,270,000 shall not be obligated or expended until the Secretary of Defense submits a detailed stationing plan to support Marine Corps end-strength growth to the Committees on Appropriations of the House of Representatives and the Senate.

#### MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force", \$43,300,000, to remain available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed \$3,000,000 shall be available for study, planning, design, and architect and engineer services.

#### GENERAL PROVISION—THIS CHAPTER

SEC. 1501. (a) Funds provided in this Act for the following accounts shall be made available for programs under the conditions contained in the language of the joint explanatory statement of managers accompanying the conference report on H.R. 1591 of the 110th Congress (H. Rept. 110-107):

"Military Construction, Army".

"Military Construction, Navy and Marine Corps".

"Military Construction, Air Force".

(b) The Secretary of Defense shall submit all reports requested in House Report 110-60 and Senate Report 110-37 to the Committees on Appropriations of both Houses of Congress.

### CHAPTER 6

#### DEPARTMENT OF STATE AND RELATED AGENCY

##### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### DIPLOMATIC AND CONSULAR PROGRAMS

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Diplomatic and Consular Programs", \$836,555,000, to remain available until September 30, 2008, of which \$64,655,000 for World Wide Security Upgrades is available until expended: *Provided*,

That of the funds appropriated under this heading, not more than \$20,000,000 shall be made available for public diplomacy programs: *Provided further*, That prior to the obligation of funds pursuant to the previous proviso, the Secretary of State shall submit a report to the Committees on Appropriations describing a comprehensive public diplomacy strategy, with goals and expected results, for fiscal years 2007 and 2008: *Provided further*, That 20 percent of the amount available for Iraq operations shall not be obligated until the Committees on Appropriations receive and approve a detailed plan for expenditure, prepared by the Secretary of State, and submitted within 60 days after the date of enactment of this Act: *Provided further*, That of the amount made available under this heading for Iraq, not to exceed \$20,000,000 may be transferred to, and merged with, funds in the "Emergencies in the Diplomatic and Consular Service" appropriations account, to be available only for terrorism rewards.

##### OFFICE OF THE INSPECTOR GENERAL

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Office of Inspector General", \$35,000,000, to remain available until December 31, 2008: *Provided*, That such amount shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight.

##### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for "Educational and Cultural Exchange Programs", \$20,000,000, to remain available until expended.

##### INTERNATIONAL ORGANIZATIONS

##### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for "Contributions for International Peacekeeping Activities", \$283,000,000, to remain available until September 30, 2008.

##### RELATED AGENCY

##### BROADCASTING BOARD OF GOVERNORS

##### INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for "International Broadcasting Operations" for activities related to broadcasting to the Middle East, \$10,000,000, to remain available until September 30, 2008.

##### BILATERAL ECONOMIC ASSISTANCE

##### FUNDS APPROPRIATED TO THE PRESIDENT

##### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

##### CHILD SURVIVAL AND HEALTH PROGRAMS FUND (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Child Survival and Health Programs Fund", \$161,000,000, to remain available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, if the President determines and reports to the Committees on Appropriations that the human-to-human transmission of the avian influenza virus is efficient and sustained, and is spreading internationally, funds made available under the heading "Millennium Challenge Corporation" and "Global HIV/AIDS Initiative" in prior Acts making appropriations for foreign operations, export financing, and related programs may be transferred to, and merged with, funds made available under this heading to combat avian influenza: *Provided further*, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

##### INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For an additional amount for "International Disaster and Famine Assistance",

\$105,000,000, to remain available until expended.

##### OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for "Operating Expenses of the United States Agency for International Development", \$5,700,000, to remain available until September 30, 2008.

##### OTHER BILATERAL ECONOMIC ASSISTANCE

##### ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund", \$2,502,000,000, to remain available until September 30, 2008: *Provided*, That of the funds appropriated under this heading, \$57,400,000 shall be made available to nongovernmental organizations in Iraq for economic and social development programs and activities in areas of conflict: *Provided further*, That the responsibility for policy decisions and justifications for the use of funds appropriated by the previous proviso shall be the responsibility of the United States Chief of Mission in Iraq: *Provided further*, That none of the funds appropriated under this heading in this Act or in prior Acts making appropriations for foreign operations, export financing, and related programs may be made available for the Political Participation Fund and the National Institutions Fund: *Provided further*, That of the funds made available under the heading "Economic Support Fund" in Public Law 109-234 for Iraq to promote democracy, rule of law and reconciliation, \$2,000,000 should be made available for the United States Institute of Peace for programs and activities in Afghanistan to remain available until September 30, 2008.

##### ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

For an additional amount for "Assistance for Eastern Europe and the Baltic States", \$214,000,000, to remain available until September 30, 2008, for assistance for Kosovo.

##### DEPARTMENT OF STATE

##### DEMOCRACY FUND

For an additional amount for "Democracy Fund", \$255,000,000, to remain available until September 30, 2008: *Provided*, That of the funds appropriated under this heading, not less than \$190,000,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State, and not less than \$60,000,000 shall be made available for the United States Agency for International Development, for democracy, human rights and rule of law programs in Iraq: *Provided further*, That not later than 60 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations describing a comprehensive, long-term strategy, with goals and expected results, for strengthening and advancing democracy in Iraq.

##### INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for "International Narcotics Control and Law Enforcement", \$210,000,000, to remain available until September 30, 2008.

##### MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and Refugee Assistance", \$71,500,000, to remain available until September 30, 2008, of which not less than \$5,000,000 shall be made available to rescue Iraqi scholars.

##### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for "United States Emergency Refugee and Migration Assistance Fund", \$30,000,000, to remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM,  
DEMINEING AND RELATED PROGRAMS

For an additional amount for "Non-proliferation, Anti-Terrorism, Demining and Related Programs", \$27,500,000, to remain available until September 30, 2008.

DEPARTMENT OF THE TREASURY  
INTERNATIONAL AFFAIRS TECHNICAL  
ASSISTANCE

For an additional amount for "International Affairs Technical Assistance", \$2,750,000, to remain available until September 30, 2008.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT  
FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", \$220,000,000, to remain available until September 30, 2008.

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", \$190,000,000, to remain available until September 30, 2008: *Provided*, That not later than 30 days after enactment of this Act and every 30 days thereafter until September 30, 2008, the Secretary of State shall submit a report to the Committees on Appropriations detailing the obligation and expenditure of funds made available under this heading in this Act and in prior Acts making appropriations for foreign operations, export financing, and related programs.

GENERAL PROVISION—THIS CHAPTER  
AUTHORIZATION OF FUNDS

SEC. 1601. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

**TITLE II—HURRICANE KATRINA  
RECOVERY**

DEPARTMENT OF HOMELAND SECURITY  
FEDERAL EMERGENCY MANAGEMENT AGENCY  
DISASTER RELIEF

For an additional amount for "Disaster Relief", \$3,400,000,000, to remain available until expended.

If House amendment 1 has not been agreed to, insert after title II of the provisions inserted by this amendment the following:

**TITLE III—GENERAL PROVISIONS**

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

SEC. 3002. Amounts in this Act are designated as emergency requirements and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

If House amendment 1 has not been agreed to, insert before title I of the provisions inserted by this amendment the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Supplemental Appropriations Act for Defense, International Affairs, Other Security-Related Needs, and Hurricane Katrina Recovery, 2007".

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

**TITLE I—SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE, INTERNATIONAL AFFAIRS, AND OTHER SECURITY-RELATED NEEDS**

**TITLE II—HURRICANE KATRINA RECOVERY**

**TITLE III—GENERAL PROVISIONS**

**SEC. 3. STATEMENT OF APPROPRIATIONS.**

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2007.

If House amendment 1 has been agreed to, conform the table of contents in section 2 to reflect the titles inserted by the provisions of this amendment.

The SPEAKER pro tempore. Pursuant to House Resolution 438, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

**GENERAL LEAVE**

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the pending legislation and that I be permitted to include tables, charts and other extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are two sets of issues before us, the President's request for almost \$100 billion to finance the cost of the war in Iraq for the remainder of this fiscal year, which ends October 1.

There is a second set of issues which relate to urgent needs for this year, additional funding for State Children's Health Insurance Program to prevent many thousands of poor children and some of their parents from losing health coverage; gulf coast recovery after Katrina; drought relief for farmers and the 70 percent of the U.S. counties that the President named as disaster areas; and other areas where we believe we must do more than the President wants to do; defense health, such as efforts to provide more help to veterans with traumatic brain injury; veterans' health, to help veterans overcome ridiculous backlogs; homeland security, to strengthen our ports, our borders and our cargo inspection systems; full funding for BRAC, the base realignment requirements; additional funding for military housing needs; and greater resources to wage the effort to root out al Qaeda in Afghanistan.

Dealing with these issues is complicated by the fact that this country and this Congress are deeply divided on our involvement in the Iraqi civil war, which has dragged on now for more than 4 years.

Several weeks ago, House Democrats tried to use the President's funding request to establish a process to responsibly end our involvement in that Iraqi civil war. To that end, we passed and sent to the President a plan that spent almost \$4 billion more than the President wanted on the health and safety of our troops. It established limits on how much sacrifice could be asked of

U.S. military units when no one else, except for military families, are appreciably sacrificing anything in this so-called war effort. It also sets standards for judging the success or failure of the administration's policy.

Now, why did we do that? Because we agree with virtually every general who has said that this civil war will not be resolved militarily. It will be resolved only politically and diplomatically by Iraqi factions making the compromises necessary to bring that civil war to a conclusion.

The President vetoed that proposal. To override the veto, we needed two-thirds of the House and the Senate to concur. We didn't get it for a simple reason, that Democrats did not have two-thirds of the seats in Congress.

Next we tried to send another proposition to the President and gave the President a limited amount of money and tried to set another more flexible set of standards for proceeding with this war. That failed in the Senate.

At that point, like it or not, we ran out of options for using this fiscal year 2007 supplemental to force a change in administration policy.

On Friday we met with the administration and offered to drop all domestic items if the administration would accept meaningful benchmarks and timelines for ending our involvement in that civil war. They flatly refused. That leaves us with the Senate-passed plan, which sets a much weaker set of benchmarks than those passed by the House.

It is clear we do not have the 60 votes necessary to end debate in the Senate and force a policy change on the administration by using the fiscal year 2007 supplemental. Because there are only months left in the fiscal year, no serious person can expect that it is possible to redeploy our troops during that time.

So the question becomes, how do we continue to press for an end to our involvement in that war on a reasonable time frame? The proposition now before us shifts the debate to the President's budget request for the next fiscal year, which begins on October 1.

Weak as it is, the Senate-adopted Warner amendment, with its 18 new benchmarks, at least does end the totally blank check that previous Congresses have provided. Weak as it is, it does at least give Members of Congress whose feet are not firmly planted in the status quo another opportunity to review the futile administration policy by establishing a requirement for two reports to the Congress, one in July and one in September.

The proposal before us will mean that, in September, using the required reports, the Congress will have an opportunity to decide what course of action to take on this war. That decision will be just 4 months away.

Meanwhile, we also insist that the President accept the fact that there are other pressing needs, to which we have an obligation to respond.

This proposal contains a long overdue increase in the minimum wage for America's lowest-paid workers, a wage which may not bother many people in this Chamber but a wage which unconscionably has been frozen for a decade. It will contain \$17 billion that the President did not want for added defense and veterans' health care, for BRAC, for military housing, for Homeland Security, for Katrina, drought relief and State Children's Health Insurance Program. Some items it should contain, it does not.

For example, low-income heating, home energy assistance and funding for the pandemic flu.

□ 1715

This proposition falls far short of containing everything that it should on both the Iraqi war and on our own domestic needs. But I take some comfort in the knowledge that even Babe Ruth struck out more than 1,300 times. But weak as it is, this proposition does provide a structure and a process to continue the fight, and it recognizes reality.

I intend to vote against the first proposition that contains the President's military request and the Warner benchmarks because I believe they are far too weak, and I believe it is important to maximize the pressure on Iraqi politicians to compromise by having as many votes as possible for a stronger proposition. I expect to vote for the second proposition, which contains the minimum wage increase, and \$17 billion of the \$21 billion that we sought to respond to crucial national needs.

This proposition will transfer the Iraqi fight to September on the President's fiscal 2008 defense supplemental request, and it will require a vote on a proposition that would require the funds appropriated to be used to redeploy troops on a responsible time schedule. I am sure we will also address the issue on Mr. MURTHA's defense appropriation bill, on the regular bill that will come at us as we return from the Memorial Day recess.

This proposition is apparently the best that we can achieve given the votes that we have. It is my hope that, when these votes occur in September, a firm majority in both Houses will see through the smokescreens being produced by the administration and send an unequivocal message to both the administration and Iraqi political leaders that our patience is over.

Now, some news stories have said that Democrats have "given up on the time line." That is patent nonsense. There has never been a chance of a snowball in Hades that Congress would cut off funding for troops in the field.

Now, some people say to us, why don't you do what you did in Vietnam and simply cut off the funds even while the troops are in the field? Well, I've got news for you, that is not what the Congress did in Vietnam. I know; I was here. When Congress passed the Addabbo amendment, there were less than 500 American troops left in Vietnam. What

the Addabbo amendment did was to cut off American aid to the South Vietnamese Government.

Even if the Congress were to cut off aid to troops in the field, the President undoubtedly would not abide by that. He would simply assert his Commander in Chief authority to manage the troops any way he wanted, and we would be tied up challenging that in the court for months, long past the time period covered by the fiscal year 2007 supplemental which this legislation addresses.

The last proposal we sent to the Senate attempted to limit the amount of money available to the President to 2 months' operating expenses, fencing the rest to try to force a policy change.

All we are doing by this arrangement is to slip the timetable an additional 2 months from that proposal, shifting the debate from the 2007 supplemental to the 2008 supplemental. That means our Republican friends who continue to support the President on this misbegotten war will have to face votes in July and in September on the same issue.

We are not giving up. We are simply recognizing that no one believes that it is possible, given the Senate's inability to produce 60 votes to shut down debate, to change course during the remainder of this fiscal year. That may not be a pleasant fact, but it is a reality. Opponents of the war need to face this fact just as the President and his allies need to face the fact that they are following a dead-end policy which we will continue to make every possible effort to change.

Mr. OBEY. Following are additional explanatory materials regarding the appropriations for the Department of Defense made by the House amendments to the Senate amendment to H.R. 2206.

#### DEPARTMENT OF DEFENSE—MILITARY PROGRAM EXECUTION

The Department of Defense shall execute the appropriations provided in this Act consistent with the allocation of funds contained in the joint explanatory statement of the committee of conference accompanying H.R. 1591 when such appropriations (by account) are equal to those appropriations (by account) provided in this Act. The Department is further directed to adhere to the reporting requirements in Senate Report 110-37 and House Report 110-60 except as otherwise contravened by the joint explanatory statement of the committee of conference accompanying H.R. 1591 or the following statement.

#### REPORTING REQUIREMENTS

The Secretary of Defense shall provide a report to the congressional defense committees within 30 days after the date of enactment of this legislation on the allocation of the funds within the accounts listed in this Act. The Secretary shall submit updated reports 30 days after the end of each fiscal quarter until funds listed in this Act are no longer available for obligation. These reports shall include: a detailed accounting of obligations and expenditures of appropriations provided in this Act by program and subactivity group for the continuation of the war in Iraq and Afghanistan; and a listing of equipment procured using funds provided in this Act. In order to meet unanticipated requirements, the Department of Defense may

need to transfer funds within these appropriations accounts for purposes other than those specified. The Department of Defense shall follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this Act.

#### CLASSIFIED PROGRAMS

Recommended adjustments to classified programs are addressed in a classified annex.

#### OPERATION AND MAINTENANCE

##### SOAR VIRTUAL SCHOOL DISTRICT

The Deputy Undersecretary of Defense for Military Community and Family Policy is directed to comply with the guidance contained in the joint explanatory statement of the committee of conference accompanying H.R. 1591 regarding the Student Online Achievement Resources (SOAR Virtual School District) program.

##### IRAQ SECURITY FORCES FUND

The Department is directed to report to the House and Senate Committees on Appropriations within 90 days of enactment of this Act the accountability requirements DoD has applied to the train-and-equip program for Iraq and the plans underway to formulate property accountability rules and regulations that distinguish between war and peace.

##### JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

The Joint Improvised Explosive Device Defeat Organization (JIEDDO) shall report on JIEDDO staffing levels no later than June 29, 2007.

#### PROCUREMENT

##### SINGLE CHANNEL GROUND AND AIRBORNE RADIO SYSTEM (SINGARS) FAMILY

The Department of the Army is directed to comply with the guidance contained in the joint explanatory statement of the committee of conference accompanying H.R. 1591 regarding funding limitations and reporting requirements for the Single Channel Ground and Airborne Radio Systems.

##### DEFENSE HEALTH PROGRAM

##### TRAUMATIC BRAIN INJURY (TBI) AND POST-TRAUMATIC STRESS DISORDER (PTSD) TREATMENT AND RESEARCH

If a service member is correctly diagnosed with TBI or PTSD, the better chance he or she has of a full recovery. It is critical that health care providers are given the resources necessary to make accurate, timely referrals for appropriate treatment and that service members have high priority access to such services. Therefore, \$900,000,000 is provided for access, treatment and research for Traumatic Brain Injury (TBI) and Post-Traumatic Stress Disorder (PTSD). Of the amount provided, \$600,000,000 is for operation and maintenance and \$300,000,000 is for research, development, test and evaluation to conduct peer reviewed research.

By increasing funding for TBI and PTSD, the Defense Department will now have significant resources to dramatically improve screening for risk factors, diagnosis, treatment, counseling, research, facilities and equipment to prevent or treat these illnesses.

To ensure that patients receive the best care available, the Department shall develop plans for the allocation of funds for TBI and PTSD by reviewing the possibility of conducting research on: therapeutic drugs and medications that "harden" the brain; and, testing and treatment for tinnitus which impacts 49 percent of blast victims. The Department also should consider in its planning the establishment of brain functioning base lines prior to deployment and the continued measurement of concussive injuries in theater.

If the Secretary of Defense determines that funds made available within the operation and maintenance account for the treatment of Traumatic Brain Injury and Post-Traumatic Stress Disorder are excess to the requirements of the Department of Defense, the Secretary may transfer excess amounts to the Department of Veterans Affairs to be available for the same purpose.

The Secretary of Defense shall notify the congressional defense committees no later than 15 days following any transfer of funds to the VA for PTSD/TBI treatment.

#### SUSTAINING THE MILITARY HEALTH CARE BENEFIT

Provided herein is \$410,750,000 to fully fund the Defense Health Program for fiscal year 2007. The Department is expected to examine other ways to sustain the benefit without relying on Congress to enact legislation that would increase the out-of-pocket costs to the beneficiaries.

#### HEALTH CARE IN SUPPORT OF ARMY MODULAR FORCE CONVERSION AND GLOBAL POSITIONING

The Assistant Secretary of Defense for Health Affairs and the Surgeon General of

the Army shall coordinate an effort and report back to the congressional defense committees within 120 days after enactment of this Act on how these anticipated costs will be funded to ensure soldiers and their families affected by AMF and global positioning will have access to the health care they deserve.

#### MEDICAL SUPPORT FOR TACTICAL UNITS

The Department of the Army is directed to address medical requirements for those tactical units currently deployed to or returning from the Iraq or Afghanistan theaters. The Department of the Army shall focus funding on the replenishment of medical supply and equipment needs within the combat theaters, to include bandages and the provision of medical care for soldiers who have returned home in a medical holdover status.

#### MEB/PEB IMPROVEMENTS

The system for evaluating soldiers' eligibility for disability benefits has diminished, causing the soldiers' needs to go unmet. In particular, the thousands of soldiers wounded in the wars in Iraq and Afghanistan have

overwhelmed the system leading to failure to complete reviews in a timely manner. In some cases, lack of management, caseworkers, specialists to help identify depression and post-traumatic stress disorder, medical hold facilities and even wheelchair access has meant that wounded soldiers have had to overcome many obstacles during their medical care.

Therefore, within the funds provided, \$30,000,000 is to be used for strengthening the process, programs, formalized training for personnel, and for the hiring of administrators and caseworkers. The resources provided are to be used at Walter Reed, Brooke, Madigan, and Womack Army Medical Centers and National Naval Medical Center, San Diego.

#### SUMMARY AND TABULAR MATERIALS

The following tables provide details of the supplemental appropriations for the Department of Defense—Military.

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

## DEPARTMENT OF DEFENSE - MILITARY

## Military Personnel

Military Personnel, Army (emergency).....	8,853,350
Military Personnel, Navy (emergency).....	1,100,410
Military Personnel, Marine Corps (emergency).....	1,495,827
Military Personnel, Air Force (emergency).....	1,218,587
Reserve Personnel, Army (emergency).....	147,244
Reserve Personnel, Navy (emergency).....	86,023
Reserve Personnel, Marine Corps (emergency).....	5,660
Reserve Personnel, Air Force (emergency).....	11,573
National Guard Personnel, Army (emergency).....	545,286
National Guard Personnel, Air Force (emergency).....	44,033
Subtotal.....	13,507,993

## Operation and Maintenance

Operation and Maintenance, Army (emergency).....	20,373,379
Operation and Maintenance, Navy (emergency).....	4,676,670
(Transfer to Coast Guard) (emergency).....	(-120,293)
Operation and Maintenance, Marine Corps (emergency)...	1,146,594
Operation and Maintenance, Air Force (emergency).....	6,650,881
Operation and Maintenance, Defense-Wide (emergency)...	2,714,487
Operation and Maintenance, Army Reserve (emergency)...	74,049
Operation and Maintenance, Navy Reserve (emergency)...	111,066
Operation and Maintenance, Marine Corps Reserve (emergency).....	13,591
Operation and Maintenance, Air Force Reserve (emergency).....	10,160
Operation and Maintenance, Army National Guard (emergency).....	83,569
Operation and Maintenance, Air National Guard (emergency).....	38,429
Afghanistan Security Forces Fund (emergency).....	5,906,400
Iraq Security Forces Fund (emergency).....	3,842,300
Iraq Freedom Fund (emergency).....	355,600
Joint Improvised Explosive Device Defeat Fund (emergency).....	2,432,800
Strategic Reserve Readiness Fund (emergency).....	1,615,000
Subtotal.....	50,044,975

## Procurement

Aircraft Procurement, Army (emergency).....	619,750
Missile Procurement, Army (emergency).....	111,473
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency).....	3,404,315
Procurement of Ammunition, Army (emergency).....	681,500
Other Procurement, Army (emergency).....	11,076,137
Aircraft Procurement, Navy (emergency).....	1,090,287
Weapons Procurement, Navy (emergency).....	163,813
Procurement of Ammunition, Navy and Marine Corps (emergency).....	159,833
Other Procurement, Navy (emergency).....	748,749
Procurement, Marine Corps (emergency).....	2,252,749
Aircraft Procurement, Air Force (emergency).....	2,106,468
Missile Procurement, Air Force (emergency).....	94,900
Procurement of Ammunition, Air Force (emergency).....	6,000
Other Procurement, Air Force (emergency).....	2,096,200
Procurement, Defense-Wide (emergency).....	980,050
Subtotal.....	25,592,224

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----	
Research, Development, Test and Evaluation	
Research, Development, Test and Evaluation, Army (emergency).....	100,006
Research, Development, Test and Evaluation, Navy (emergency).....	298,722
Research, Development, Test and Evaluation, Air Force (emergency).....	187,176
Research, Development, Test and Evaluation, Defense-wide (emergency).....	512,804
Subtotal.....	1,098,708
Revolving And Management Funds	
Defense Working Capital Funds (emergency).....	1,115,526
National Defense Sealift Fund (emergency).....	5,000
Subtotal.....	1,120,526
Other Department of Defense Programs	
Defense Health Program (emergency).....	3,001,853
Operation and maintenance (emergency).....	(2,552,153)
Procurement (emergency).....	(118,000)
Research, development, test and evaluation (emergency).....	(331,700)
Medical support fund (emergency).....	---
Drug Interdiction and Counter-Drug Activities, Defense (emergency).....	254,665
Subtotal.....	3,256,518
Related Agencies	
Intelligence Community Management Account (emergency).	71,726
General Provisions	
Sec. 1302. New transfer authority (emergency).....	(3,500,000)
Sec. 1305. Defense Cooperative Account transfer authority (emergency).....	1,000
Sec. 1322. Military Construction, Army (by transfer) (emergency).....	(-6,250)
Sec. 1313. Economic Support Fund (Department of State) (by transfer) (emergency).....	(-110,000)
	=====
Total, Department of Defense.....	94,693,670

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----  
RECAPITULATION

MILITARY PERSONNEL, ARMY.....	8,853,350
MILITARY PERSONNEL, NAVY.....	1,100,410
MILITARY PERSONNEL, MARINE CORPS.....	1,495,827
MILITARY PERSONNEL, AIR FORCE.....	1,218,587
RESERVE PERSONNEL, ARMY.....	147,244
RESERVE PERSONNEL, NAVY.....	86,023
RESERVE PERSONNEL, MARINE CORPS.....	5,660
RESERVE PERSONNEL, AIR FORCE.....	11,573
NATIONAL GUARD PERSONNEL, ARMY.....	545,286
NATIONAL GUARD PERSONNEL, AIR FORCE.....	44,033
	=====
GRAND TOTAL, MILITARY PERSONNEL.....	13,507,993

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

50 MILITARY PERSONNEL, ARMY	
100 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
150 BASIC PAY.....	493,534
200 RETIRED PAY ACCRUAL.....	169,837
250 BASIC ALLOWANCE FOR HOUSING .....	411,479
300 BASIC ALLOWANCE FOR SUBSISTENCE.....	16,060
350 SPECIAL PAYS.....	415,457
400 SOCIAL SECURITY TAX.....	36,012
450 TOTAL, BUDGET ACTIVITY 1.....	1,542,379
500 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
550 BASIC PAY.....	1,323,548
600 RETIRED PAY ACCRUAL.....	466,287
650 BASIC ALLOWANCE FOR HOUSING .....	1,409,965
700 SPECIAL PAYS.....	1,896,707
750 SOCIAL SECURITY TAX .....	101,057
800 TOTAL, BUDGET ACTIVITY 2.....	5,197,564
850 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
900 BASIC ALLOWANCE FOR SUBSISTENCE.....	155,782
950 SUBSISTENCE-IN-KIND.....	1,216,195
1000 TOTAL, BUDGET ACTIVITY 4.....	1,371,977
1050 ACTIVITY 5: PERMANENT CHANGE OF STATION	
1100 ACCESSION TRAVEL.....	19,679
1150 OPERATIONAL TRAVEL .....	182,113
1200 ROTATIONAL TRAVEL .....	218,906
1250 TOTAL, BUDGET ACTIVITY 5.....	420,698
1300 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS	
1350 INTEREST ON SOLDIERS DEPOSITS.....	21,779
1400 RESERVE INCOME REPLACEMENT PROGRAM.....	8,208
1450 UNEMPLOYMENT BENEFITS.....	144,489
1500 DEATH GRATUITIES.....	95,056
1550 SGLI/TSGLI INSURANCE PREMIUM.....	51,200
1700 TOTAL, BUDGET ACTIVITY 6.....	320,732
=====	
1750 TOTAL, MILITARY PERSONNEL, ARMY.....	8,853,350

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

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**MILITARY PERSONNEL, ARMY****BA-1: PAY AND ALLOWANCES OF OFFICERS**

Basic Allowance for Housing	411,479
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**BA-2: PAY AND ALLOWANCES OF ENLISTED**

Basic Allowance for Housing	1,409,965
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## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----	
1800 MILITARY PERSONNEL, NAVY	
1850 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
1900 BASIC PAY.....	78,148
1950 RETIRED PAY ACCRUAL.....	20,681
2000 BASIC ALLOWANCE FOR HOUSING .....	20,374
2050 BASIC ALLOWANCE FOR SUBSISTENCE.....	2,233
2100 SPECIAL PAYS.....	43,929
2150 SOCIAL SECURITY TAX.....	5,966
2200 TOTAL, BUDGET ACTIVITY 1.....	----- 171,331
2250 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
2300 BASIC PAY.....	145,279
2350 RETIRED PAY ACCRUAL.....	38,494
2400 BASIC ALLOWANCE FOR HOUSING.....	471,174
2450 SPECIAL PAYS.....	152,440
2500 SOCIAL SECURITY TAX.....	11,110
2550 TOTAL, BUDGET ACTIVITY 2.....	----- 818,497
2600 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
2650 BASIC ALLOWANCE FOR SUBSISTENCE.....	14,103
2700 SUBSISTENCE-IN-KIND.....	13,149
2750 TOTAL, BUDGET ACTIVITY 4.....	----- 27,252
2800 ACTIVITY 5: PERMANENT CHANGE OF STATION	
2850 ACCESSION TRAVEL.....	7,911
2950 OPERATIONAL TRAVEL .....	15,936
3000 ROTATIONAL TRAVEL .....	4,437
3050 SEPARATION TRAVEL.....	6,216
3150 TOTAL, BUDGET ACTIVITY 5.....	----- 34,500
3200 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS	
3300 RESERVE INCOME REPLACEMENT PROGRAM.....	3,000
3350 UNEMPLOYMENT BENEFITS.....	28,200
3400 DEATH GRATUITIES.....	11,001
3450 SGLI/TSGLI INSURANCE PREMIUM.....	6,629
3600 TOTAL, BUDGET ACTIVITY 6.....	----- 48,830
=====	
3650 TOTAL, MILITARY PERSONNEL, NAVY.....	1,100,410

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

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**MILITARY PERSONNEL, NAVY:****BA-2: PAY AND ALLOWANCES OF ENLISTED**

Basic Allowance for Housing

471,174

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----  
3700 MILITARY PERSONNEL, MARINE CORPS

## 3750 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS

3800 BASIC PAY..... 185,119

3850 RETIRED PAY ACCRUAL..... 49,056

3900 BASIC ALLOWANCE FOR HOUSING ..... 63,537

3950 BASIC ALLOWANCE FOR SUBSISTENCE..... 5,839

4000 SPECIAL PAYS..... 27,331

4050 SOCIAL SECURITY TAX..... 14,162

-----  
4100 TOTAL, BUDGET ACTIVITY 1..... 345,044

## 4150 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL

4200 BASIC PAY..... 241,654

4250 RETIRED PAY ACCRUAL..... 64,039

4300 BASIC ALLOWANCE FOR HOUSING ..... 241,915

4350 SPECIAL PAYS..... 438,168

4400 SOCIAL SECURITY TAX..... 18,487

-----  
4450 TOTAL, BUDGET ACTIVITY 2..... 1,004,263

## 4500 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL

4550 BASIC ALLOWANCE FOR SUBSISTENCE..... 38,624

-----  
4650 TOTAL, BUDGET ACTIVITY 4..... 38,624

## 4700 ACTIVITY 5: PERMANENT CHANGE OF STATION

4750 ACCESSION TRAVEL..... 4,131

4850 OPERATIONAL TRAVEL ..... 43,038

-----  
5050 TOTAL, BUDGET ACTIVITY 5..... 47,169

## 5100 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS

5250 UNEMPLOYMENT BENEFITS..... 20,500

5300 DEATH GRATUITIES..... 31,121

5350 SGLI/TSGLI INSURANCE PREMIUM..... 9,106

-----  
5500 TOTAL, BUDGET ACTIVITY 6..... 60,727

=====

5550 TOTAL, MILITARY PERSONNEL, MARINE CORPS..... 1,495,827

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

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**MILITARY PERSONNEL, MARINE CORPS:****BA-1: PAY AND ALLOWANCES OF OFFICERS**

Basic Allowance for Housing	63,537
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**BA-2: PAY AND ALLOWANCES OF ENLISTED**

Basic Allowance for Housing	241,915
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## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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5600 MILITARY PERSONNEL, AIR FORCE	
5650 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
5700 BASIC PAY.....	143,092
5750 RETIRED PAY ACCRUAL.....	40,182
5800 BASIC ALLOWANCE FOR HOUSING .....	91,989
5850 BASIC ALLOWANCE FOR SUBSISTENCE.....	5,156
5900 SPECIAL PAYS.....	6,721
5950 ALLOWANCES.....	4,650
6000 SOCIAL SECURITY TAX.....	11,599
6050 TOTAL, BUDGET ACTIVITY 1.....	303,389
6100 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
6150 BASIC PAY.....	348,642
6200 RETIRED PAY ACCRUAL.....	99,309
6250 BASIC ALLOWANCE FOR HOUSING .....	259,124
6300 SPECIAL PAYS.....	44,859
6350 ALLOWANCES.....	16,623
6400 SOCIAL SECURITY TAX .....	28,668
6450 TOTAL, BUDGET ACTIVITY 2.....	797,225
6500 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
6550 BASIC ALLOWANCE FOR SUBSISTENCE.....	34,424
6600 SUBSISTENCE-IN-KIND.....	66,848
6650 TOTAL, BUDGET ACTIVITY 4.....	101,272
6700 ACTIVITY 5: PERMANENT CHANGE OF STATION	
6850 OPERATIONAL TRAVEL .....	5,500
7050 TOTAL, BUDGET ACTIVITY 5.....	5,500
7100 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS	
7250 UNEMPLOYMENT BENEFITS.....	16,200
7300 DEATH GRATUITIES.....	8,453
7350 SGLI/TSGLI INSURANCE PREMIUM.....	8,548
7500 TOTAL, BUDGET ACTIVITY 6.....	33,201
7510 ADJUSTMENT TO PAY AND ALLOWANCES.....	-22,000
=====	
7550 TOTAL, MILITARY PERSONNEL, AIR FORCE.....	1,218,587

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

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<b>MILITARY PERSONNEL, AIR FORCE:</b>	
<b>BA-1: PAY AND ALLOWANCES OF OFFICERS</b>	
Basic Allowance for Housing	91,989
<b>BA-2: PAY AND ALLOWANCES OF ENLISTED</b>	
Basic Allowance for Housing	259,124
Adjustment to Pay and Allowances - Transfer to National Guard Personnel, Air Force	-22,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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7600 RESERVE PERSONNEL, ARMY	
7650 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
7660 SPECIAL TRAINING (PRE/POST MOB TRAINING).....	1,103
7700 SPECIAL TRAINING (PRE/POST MOB TRAINING)(BAH).....	6,397
7750 RECRUITING AND RETENTION .....	139,744
	=====
7900 TOTAL RESERVE PERSONNEL, ARMY.....	147,244

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----  
7950 RESERVE PERSONNEL, NAVY

8000 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
8050 UNIT TRAINING.....	35,000
8060 SPECIAL TRAINING (PRE/POST MOB TRAINING).....	22,689
8100 SPECIAL TRAINING (PRE/POST MOB TRAINING) (BAH).....	10,334
8110 SCHOOL TRAINING (PRE/POST MOB TRAINING).....	11,960
8150 SCHOOL TRAINING (PRE/POST MOB TRAINING) (BAH).....	1,040
8160 RECRUITING AND RETENTION .....	5,000
	=====
8200 TOTAL, RESERVE PERSONNEL, NAVY.....	86,023

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

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**RESERVE PERSONNEL, NAVY:****BA-1: RESERVE COMPONENT TRAINING & SUPPORT**

Special Training (PRE/POST MOB Training) (BAH)	10,334
Recruitment and Retention ,	5,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----  
8250 RESERVE PERSONNEL, MARINE CORPS

8300 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT

8340 SPECIAL TRAINING (PRE/POST MOB TRAINING) (BAH)..... 5,660

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8400 TOTAL, RESERVE PERSONNEL, MARINE CORPS..... 5,660

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

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**RESERVE PERSONNEL, MARINE CORPS:**

**BA-1: RESERVE COMPONENT TRAINING & SUPPORT**

Special Training (PRE/POST MOB Training) (BAH)	5,660
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## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----  
8450 RESERVE PERSONNEL, AIR FORCE

8500 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT

8550 SPECIAL TRAINING (PRE/POST MOB TRAINING) ..... 3,000

8555 SPECIAL TRAINING (PRE/POST MOB TRAINING) (BAH)..... 6,073

8560 RECRUITING AND RETENTION ..... 2,500

=====

8600 TOTAL, RESERVE PERSONNEL, AIR FORCE..... 11,573

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

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**RESERVE PERSONNEL, AIR FORCE:****BA-1: RESERVE COMPONENT TRAINING & SUPPORT**

Special Training (PRE/POST MOB Training) (BAH)	6,073
Recruitment and Retention	2,500

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----

8650 NATIONAL GUARD PERSONNEL, ARMY	
8700 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
8800 SPECIAL TRAINING (PRE/POST MOB TRAINING) .....	24,666
8810 SPECIAL TRAINING (PRE/POST MOB TRAINING) (BAH).....	112,593
8850 SCHOOL TRAINING (PRE/POST MOB TRAINING).....	15,475
8860 SCHOOL TRAINING (PRE/POST MOB TRAINING) (BAH).....	7,766
8900 RECRUITING AND RETENTION .....	339,600
8910 RECRUITING AND RETENTION (BAH).....	40,786
8950 DISABILITY AND DEATH GRATUITY.....	4,400
	=====
9000 TOTAL, NATIONAL GUARD PERSONNEL, ARMY.....	545,286

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

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**NATIONAL GUARD PERSONNEL, ARMY:**

**BA-1: RESERVE COMPONENT TRAINING & SUPPORT**

Special Training (PRE/POST MOB Training) (BAH)	112,593
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## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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9010 NATIONAL GUARD PERSONNEL, AIR FORCE	
9015 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
9020 SPECIAL TRAINING (PRE/POST MOB TRAINING) (BAH).....	19,533
9035 RECRUITING AND RETENTION .....	2,500
9037 ADJUSTMENT TO PAY AND ALLOWANCES.....	22,000
	=====
9040 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE.....	44,033

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS****[In thousands of dollars]**

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**NATIONAL GUARD PERSONNEL, AIR FORCE:****BA-1: RESERVE COMPONENT TRAINING & SUPPORT**

Special Training (PRE/POST MOB Training) (BAH) 19,533

Recruitment and Retention 2,500

Adjustments to Pay and Allowances - Transfer from Military  
Personnel, Air Force 22,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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RECAPITULATION

OPERATION AND MAINTENANCE, ARMY.....	20,373,379
OPERATION AND MAINTENANCE, NAVY.....	4,676,670
OPERATION AND MAINTENANCE, MARINE CORPS.....	1,146,594
OPERATION AND MAINTENANCE, AIR FORCE.....	6,650,881
OPERATION AND MAINTENANCE, DEFENSE-WIDE.....	2,714,487
OPERATION AND MAINTENANCE, ARMY RESERVE.....	74,049
OPERATION AND MAINTENANCE, NAVY RESERVE.....	111,066
OPERATION AND MAINTENANCE, MARINE CORPS RESERVE.....	13,591
OPERATION AND MAINTENANCE, AIR FORCE RESERVE.....	10,160
OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD.....	83,569
OPERATION AND MAINTENANCE, AIR NATIONAL GUARD.....	38,429
GRAND TOTAL, OPERATION AND MAINTENANCE.....	35,892,875
-----	
AFGHANISTAN SECURITY FORCES FUND.....	5,906,400
IRAQ SECURITY FORCES FUND.....	3,842,300
IRAQ FREEDOM FUND.....	355,600
JOINT IED DEFEAT FUND.....	2,432,800
STRATEGIC RESERVE READINESS FUND.....	1,615,000
GRAND TOTAL.....	50,044,975

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## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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50 OPERATION AND MAINTENANCE, ARMY	
70 BUDGET ACTIVITY 1: OPERATING FORCES	
90 ADDITIONAL ACTIVITIES.....	17,606,616
110 COMMANDER'S EMERGENCY RESPONSE PROGRAM.....	456,400
150 TOTAL, BUDGET ACTIVITY 1.....	----- 18,063,016
165 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES	
170 SECURITY PROGRAMS.....	597,614
190 SERVICE-WIDE TRANSPORTATION.....	1,712,749
195 TOTAL, BUDGET ACTIVITY 4.....	----- 2,310,363 =====
211 TOTAL, O&M, ARMY .....	20,373,379

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

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O-1

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## OPERATION AND MAINTENANCE, ARMY

## BA-1: OPERATING FORCES

Additional Activities	17,606,616
Unjustified request	-50,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----	
270 OPERATION AND MAINTENANCE, NAVY	
290 BUDGET ACTIVITY 1: OPERATING FORCES	
310 MISSION & OTHER FLIGHT OPERATIONS.....	1,121,040
330 FLEET AIR TRAINING.....	41,661
350 INTERMEDIATE MAINTENANCE.....	1,420
370 AIR OPERATIONS AND SAFETY SUPPORT.....	6,614
390 AIR SYSTEMS SUPPORT.....	6,005
410 AIRCRAFT DEPOT MAINTENANCE.....	56,104
430 MISSION & OTHER SHIP OPERATIONS.....	767,758
450 SHIP OPERATIONAL SUPPORT/TRAINING.....	15,417
470 SHIP DEPOT MAINTENANCE.....	109,235
490 SHIP DEPOT OPERATIONS SUPPORT.....	11,463
510 COMBAT COMMUNICATIONS.....	10,656
530 ELECTRONIC WARFARE.....	9,088
550 SPACE SYSTEMS & SURVEILLANCE.....	3,190
570 WARFARE TACTICS.....	11,861
590 OP METEOROLOGY AND OCEANOGRAPHY.....	4,919
610 COMBAT SUPPORT FORCES.....	1,074,667
630 EQUIPMENT MAINTENANCE.....	8,991
650 IN-SERVICE WEAPONS SYSTEMS SUPPORT.....	23,316
670 WEAPONS MAINTENANCE.....	6,671
690 OTHER WEAPONS SYSTEMS SUPPORT.....	463
710 FACILITIES SUSTAINMENT, RESTORATION & MOD (FSRM).....	27,665
730 BASE OPERATING SUPPORT (BOS).....	491,069
760 OPERATION ENDURING FREEDOM OPTEMPO.....	100,000
770 TOTAL, BUDGET ACTIVITY 1.....	3,909,273
790 BUDGET ACTIVITY 2: MOBILIZATION	
810 SHIP PREPOSITIONING & SURGE.....	162,761
850 FLEET HOSPITAL PROGRAM.....	7,903
870 TOTAL, BUDGET ACTIVITY 2.....	170,664
-----	

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

890 BUDGET ACTIVITY 3: TRAINING AND RECRUITING	
910 OFFICER ACQUISITION.....	71
950 SPECIALIZED SKILL TRAINING.....	67,849
970 FLIGHT TRAINING.....	8,656
990 RECRUITING & ADVERTISING.....	1,152
1050 TOTAL, BUDGET ACTIVITY 3.....	77,728
1070 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES	
1090 ADMINISTRATION.....	6,027
1110 EXTERNAL RELATIONS.....	98
1130 MILITARY MANPOWER/PERSONNEL MANAGEMENT.....	1,188
1150 OTHER PERSONNEL SUPPORT.....	2,392
1170 SERVICE-WIDE COMMUNICATIONS.....	71,489
1190 SERVICE-WIDE TRANSPORTATION.....	194,011
1210 PLANNING, ENGINEER & DESIGN.....	3
1230 ACQUISITION AND PROGRAM MANAGEMENT.....	54,212
1250 COMBAT/WEAPONS SYSTEM.....	436
1270 SPACE & ELECTRONIC WARFARE SYSTEM.....	55
1290 SECURITY PROGRAMS.....	65,147
1310 NAVAL INVESTIGATIVE SERVICE.....	3,654
1350 TRANSFER TO COAST GUARD.....	120,293
1390 TOTAL, BUDGET ACTIVITY 4.....	519,005
	=====
1410 TOTAL, O&M, NAVY.....	4,676,670

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

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**O-1**

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**OPERATION AND MAINTENANCE, NAVY****BA-1: OPERATING FORCES****OEF OPTEMPO** 100,000**Aircraft Depot Maintenance** **56,104**

Funds not executable in FY 2007 -137,000

Aircraft survivability equipment (Marine Corps) 2,800

**Ship Depot Maintenance** **109,235**

Funds not executable in FY 2007 -169,000

**Combat Support Forces Maintenance** **1,074,667**

Funds not executable in FY 2007 -160,612

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----	
1430 OPERATION AND MAINTENANCE, MARINE CORPS	
1450 BUDGET ACTIVITY 1: OPERATING FORCES	
1490 OPERATIONAL FORCES.....	514,633
1510 FIELD LOGISTICS.....	381,632
1570 SUSTAINMENT, RESTORATION, AND MODERNIZATION.....	19,186
1590 BASE SUPPORT.....	33,474
1592 OPERATION ENDURING FREEDOM OPTEMPO.....	45,000
1595 TOTAL, BUDGET ACTIVITY 1.....	----- 993,925
1605 BUDGET ACTIVITY 3: TRAINING AND RECRUITING	
1650 TRAINING SUPPORT.....	62,936
1670 RECRUITING AND ADVERTISING.....	24,000
1675 TOTAL, BUDGET ACTIVITY 3.....	----- 86,936
1685 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES	
1730 SERVICE-WIDE TRANSPORTATION.....	65,733
1735 TOTAL, BUDGET ACTIVITY 4.....	----- 65,733
	=====
1750 TOTAL, O&M, MARINE CORPS.....	1,146,594

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS  
[In thousands of dollars]

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O-1

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OPERATION AND MAINTENANCE, MARINE CORPS  
BA-1: OPERATING FORCES

OEF OPTEMPO	45,000
Operational Forces	514,633
Unexecutable Funding	-150,000
Field Logistics	381,632
Unexecutable Funding	-150,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----	
1770 OPERATION AND MAINTENANCE, AIR FORCE	
1790 BUDGET ACTIVITY 1: OPERATING FORCES	
1810 PRIMARY COMBAT FORCES.....	1,252,192
1830 PRIMARY COMBAT WEAPONS.....	2,427
1850 COMBAT ENHANCEMENT FORCES.....	91,586
1890 COMBAT COMMUNICATIONS.....	339,480
1910 DEPOT MAINTENANCE.....	85,400
1930 FSRM.....	184,505
1950 BASE OPERATING SUPPORT.....	1,711,157
1970 GLOBAL C3I AND EARLY WARNING.....	20,872
1990 NAVIGATION AND WEATHER SUPPORT.....	6,344
2010 OTHER COMBAT OPS SUPPORT.....	257,732
2030 MANAGEMENT AND OPERATIONAL.....	95,139
2050 TACTICAL INTEL & OTHER SUPPORT.....	930
2070 LAUNCH FACILITIES.....	1,103
2090 LAUNCH VEHICLES.....	20
2110 SPACE CONTROL SYSTEMS.....	572
2130 SATELLITE SYSTEMS.....	73
2150 OTHER SPACE OPERATIONS.....	7,949
2170 FSRM.....	157
2190 BASE OPERATING SUPPORT.....	9,058
2195 OPERATION ENDURING FREEDOM OPTEMPO.....	65,000
2210 TOTAL, BUDGET ACTIVITY 1.....	4,131,696
2225 BUDGET ACTIVITY 2: MOBILIZATION	
2230 AIRLIFT OPERATIONS.....	1,551,583
2270 AIRLIFT OPERATIONS C3I.....	12,284
2290 MOBILIZATION PREPAREDNESS.....	19,988
2310 DEPOT MAINTENANCE.....	209,000
2330 FSRM.....	1,464
2350 BASE OPERATING SUPPORT.....	95,302
2370 TOTAL, BUDGET ACTIVITY 2.....	1,889,621
-----	

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----	
2385 BUDGET ACTIVITY 3: TRAINING AND RECRUITING	
2390 RECRUIT TRAINING.....	54
2430 BASE OPERATING SUPPORT.....	1,510
2450 SPECIALIZED SKILL TRAINING.....	65,036
2470 FLIGHT TRAINING.....	25
2490 PROFESSIONAL DEVELOPMENT TRAINING.....	692
2510 TRAINING SUPPORT.....	1,241
2530 FSRM.....	2,406
2550 BASE OPERATING SUPPORT.....	15,000
2570 RECRUITING AND ADVERTISING.....	72
2590 TOTAL, BUDGET ACTIVITY 3.....	86,036
-----	
2605 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES	
2610 LOGISTICS OPERATIONS.....	191,550
2650 TECHNICAL SUPPORT ACTIVITIES.....	1,101
2670 SERVICE-WIDE TRANSPORTATION.....	113,776
2690 FSRM.....	145
2710 BASE OPERATING SUPPORT.....	15,124
2730 ADMINISTRATION.....	1,421
2750 SERVICE-WIDE COMMUNICATION.....	40,765
2770 PERSONNEL PROGRAMS.....	222
2790 OTHER SERVICE-WIDE ACTIVITIES.....	47,486
2810 OTHER PERSONNEL SUPPORT.....	2,603
2830 BASE OPERATING SUPPORT.....	2,862
2850 SECURITY PROGRAMS.....	102,842
2870 INTERNATIONAL SUPPORT.....	23,631
2890 TOTAL, BUDGET ACTIVITY 4.....	543,528
=====	
2910 TOTAL, O&M, AIR FORCE.....	6,650,881

## EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

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**O-1**

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**OPERATION AND MAINTENANCE, AIR FORCE****BA-1: OPERATING FORCES**

OEF OPTEMPO	65,000
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Base Operating Support	1,711,157
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Unjustified Growth	-300,000
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**BA-2: MOBILIZATION**

Airlift Operations	1,551,583
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Unjustified Growth	-150,000
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## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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2930 OPERATION AND MAINTENANCE, DEFENSE-WIDE	
2950 BUDGET ACTIVITY 1: OPERATING FORCES	
2970 THE JOINT STAFF (TJS).....	60,200
2990 US SPECIAL OPERATIONS COMMAND (US SOCOM).....	653,147
	-----
3010 TOTAL, BUDGET ACTIVITY 1.....	713,347
3025 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES	
3030 AMERICAN FORCES INFORMATION SERVICE (AFIS).....	18,785
3050 DEFENSE CONTRACT AUDIT AGENCY (DCAA).....	16,372
3070 DEFENSE CONTRACT MANAGEMENT AGENCY (DCMA).....	6,169
3090 DEFENSE HUMAN RESOURCES ACTIVITY (DHRA).....	6,551
3110 DEFENSE INFORMATION SYSTEMS AGENCY (DISA).....	76,347
3170 DOD EDUCATION ACTIVITY (DODEA).....	129,922
3190 DEFENSE SECURITY COOPERATION AGENCY (DSCA).....	500,000
3210 DEFENSE THREAT REDUCTION AGENCY (DTRA).....	1,200
3230 OFFICE OF THE SECRETARY OF DEFENSE.....	45,180
3250 WASHINGTON HEADQUARTERS SERVICES (WHS).....	4,800
3270 CLASSIFIED.....	1,180,814
3275 OPERATION ENDURING FREEDOM OPTEMPO.....	15,000
	-----
3300 TOTAL, BUDGET ACTIVITY 4.....	2,001,140
	-----
3310 TOTAL, O&M, DEFENSE-WIDE.....	2,714,487

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

	<b>Conference</b>
<b>The Joint Staff (TJS)</b>	<b>60,200</b>
Contingency planning database (CPD) and effects-based assessment system (EBASS)	-1,704
<b>US Special Operations Command (US SOCOM)</b>	<b>653,147</b>
Program reduction	-14,050
<b>Defense Contract Audit Agency (DCAA)</b>	<b>16,372</b>
Iraq reconstruction efforts: civilian personnel	1,263
Iraq reconstruction efforts: temporary/additional duty	13
Iraq reconstruction efforts: miscellaneous contracts	96
<b>Defense Contract Management Agency (DCMA)</b>	<b>6,169</b>
Contract oversight of Iraq and Afghanistan mission requirements: pay	287
<b>Defense Human Resources Activity (DHRA)</b>	<b>6,551</b>
Homeland Security Presidential Directive No. 12	-15,130
<b>Defense Information Systems Agency (DISA)</b>	<b>76,347</b>
Expeditionary virtual network (EVNO)	-86,000
<b>Defense Logistics Agency (DLA)</b>	<b>0</b>
Lithium battery program adjustment	-24,600
<b>DoD Education Activity (DoDEA)</b>	<b>129,922</b>
Family assistance for Guard and Reserve	4,000
Child care for Guard and Reserve	6,000
<b>Defense Security Cooperation Agency (DSCA)</b>	<b>500,000</b>
Support to coalition partners: global lift and sustain	-50,000
Support to coalition partners: global train and equip	-300,000
Coalition support reduction	-100,000
<b>Office of the Secretary of Defense</b>	<b>45,180</b>
Transfer from Procurement of Ammunition, Air Force only for Handgun Replacement Study	5,000
<b>Classified</b>	<b>1,180,814</b>
<b>OEF OPTempo</b>	<b>15,000</b>

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----  
3330 OPERATION AND MAINTENANCE, ARMY RESERVE

3351 ADDITIONAL ACTIVITIES ..... 74,049

3370 TOTAL, O&M, ARMY RESERVE..... -----  
74,049

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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3410 OPERATION AND MAINTENANCE, NAVY RESERVE	
3430 MISSION & OTHER FLIGHT OPERATIONS.....	43,601
3450 INTERMEDIATE MAINTENANCE.....	9,110
3470 MISSION & OTHER SHIP OPERATIONS.....	22,151
3490 COMBAT COMMUNICATIONS.....	1,170
3510 COMBAT SUPPORT FORCES.....	29,000
3530 BASE OPERATING SUPPORT (BOS).....	6,034
3550 TOTAL, O&M, NAVY RESERVE.....	----- 111,066

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----  
3570 OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

3590 OPERATIONAL FORCES..... 13,591

3650 TOTAL, O&M, MARINE CORPS RESERVE..... 13,591  
-----

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----	
3670 OPERATION AND MAINTENANCE, AIR FORCE RESERVE	
3710 PRIMARY COMBAT FORCES.....	7,100
3730 BASE SUPPORT.....	3,060
	-----
3750 TOTAL, O&M, AIR FORCE RESERVE.....	10,160

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----  
3770 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

3850 ADDITIONAL ACTIVITIES..... 83,569

3870 TOTAL, O&amp;M, ARMY NATIONAL GUARD..... 83,569

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----	
3890 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	
3910 AIRCRAFT OPERATIONS.....	27,200
3930 MISSION SUPPORT OPERATIONS.....	11,229
	-----
3951 TOTAL, O&M, AIR NATIONAL GUARD.....	38,429

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----	
4010 AFGHANISTAN SECURITY FORCES FUND	
4030 MINISTRY OF DEFENSE FORCES:	
4050 INFRASTRUCTURE.....	209,900
4070 EQUIPMENT AND TRANSPORTATION.....	3,214,500
4090 TRAINING.....	185,900
4110 SUSTAINMENT.....	255,200
4130 MINISTRY OF INTERIOR FORCES:	
4150 INFRASTRUCTURE.....	594,200
4170 EQUIPMENT AND TRANSPORTATION.....	624,200
4190 TRAINING.....	414,800
4210 SUSTAINMENT.....	399,500
4230 RELATED ACTIVITIES.....	8,200
4250 TOTAL, AFGHANISTAN SECURITY FORCES FUND.....	----- 5,906,400

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

4270 IRAQ SECURITY FORCES FUND	
4290 MINISTRY OF DEFENSE FORCES:	
4310 INFRASTRUCTURE.....	264,800
4330 EQUIPMENT AND TRANSPORTATION.....	1,584,300
4350 TRAINING.....	51,700
4370 SUSTAINMENT.....	1,079,600
4390 MINISTRY OF INTERIOR FORCES:	
4410 INFRASTRUCTURE.....	205,000
4430 EQUIPMENT AND TRANSPORTATION.....	373,600
4450 TRAINING.....	52,900
4470 SUSTAINMENT.....	72,900
4490 RELATED ACTIVITIES.....	157,500
4530 TOTAL, IRAQ SECURITY FORCES FUND.....	3,842,300

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

4550 IRAQ FREEDOM FUND	
4570 JOINT RAPID ACQUISITION FOR GLOBAL WAR ON TERROR.....	100,000
4590 REMAINS, TRANSPORTATION.....	105,600
4595 STATE OWNED FACTORY RESTART, IRAQ.....	50,000
4600 PROVINCIAL RECONSTRUCTION TEAMS, IRAQ.....	100,000
4610 TOTAL, IRAQ FREEDOM FUND.....	355,600

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----	
4630 JOINT IMPROVISED EXPLOSIVE DEVICE (IED) DEFEAT FUND	
4650 ATTACK THE NETWORK.....	834,500
4670 DEFEAT THE DEVICE.....	1,485,700
4690 TRAIN THE FORCE.....	112,600
4730 TOTAL, JOINT IED DEFEAT FUND.....	----- 2,432,800

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

-----  
SUMMARY

## ARMY

AIRCRAFT.....	619,750
MISSILES.....	111,473
WEAPONS, TRACKED COMBAT VEHICLES.....	3,404,315
AMMUNITION.....	681,500
OTHER.....	11,076,137
-----	
TOTAL, ARMY.....	15,893,175

## NAVY

AIRCRAFT.....	1,090,287
WEAPONS.....	163,813
AMMUNITION.....	159,833
OTHER.....	748,749
MARINE CORPS.....	2,252,749
-----	
TOTAL, NAVY.....	4,415,431

## AIR FORCE

AIRCRAFT.....	2,106,468
MISSILES.....	94,900
AMMUNITION.....	6,000
OTHER.....	2,096,200
-----	
TOTAL, AIR FORCE.....	4,303,568

## DEFENSE-WIDE

DEFENSE-WIDE.....	980,050
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TOTAL PROCUREMENT.....	25,592,224

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

50	AIRCRAFT PROCUREMENT, ARMY	
100 3	ARMED RECONNAISSANCE HELICOPTER.....	---
150 5	UH-60M BLACKHAWK (MYP).....	136,303
250 8	GUARDRAIL MODS (TIARA).....	33,000
300 9	ARL MODS (TIARA).....	15,000
350 10	AH-64 MODS.....	64,200
400 12	CH-47 CARGO HELICOPTER MODS.....	120,000
450 23	ASE INFRARED CM.....	231,555
500 26	COMMON GROUND EQUIPMENT.....	1,811
550 27	AIRCREW INTEGRATED SYSTEMS.....	10,200
600 28	AIR TRAFFIC CONTROL.....	7,681
650	TOTAL, AIRCRAFT PROCUREMENT, ARMY.....	619,750

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS  
[In thousands of dollars]

P-1	Conference
<b>3 Armed Reconnaissance Helicopter</b>	<b>0</b>
Baseline budget requirement	-38,000
<b>5 UH-60M Blackhawk Multiyear</b>	<b>136,303</b>
War Replacement Aircraft	30,000
<b>12 CH-47 Cargo Helicopter Mods</b>	<b>120,000</b>
(Note: The conference agreement includes one SOCOM CH-47 battle loss and three CH-47s for the Army National Guard)	

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

700	MISSILE PROCUREMENT, ARMY	
750 5	JAVELIN.....	74,673
800 8	GUIDED MLRS ROCKET.....	---
850 15	ITAS/TOW MODIFICATIONS.....	36,800
900	TOTAL, MISSILE PROCUREMENT, ARMY.....	111,473

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS  
[In thousands of dollars]

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<b>P-1</b>		<b>Conference</b>
<hr/>		
<b>5</b>	<b>Javelin</b>	<b>74,673</b>
	Unexecutable Request	-29,000
<b>8</b>	<b>GMLRS</b>	<b>0</b>
	Unit Cost Efficiencies	-19,700

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

950	PROCUREMENT OF W&TCV, ARMY	
1000 2	BRADLEY BASE SUSTAINMENT (G80718).....	520,800
1150 5	STRYKER VEHICLE (G85100).....	767,685
1200 6	CARRIER, MOD (GB1930).....	36,191
1250 7	FIST VEHICLE (MOD) (GZ2300).....	16,257
1300 9	BFVS SERIES (MOD) (GZ2400).....	115,190
1350 10	HOWITZER, MED SP FT 155MM M109A6 (MOD) (GA0400).....	15,785
1400 12	IMPROVED RECOVERY VEHICLE (M88 MOD) (GA0570).....	61,635
1500 14	M1 ABRAMS TANK (MOD) (GA0700).....	75,259
1550 15	SYSTEM ENHANCEMENT PGM: (SEP M1A2) (GA0730).....	325,000
1600 18	HOWITZER, LIGHT, TOWED, 105MM, M119 (G01300).....	17,696
1650 20	M240 MEDIUM MACHINE GUN (7.62MM) (G13000).....	72,277
1700 21	M249 SAW MACHINE GUN, 5.56MM (G12900).....	3,314
1750 22	MK-19 GRENADE MACHINE GUN (40MM) (G13400).....	41,871
1800 23	MORTAR SYSTEMS (G02200).....	35,212
1850 25	M107, CAL 50, SNIPER RIFLE (G01500).....	719
1900 26	XM110 SEMI -AUTOMATIC SNIPER SYSTEM (SASS) (G01505)...	317
1950 27	M4 CARBINE (G14904).....	98,412
2000 28	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS) (G18300).....	---
2050 29	COMMON REMOTELY OPERATED WEAPONS STATION (CROWS) (G047	220,000
2100 32	M4 CARBINE MODS (GB3007).....	129,752
2150 33	M2 50 CAL MACHINE GUN MODS (GB4000).....	4,000
2200 34	M249 SAW MACHINE GUN MODS (GZ1290).....	13,556
2250 35	M240 SAW MACHINE GUN MODS (GZ1300).....	3,591
2300 36	PHALANX MODS (GL1000).....	150,000
2350 39	M16 RIFLE MODS (GZ2800).....	1,947
2400 40	MODS LESS THAN \$5.0M (WOCV-WTCV) (GC0925).....	21,900
2450 41	ITEMS LESS THAN \$5.0M (WOCV-WTCV) (GL3200).....	4,996
2500 44	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG) (GC0076).....	8,202
2550 45	REF SMALL ARMS (G15400).....	560
2600 48	MACHINE GUN, CAL .50 M2 ROLL (GB2000).....	41,369
2650 49	XM320 GRENADE LAUNCHER MODULE (GLM) (G01501).....	4,471
2700 50	ABRAMS UPGRADE PROGRAM (M1A2 SEP) (GA0750).....	596,351
2750	TOTAL, PROCUREMENT OF W&TCV, ARMY.....	3,404,315

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS  
[In thousands of dollars]

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<b>P-1</b>	<b>Conference</b>
<b>5 Stryker Vehicle (G85100)</b>	<b>767,685</b>
Premature Funding Request, Mobile Gun System	-90,000
<b>12 Improved Recovery Vehicle (M88 MOD) (GA0570)</b>	<b>61,635</b>
Pricing Adjustment	-4,000
<b>28 Shotgun, Modular Accessory System (G18300)</b>	<b>0</b>
Premature Funding	-4,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

2800	PROCUREMENT OF AMMUNITION, ARMY	
2900 2	7.62MM ALL TYPES.....	25,000
2950 4	CTG, .50 CAL, ALL TYPES.....	39,300
3000 5	20MM ALL TYPES.....	38,100
3050 6	25MM ALL TYPES.....	15,000
3100 7	30MM ALL TYPES.....	40,000
3150 8	40MM ALLTYPES.....	165,200
3200 14	CTG, TANK, 120MM TACTICAL, ALL TYPES.....	8,000
3250 19	MACS.....	20,000
3300 23	MINE CLEARING CHARGE ALL TYPES.....	6,000
3350 25	SHOULDER FIRED ROCKETS ALL TYPES.....	30,000
3400 26	ROCKET, HYDRA 70, ALL TYPES.....	28,000
3450 27	DEMOLITION MUNITIONS ALL TYPES.....	23,500
3500 28	GRENADES ALL TYPES.....	2,000
3550 29	SIGNALS ALL TYPES.....	163,900
3600 30	SIMULATORS ALL TYPES.....	12,000
3650 32	NON-LETHAL AMMUNITION ALL TYPES.....	55,500
3700 34	ITEMS LESS THAN \$5M.....	10,000
3750	TOTAL, PROCUREMENT OF AMMUNITION, ARMY.....	681,500

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

3800	OTHER PROCUREMENT, ARMY	
3850 1	TACTICAL TRAILERS/DOLLY SETS (DA0100).....	11,417
3900 2	SEMITRAILERS, FLATBED: (D01001).....	27,544
3950 3	SEMITRAILERS, TANKERS (D02001).....	6,173
4000 4	HI MOB MULTI-PURP WLHD (HMMWV) (D15400).....	953,548
4300 5	FAMILY OF MEDIUM TACTICAL VEH (FMTV) (D15500).....	1,541,661
4350 7	FAMILY OF HEAVY TACTICAL VEH (FTHV) (DA0500).....	574,432
4450 8	ARMORED SECURITY VEHICLES ( ASV) (D02800).....	301,498
4500 10	TRUCK, TRACTOR, LIN HAUL, M915/M915 (DA0600).....	181,873
4650 13	MODIFICATION OF IN SVC EQUIP (DA0924).....	1,159,889
4700 17	PASSENGER CARRYING VEHICLES (D23000).....	---
4750 18	NON TACTICAL VEHICLES, OTHER (D3000).....	193,721
4760	ADD-ON ARMOR FOR COMMERCIAL VEHICLES.....	7,400
4800 22	DEFENSE ENTERPRISE WIDEBAND SATCOM SYS (SPACE) (BB8500	19,200
4850 24	SAT TERM, EMUT (SPACE) (K77200).....	17,600
4950 25	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE) (K47800)....	34,398
5000 26	SMART-T (SPACE) (BC4002).....	8,960
5050 28	GLOBAL BRDCST SVC - GBS (BC4120).....	1,800
5100 29	MOD OF IN-SVC EQUIP (TAC SAT) (BB8417).....	12
5150 31	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO) (BU1400)...	58,127
5200 34	SINGGARS FAMILY (BW0006).....	458,709
5250 37	BRIDGE TO FUTURE NETWORKS (BB1500).....	390,723
5300 41	COMBAT SURVIVOR EVADER LOCATOR (CSEL) (B03200).....	49,360
5350 42	RADIO, IMPROVED HF (COTS) FAMILY (BU8100).....	509,260
5450 43	MEDICAL COMM FOR CBT CASUALTY CARE (MC4) (MA8046).....	56,997
5500 45	TSEC - ARMY KEY MGT SYS (AKMS) (BA1201).....	1,517
5550 46	INFORMATION SYSTEM SECURITY PROGRAM-ISSP (TA0600).....	55,201
5600 52	INFORMATION SYSTEMS (BB8650).....	1,000
5650 59	ALL SOURCE ANALYSIS SYS (ASAS) (MIP) (KA4400).....	40,858
5700 60	JTT/CIBS-M (MIP) (V29600).....	840
5750 61	PROPHET GROUND (MIP) (BZ7326).....	23,000
5800 62	TACTICAL UNMANNED AERIAL SYS (TUAS)MIP (B00301).....	197,479
5950 63	SMALL UNMANNED AERIAL SYSTEM (SUAS) (B00303).....	5,372

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

6000 64	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP) (KA2550).....	17,000
6050 66	TACTICAL EXPLOITATION SYSTEM (MIP) (BZ7317).....	19,500
6100 67	DCGS-A (MIP) (BZ7316).....	69,705
6150 71	CI HUMINT INFO MANAGEMENT SYSTEM (CHIMS) (MIP) (BK5275)	1,928
6200 72	ITEMS LESS THAN \$5.0M (MIP) (BK5278).....	33,827
6250 73	LIGHTWEIGHT COUNTER MORTAR RADAR (B05201).....	10,470
6300 74	WARLOCK (VA8000).....	---
6350 75	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES (BL5283).	206,233
6400 77	NIGHT VISION DEVICES (KA3500).....	144,696
6450 78	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM (K38300)	14,073
6500 80	NIGHT VISION, THERMAL WPN SIGHT (K22900).....	109,547
6550 83	ARTILLERY ACCURACY EQUIP (AD3200).....	3,500
6600 87	PROFILER (K27900).....	16,195
6650 88	MOD OF IN-SVC EQUIP (FIREFINDER RADARS) (BZ7325).....	64,556
6700 89	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2) (W61900).	347,295
6750 90	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLDR) (K3110)	91,200
6800 91	COMPUTER BALLISTICS: LHMCB XM32 (K99200).....	11,446
6850 92	MORTAR FIRE CONTROL SYSTEM (K99300).....	---
6900 95	TACTICAL OPERATIONS CENTERS (BZ9865).....	162,472
6950 96	AFATDS.....	3,378
7000 98	LWTFDS.....	23
7050 99	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BCS3) (W346)	1,249
7100 100	FAAD C2 (AD5050).....	21,500
7150 101	AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD PCS)....	65,248
7200 102	FED.....	8,514
7250 103	KNIGHT FAMILY (B78504).....	3,488
7300 104	LIFE CYCLE SOFTWARE SUPPORT (LCSS) (BD3955).....	3,316
7350 105	LOGTECH.....	24,000
7400 106	TC AIMS II (BZ8900).....	12,403
7450 108	TACTICAL INTERNET MANAGER (B93900).....	12,472
7500 109	MANEUVER CONTROL SYSTEM (MCS) (BA9320).....	58,654
7600 114	AUTOMATED DATA PROCESSING EQUIP (BD3000).....	12,100
7650 115	CSS COMMUNICATIONS (BD3501).....	37,423
7750 123	CBRN SOLDIER PROTECTION (M01001).....	134,830
7800 124	SMOKE & OBSCURANT FAMILY: SOF (NONAAO ITEM) (MX0600)..	107

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

7850 125	TACTICAL BRIDGE (MX0100).....	26,000
7900 126	TACTICAL BRIDGE, FLOAT-RIBBON (MA8890).....	13,000
7950 127	HANDHELD STANDOFF MINE DETECTION SYSTEM (R68200).....	5,551
8000 129	GRND STANDOFF MINE DETECTION SYSTEMS (R68200).....	1,386,640
8050 131	EXPLOSIVE ORDNANCE DISPOSAL EQUIP (MA9200).....	6,600
8100 133	HEATERS AND ECU'S (MF9000).....	12,772
8150 134	LAUNDRIES, SHOWERS, AND LATRINES (M82700).....	12,300
8250 135	SOLDIER ENHANCEMENT (MA6800).....	9,662
8300 139	FIELD FEEDING EQUIPMENT (M65800).....	7,032
8350 141	ITEMS LESS THAN \$5M (ENG SPT) (ML5301).....	611
8400 143	QUALITY SURVEILLANCE EQUIPMENT (MB6400).....	42,220
8450 144	DISTRIBUTION SYSTEMS, PETROLEUM & WATER (MA6000).....	3,283
8500 145	WATER PURIFICATION SYSTEMS (R05600).....	9,401
8550 146	COMBAT SUPPORT MEDICAL (MN1000).....	24,579
8600 147	SHOP EQ CONTACT MAINTENANCE TRK MTD (M61500).....	52,474
8650 148	WELDING SHOP, TRAILER MTD (M62700).....	7,171
8700 149	ITEMS LESS THAN \$5.0M (MAINT EQ) (ML5345).....	67,912
8800 153	LOADERS (R04500).....	145
8850 154	HYDRAULIC EXCAVATOR (X01500).....	10
8900 155	TRACTOR FULL TRACKED (M05800).....	1,435
8950 156	CRANES (M06700).....	25
9000 157	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS (R05901)..	7,740
9050 159	ITEMS LESS THAN \$5.0M (CONST. EQUIP).....	1,487
9150 165	GENERATORS AND ASSOCIATED EQUIP (MA9800).....	50,792
9200 166	ROUGH TERRAIN CONTAINER HANDLER (M41200).....	---
9250 167	ALL TERRAIN LIFTING ARMY SYSTEM (M41800).....	5,548
9300 168	COMBAT TRAINING CENTERS (CTC) SUPPORT (MA6601).....	309
9350 169	TRAINING DEVICES, NONSYSTEM (NA0100).....	15,819
9400 172	CALIBRATION SETS EQUIPMENT (N1000).....	17,100
9450 173	INTEGRATED FAMILY OF TEST EQUIPMENT (MB4000).....	96,303
9500 174	TEST EQUIPMENT MODERNIZATION (TEMOD) (N11000).....	10,920
9550 175	RAPID EQUIPPING SOLDIER SUPPORT EQUIP (M80101).....	20,036
9600 177	PHYSICAL SECURITY SYSTEMS (OPA3) (MA0780).....	152,678
9650 179	MODIFICATION OF IN-SVC EQUIP (OPA3) (MA4500).....	4,917
9700 181	BUILDING PRE-FAB RELOCATABLE (MA9160).....	93,603

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

9750 185	INITIAL SPARES FOR LARGE AREA SMOKE OBSCURANT SYS. (M5	948
9800 187	SEQUOYAH FOREIGN LANGUAGE TRANSLATION SYSTEM (B88605).	12,813
9850 188	COUNTER-ROCKET ARTILLERY & MORTAR (CRAM).....	245,000
9900 189	FIRE SUPPORT C2 FAMILY (B28501).....	987
9950 999	CLASSIFIED PROGRAMS.....	527
10000	AMC CRITICAL ITEMS.....	37,870
10150	TOTAL, OTHER PROCUREMENT, ARMY.....	11,076,137

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>	<b>Conference</b>
<b>2 Semitrailers, Flatbed: (D01001)</b>	<b>27,544</b>
Premature Funding Request	-4,000
<b>3 Semitrailers, Tankers (D02001)</b>	<b>6,173</b>
Premature Funding Request	-17,992
<b>5 Family of Medium Tactical Vehicles (FMTV) (D15500)</b>	<b>1,541,661</b>
Stabilize Production Rate	-75,000
<b>17 Passenger Carrying Vehicles (D23000)</b>	<b>0</b>
Funded in IFF	-6,149
<b>18 Non Tactical Vehicles, Other (D3000)</b>	<b>193,721</b>
Funded in IFF	-9,851
<b>34 SINGARS Family (BW0006)</b>	<b>458,709</b>
Unexecutable Request	-75,000
<b>46 Information System Security Program (TA0600)</b>	<b>55,201</b>
Transfer to RDT&E, A, line 174 for Execution	-23,300
<b>52 Information Systems</b>	<b>1,000</b>
Information Systems Equipment Adjustment	-12,200
<b>74 Warlock</b>	<b>0</b>
Duplicates funding provided in Joint Improvised Explosive Device Defeat Fund	-13,250
<b>92 Mortar Fire Control System (K99300)</b>	<b>0</b>
Slow Execution	-3,474
<b>96 AFATDS</b>	<b>3,378</b>
Baseline Budget Requirement	-3,500
<b>106 TC AIMS II</b>	<b>12,403</b>
Defer non-emergency TC AIMS II procurement	-20,000
<b>115 CSS Communications (BD3501)</b>	<b>37,423</b>
Defer non-emergency upgrades in CSS Communications	-37,434
<b>129 Ground Standoff Mine Detection Systems (R68200)</b>	<b>1,386,640</b>
Mine Resistant Ambush Protected (MRAP) Vehicles	447,000

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

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<b>P-1</b>	<b>Conference</b>
<hr/>	
<b>146 Combat Support Medical (MN1000)</b>	<b>24,579</b>
Medical Equipment Modernization and Replacement	4,000
<b>166 Rough Terrain Container Handler (M41200)</b>	<b>0</b>
Premature Funding Request	-15,400
<b>179 Modification of In-Service Equipment (MA4500)</b>	<b>4,917</b>
Baseline Budget Requirement	-5,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

10200	AIRCRAFT PROCUREMENT, NAVY		
11350 2	EA-18G.....		75,000
11400 4	F/A-18E/F (FIGHTER) HORNET (MYP).....		208,000
11450 9	UH-1Y/AH-1Z.....		50,000
11460 16A	C-12.....		21,000
11500 25	EA-6 SERIES.....		178,495
11550 26	AV-8 SERIES.....		9,850
11600 28	F-18 SERIES.....		90,014
11650 29	H-46 SERIES.....		70,505
11700 30	AH-1W SERIES.....		21,100
11750 31	H-53 SERIES.....		181,848
11800 32	SH-60 SERIES.....		15,956
11850 33	H-1 SERIES.....		18,007
11900 35	P-3 SERIES.....		18,800
11950 37	E-2 SERIES.....		7,000
12000 40	C-130 SERIES.....		29,815
12050 42	CARGO/TRANSPORT ACFT SERIES.....		4,259
12100 45	SPECIAL PROJECT ACFT.....		5,120
12150 49	AVIATION LIFE SUPPORT MODS.....		486
12200 50	COMMON ECM EQUIPMENT.....		71,900
12250 54	V-22 (TILT/ROTOR ACFT) OSPREY SERIES.....		---
12300 55	SPARES AND REPAIR PARTS.....		10,332
12350 56	COMMON GROUND EQUIPMENT.....		2,800
12400	TOTAL, AIRCRAFT PROCUREMENT, NAVY.....		1,090,287

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

**P-1**

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<b>4 F/A-18E/F (Fighter) Hornet (MYP)</b>	<b>208,000</b>
3 F/A-18's combat loss replacements	192,000
<b>16A C-12</b>	<b>21,000</b>
2 C-12 Aircraft for USMC (ASE for USMC)	21,000
<b>28 F-18 Series</b>	<b>90,014</b>
JHMCS modification - requires R&D funding	-3,400
Station 4 integration - incomplete effort	-3,400
<b>29 H-46 Series</b>	<b>70,505</b>
CH-46E IR Engine Suppression (ASE for USMC)	22,700
CH-46E Wire Strike (ASE for USMC)	9,100
CH-46E Countermeasures (ALE-47) (ASE for USMC)	7,200
CH-46E Ramp Mounted Weapon System (ASE)	2,700
<b>30 AH-1W Series</b>	<b>21,100</b>
Fund installations through FY 2009 only	-21,100
<b>31 H-53 Series</b>	<b>181,848</b>
DIRCM protection upgrades (ASE for USMC)	135,000
<b>35 P-3 Series</b>	<b>18,800</b>
Non-emergency obsolescence upgrades	-5,500
<b>50 Common ECM Equipment</b>	<b>71,900</b>
Non-emergency obsolescence and testing upgrades	-21,000
AAR-47B(V) (Rotary Wing Common ECM) (ASE)	58,000
<b>54 V-22 (Tilt/Rotor Acft) Osprey Series</b>	<b>0</b>
Change to program plan	-3,510
<b>55 Spares and Repair Parts</b>	<b>10,332</b>
Support facilities	-11,216
SHARP Spares - buying ahead of need	-19,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

12450	WEAPONS PROCUREMENT, NAVY	
12600 7	JT STANDOFF WEAPON (JSOW).....	---
12650 10	HELLFIRE.....	400
12700 26	SMALL ARMS AND WEAPONS.....	72,113
12750 29	GUN MOUNT MODS.....	72,000
12800	MARINE CORPS TACTICAL UNMANNED AERIAL SYSTEM.....	19,300
12850	TOTAL, WEAPONS PROCUREMENT, NAVY.....	163,813

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS  
[In thousands of dollars]

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7	JT Standoff Weapon (JSOW)	0
	JSOW unjustified request	-8,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

12900	PROCUREMENT OF AMMO, NAVY & MARINE CORPS	
12950 3	AIRBORNE ROCKETS, ALL TYPES.....	15,553
13000 8	AIR EXPENDABLE COUNTERMEASURES.....	7,966
13050 10	5 INCH/54 GUN AMMUNITION.....	11,000
13100 12	INTERMEDIATE CALIBER GUN AMMO.....	27
13150 13	OTHER SHIP GUN AMMUNITION.....	18,412
13200 14	SMALL ARMS & LNDG PARTY AMMO.....	21,862
13250 15	PYROTECHNIC AND DEMOLITION.....	274
13300 17	5.56 MM, ALL TYPES.....	4,658
13350 18	7.62 MM, ALL TYPES.....	2,132
13400 19	LINEAR CHARGES, ALL TYPES.....	2,412
13450 20	.50 CALIBER.....	2,420
13500 21	40 MM, ALL TYPES.....	4,093
13550 22	60 MM, ALL TYPES.....	9,864
13600 23	81 MM, ALL TYPES.....	10,088
13650 24	120 MM, ALL TYPES.....	7,779
13700 25	CTG 25 MM, ALL TYPES.....	80
13750 26	9 MM ALL TYPES.....	155
13800 27	GRENADERS, ALL TYPES.....	1,138
13850 28	ROCKETS, ALL TYPES.....	5,125
13900 29	ARTILLERY, ALL TYPES.....	13,045
13950 31	DEMOLITION MUNITIONS, ALL TYPES.....	705
14000 32	FUZE, ALL TYPES.....	661
14050 33	NON LETHALS.....	4,891
14100 34	AMMO MODERNIZATION.....	15,394
14150 35	ITEMS LESS THAN \$5 MILLION.....	99
14200	TOTAL, PROCUREMENT AMMUNITION, NAVY.....	159,833

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

14250	OTHER PROCUREMENT, NAVY		
14500 19	CHEMICAL WARFARE DETECTORS.....		436
14550 24	STANDARD BOATS.....		35,614
14600 40	TACTICAL SUPPORT CENTER.....		5,850
14650 43	SHIPBOARD IW EXPLOIT.....		45,750
14700 47	GCCS-M EQUIPMENT.....		6,966
14750 56	MATCALs.....		10,890
14800 73	PORTABLE RADIOS.....		25,850
14850 74	SHIP COMMUNICATIONS AUTOMATION.....		5,784
14900 75	COMMUNICATIONS ITEMS UNDER \$5M.....		10,777
14950 83	NAVAL SHORE COMMUNICATIONS.....		1,077
15000 93	METEOROLOGICAL EQUIPMENT.....		---
15050 95	AVIATION LIFE SUPPORT.....		3,300
15150 122	CONSTRUCTION & MAINTENANCE EQUIPMENT.....		199,561
15200 123	FIRE FIGHTING EQUIPMENT.....		700
15250 124	TACTICAL VEHICLES.....		215,330
15300 127	ITEMS UNDER \$5 MILLION.....		28,446
15350 129	MATERIALS HANDLING EQUIPMENT.....		46,810
15400 132	SPECIAL PURPOSE SUPPLY SYSTEMS.....		5,900
15450 134	COMMAND SUPPORT EQUIPMENT.....		28,720
15500 137	INTELLIGENCE SUPPORT EQUIPMENT.....		8,400
15550 138	OPERATING FORCES SUPT EQUIP.....		25,500
15600 141	PHYSICAL SECURITY EQUIPMENT.....		8,166
15650 147	SPARES AND REPAIR PARTS.....		28,922
15750	TOTAL, OTHER PROCUREMENT, NAVY.....		748,749

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

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<b>73 Portable Radios</b>	<b>25,850</b>
ELMR - Baseline Budget requirement	-15,000
<b>93 Meteorological Equipment</b>	<b>0</b>
Non-emergency NITES upgrades	-7,497
<b>122 Construction &amp; Maint Equip</b>	<b>199,561</b>
Seabee equipment	25,700
<b>124 Tactical Vehicles</b>	<b>215,330</b>
Mine Resistant Ambush Protected (MRAP) Vehicles	8,040
<b>134 Command Support Equipment</b>	<b>28,720</b>
NMCMPS	-7,919

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

15800	PROCUREMENT, MARINE CORPS	
15850 1	AAV7A1 PIP.....	48,352
16050 8	M1A1 FIREPOWER ENHANCEMENTS.....	4,470
16100 13	HIGH MOBILITY ARTILLERY ROCKET SYSTEM.....	20,571
16150 14	WPNS & CMBT VEHS UNDER \$5 MILLION.....	16,162
16200 15	MODULAR WEAPON SYSTEM.....	2,589
16250 17	WEAPONS ENHANCEMENT PROGRAM.....	21,170
16300 20	JAVELIN.....	1,200
16400 23	MODIFICATION KITS.....	34,623
16650 24	UNIT OPERATIONS CENTER.....	57,100
16700 25	REPAIR AND TEST EQUIPMENT.....	5,214
16750 29	COMBAT SUPPORT SYSTEM.....	85
16800 30	MODIFICATION KITS.....	16,571
16850 33	AIR OPERATIONS C2 SYSTEMS.....	---
16900 37	RADAR SYSTEMS.....	20,900
16950 41	FIRE SUPPORT SYSTEM.....	21,282
17000 43	INTELLIGENCE SUPPORT EQUIPMENT.....	32,073
17050 47	NIGHT VISION EQUIPMENT.....	73,431
17100 48	COMMON COMPUTER RESOURCES.....	27,631
17150 49	COMMAND POST SYSTEMS.....	18,083
17200 50	RADIO SYSTEMS.....	111,084
17250 51	COMM SWITCHING & CONTROL SYSTEMS.....	7,273
17300 52	COMM & ELEC INFRASTRUCTURE SUPT.....	1,606
17350 56	5/4T TRUCK HMMWV (MYP).....	69,985
17400 57	MOTOR TRANSPORT MODIFICATIONS.....	52,000
17450 58	MEDIUM TACTICAL VEH REPL.....	26,215
17500 60	LOGISTICS VEHICLE SYSTEM REP.....	16,800
17550 61	FAMILY OF TACTICAL TRAILERS.....	2,818
17600 62	ITEMS LESS THAN \$5 MILLION.....	2,370
17650 63	ENV CNTRL EQUIP ASSORTED.....	143
17700 65	BULK LIQUID EQUIPMENT.....	28
17750 66	TACTICAL FUEL SYSTEMS.....	168
17800 68	POWER EQUIPMENT ASSORTED.....	364
17850 70	EOD SYSTEMS.....	1,316,024
17950 72	PHYSICAL SECURITY EQUIPMENT.....	---

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

18000 74	MATERIAL HANDLING EQUIP.....	40,000
18050 77	FIELD MEDICAL EQUIPMENT.....	692
18100 79	TRAINING DEVICES.....	110,043
18150 80	CONTAINER FAMILY.....	2,172
18200 81	FAMILY OF CONSTRUCTION EQUIPMENT.....	45,000
18300 82	FAMILY OF INTERNALLY TRANS VEH (ITV).....	7,875
18350 84	RAPID DEPLOYABLE KITCHEN.....	391
18500 86	ITEMS LESS THAN \$5 MILLION.....	18,191
18700	TOTAL, PROCUREMENT, MARINE CORPS.....	2,252,749

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

**P-1**

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<b>33 Air Operations C2 Systems</b>	<b>0</b>
Premature Request	-56,800
<b>50 Radio Systems</b>	<b>111,084</b>
E-Land Mobile Radios - Baseline budget requirement	-152,194
Communications Installs on US Navy Ships Program	
Delay	-36,000
<b>70 EOD Systems</b>	<b>1,316,024</b>
Mine Resistant Ambush Protected (MRAP) Vehicles	585,360
<b>72 Physical Security Equipment</b>	<b>0</b>
Rapid Aerostat Initial Deployment (RAID)/Ground-Based	
Operational Surveillance System (G-BOSS)	-143,332

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

18750	AIRCRAFT PROCUREMENT, AIR FORCE		
18850 7	C -17.....		---
18900 11	C-130J.....		388,000
18950 18	CV-22 OSPREY.....		99,252
19000 25	PREDATOR UAV.....		443,700
19100 27	B-1.....		6,880
19150 30	A-10.....		163,886
19200 31	F-15.....		112,762
19250 35	C-5.....		35,600
19300 38	C-17.....		122,000
19350 41	C-37.....		112,400
19400 52	C-40.....		90,500
19450 53	C-130.....		252,663
19500 56	COMPASS CALL.....		23,700
19550 58	DARP.....		15,000
19600 61	E-8C.....		---
19650 65	OTHER AIRCRAFT.....		23,950
19700 69	INITIAL SPARES/REPAIR PARTS.....		2,480
19750 73	B-2A ICS.....		4,000
19800 80	OTHER PRODUCTION CHARGES.....		209,695
19850	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE.....		2,106,468

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>P-1</b>		
<b>7</b>	<b>C-17</b>	<b>0</b>
	Premature funding request	-111,100
<b>11</b>	<b>C-130J</b>	<b>388,000</b>
	Five Aircraft	388,000
<b>18</b>	<b>CV-22 Osprey</b>	<b>99,252</b>
	One Aircraft	146,300
	Transfer to Procurement, Defense-Wide, Line 42, for CV-22 SOF Modifications	-47,048
<b>25</b>	<b>Predator UAV</b>	<b>443,700</b>
	Predator UAV	10,000
	Reaper UAV	35,000
<b>30</b>	<b>A-10</b>	<b>163,886</b>
	Unjustified request	-32,400
	Premature funding request for missile rails and EIRCM	-53,500
<b>31</b>	<b>F-15</b>	<b>112,762</b>
	AESA	-9,200
	JHMCS	-70,000
<b>35</b>	<b>C-5</b>	<b>35,600</b>
	LAIRCM for C-5B Aircraft only	30,000
<b>38</b>	<b>C-17</b>	<b>122,000</b>
	LAIRCM	30,000
<b>53</b>	<b>C-130</b>	<b>252,663</b>
	LAIRCM	30,000
<b>61</b>	<b>E-8C</b>	<b>0</b>
	Premature funding request	-17,500
<b>65</b>	<b>Other Aircraft</b>	<b>23,950</b>
	TARS Block 40/50 Modification	-4,320
	TARS Initial Spares	-5,300
<b>80</b>	<b>Other Production Charges</b>	<b>209,695</b>
	Classified Requirement	65,000
	Baseline budget requirement	-3,800

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

19900	MISSILE PROCUREMENT, AIR FORCE	
19950 6	PREDATOR HELLFIRE MISSILE.....	78,900
20000 7	SMALL DIAMETER BOMB.....	16,000
20050	TOTAL, MISSILE PROCUREMENT, AIR FORCE.....	94,900

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

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<b>6</b>	<b>Hellfire</b>	<b>78,900</b>
	Unexecutable request	-25,400
<b>7</b>	<b>Small Diameter Bomb</b>	<b>16,000</b>
	Unjustified request	-20,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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20100	PROCUREMENT OF AMMUNITION, AIR FORCE	
20150 2	CARTRIDGES.....	---
20200 9	EXPLOSIVE ORDNANCE DISPOSAL (EOD).....	3,000
20250 16	SMALL ARMS.....	3,000
20300	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE.....	----- 6,000

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

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**P-1**

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<b>2</b>	<b>Cartridges</b>	<b>0</b>
	Handgun Replacement Program - Baseline budget requirement	-19,100
<b>16</b>	<b>Small Arms</b>	<b>3,000</b>
	Handgun Replacement Program - Baseline budget requirement	-65,700
	Transfer to Operation & Maintenance, Defense-Wide, only for the Handgun Replacement Study	-5,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

20350	OTHER PROCUREMENT, AIR FORCE	
20500 2	PASSENGER CARRYING VEHICLES.....	360
20550 8	MEDIUM TACTICAL VEHICLE.....	154,140
20600 22	FIRE FIGHTING/CRASH RESCUE VEHICLES.....	18,888
20650 26	HALVORSEN LOADER.....	620
20700 31	RUNWAY SNOW REMOVAL AND CLEANING EQUIPMENT.....	400
20750 34	ITEMS LESS THAN \$5 MILLION (VEHICLES).....	4,440
20800 39	INTELLIGENCE COMM EQUIPMENT.....	16,600
20850 40	TRAFFIC CONTROL/LANDING.....	3,300
20900 41	NATIONAL AIRSPACE SYSTEM.....	9,000
20950 42	THEATER AIR CONTROL SYSTEM IMPROVEMENT.....	14,800
21000 43	WEATHER OBSERVATION FORECAST.....	2,433
21050 51	AIR FORCE PHYSICAL SECURITY SYSTEM.....	10,680
21100 57	AIR OPERATIONS CENTER (AOC).....	1,250
21150 66	MILSATCOM SPACE.....	---
21200 69	TACTICAL CE EQUIPMENT.....	34,750
21250 70	COMBAT SURVIVOR EVADER LOCATER.....	44,010
21300 71	RADIO EQUIPMENT.....	5,400
21350 74	BASE COMM INFRASTRUCTURE.....	19,020
21400 76	COMM ELECT MODS.....	16,000
21450 80	NIGHT VISION GOGGLES.....	9,317
21500 86	BASE PROCURED EQUIPMENT.....	10,530
21550 88	AIR BASE OPERABILITY.....	7,200
21600 93	ITEMS LESS THAN \$5 MILLION (BASE SUPPORT).....	18,000
21650 97	DARP, MRIGS.....	21,607
21700 999	CLASSIFIED PROGRAMS.....	1,658,455
21710	OPERATION ENDURING FREEDOM OPTEMPO.....	15,000
21750	TOTAL, OTHER PROCUREMENT, AIR FORCE.....	2,096,200

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

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**P-1**

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<b>8</b>	<b>Medium Tactical Vehicles</b>	<b>154,140</b>
	Mine Resistant Ambush Protected Vehicles	123,840
<b>22</b>	<b>Fire Fighting / Crash Rescue Vehicles</b>	<b>18,888</b>
	HAZMAT Vehicles - Baseline Budget Request	-4,325
<b>40</b>	<b>Traffic Control/Landing</b>	<b>3,300</b>
	USAFE Instrument Landing System	-4,200
<b>66</b>	<b>MILSATCOM Space</b>	<b>0</b>
	GBS-RPRS Premature funding request	-35,000
<b>999</b>	<b>Classified Programs</b>	<b>1,658,455</b>
	Program Adjustment	-91,869
	<b>Operation Enduring Freedom OPTEMPO</b>	<b>15,000</b>

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

21800	PROCUREMENT, DEFENSE-WIDE	
22400 11	GLOBAL COMMAND AND CONTROL SYSTEM.....	3,142
22450 13	TELEPORT.....	3,670
22500 16	NET-CENTRIC ENTERPRISE SERVICES (NCES).....	975
22550 17	DEFENSE INFORMATION SYSTEMS NETWORK (DISN).....	5,324
22600 23	MAJOR EQUIPMENT, DLA.....	1,600
22650 25	MAJOR EQUIPMENT, TJS.....	32,700
22660 38	MH-47 SLEP.....	22,000
22670 42	CV-22 MODIFICATIONS.....	47,048
22700 44	C-130 MODS.....	49,833
22750 48	SOF ORDNANCE REPLENISHMENT.....	45,788
22800 49	SOF ORDNANCE ACQUISITION.....	53,176
22850 50	COMM EQPT & ELECTRONICS.....	78,342
22900 51	SOF INTELLIGENCE SYSTEMS.....	5,120
22950 52	SMALL ARMS AND WEAPONS.....	57,805
23000 56	SOF COMBATANT CRAFT SYSTEMS.....	16,900
23050 59	TACTICAL VEHICLES.....	165,100
23100 60	MISSION TRAINING AND PREPARATION SYS.....	5,300
23150 61	COMBAT MISSION REQUIREMENTS.....	150,000
23200 63	UNMANNED VEHICLES.....	107,731
23250 67	MISC EQUIPMENT.....	1,000
23300 69	SOF OPERATIONAL ENHANCEMENTS.....	65,678
23350 999	CLASSIFIED PROGRAMS.....	60,662
23400 999	CLASSIFIED PROGRAMS.....	1,156
23450	TOTAL, PROCUREMENT, DEFENSE-WIDE.....	980,050

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

**P-1**

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<b>25 Major Equipment, TJS</b>	<b>32,700</b>
Request in excess of validated requirement	-26,750
<b>38 MH-47 SLEP</b>	<b>22,000</b>
MH-47 Mods for Battle-loss MH-47	22,000
<b>42 CV-22 SOF Modifications</b>	<b>47,048</b>
CV-22 SOF Modifications (Transferred from AP,AF Line 18 for execution)	47,048
<b>49 SOF Ordnance Acquisition</b>	<b>53,176</b>
SOPGM - Unexecutable request	-1,800
<b>50 Comm Eqpt &amp; Electronics</b>	<b>78,342</b>
TACLAN - E - Unexecutable Request	-300
Forward Deployed Equipment - Transfer from Line 67	20,610
<b>51 SOF Intelligence Systems</b>	<b>5,120</b>
MERLIN - Unjustified request	-29,983
Forward Deployed Equipment - Transfer from line 67	1,220
<b>52 Small Arms and Weapons</b>	<b>57,805</b>
Forward Deployed Equipment - Transfer from Line 67	8,030
<b>56 SOF Combatant Craft Systems</b>	<b>16,900</b>
IBS Upgrade - Unexecutable request	-13,600
<b>59 Tactical Vehicles</b>	<b>165,100</b>
Lightweight ATV - Unexecutable Request	-750
Forward Deployed Equipment - Transfer from Line 67	21,540
Mine Resistant Ambush Protected (MRAP) Vehicles	35,760
<b>67 Misc Equipment</b>	<b>1,000</b>
Forward Deployed Equipment - Transfer to Lines 50,51,52,59 for execution	-51,410
MK 5 Clamshell - Unexecutable request	-470
<b>69 SOF Operational Enhancements</b>	<b>65,678</b>
Program Adjustments	-20,975
<b>999 Classified Programs</b>	<b>60,662</b>

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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RECAPITULATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY.....	100,006
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY.....	298,722
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE.	187,176
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE.....	512,804
GRAND TOTAL.....	----- 1,098,708

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

50	RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY	
100 34	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY.....	---
150 63	SOLDIER SUPPORT AND SURVIVABILITY.....	7,625
200 82	ALL SOURCE ANALYSIS SYSTEM (ASAS).....	3,400
250 85	INFANTRY SUPPORT WEAPONS.....	8,158
300 100	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE.....	38,900
350 102	AUTOMATIC TEST EQUIPMENT DEVELOPMENT.....	---
400 141	MATERIEL SYSTEMS ANALYSIS.....	---
450 174	INFORMATION SYSTEMS SECURITY PROGRAM.....	31,600
500 177	WMCCS/GLOBAL COMMAND AND CONTROL SYSTEM.....	---
550	TACTICAL WHEELED VEHICLE (TWV) PRODUCT.....	10,323
600	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.....	100,006

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

<b>R-1</b>	<b>Conference</b>
<b>Combat Vehicle and Automotive Advanced</b>	
<b>34 Technology</b>	<b>0</b>
Duplicates funding provided in Joint Improvised Explosive Device Defeat Fund	-3,560
<b>63 Soldier Support and Survivability</b>	<b>7,625</b>
Duplicates funding provided in Joint Improvised Explosive Device Defeat Fund	-20,000
<b>102 Automatic Test Equipment Development</b>	<b>0</b>
Defer non-emergency development of aviation test equipment	-6,500
<b>141 Materiel Systems Analysis</b>	<b>0</b>
Duplicates funding provided in Joint Improvised Explosive Device Defeat Fund	-5,410
<b>174 Information Systems Security Program</b>	<b>31,600</b>
Transfer from OPA, Line 46 for Execution	23,300
<b>177 WWMCCS/Global Command and Control System</b>	<b>0</b>
Database interoperability applications for situational awareness	-3,800

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

650	RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY	
1000 58	MARINE CORPS GRND CMBT/SUPT SYS.....	5,000
1050 140	TACTICAL CRYPTOLOGIC SYSTEMS.....	5,000
1060 84	OTHER HELO DEVELOPMENT.....	13,000
1070 93	H-1 UPGRADES.....	18,000
1100 95	V-22A.....	---
1150 98	ELECTRONIC WARFARE (EW) DEV.....	1,245
1200 158	MARINE CORPS PROGRAM WIDE SUPT.....	2,000
1250 179	HARM IMPROVEMENT.....	---
1300 183	AVIATION IMPROVEMENTS.....	500
1350 186	MARINE CORPS COMMS SYSTEMS.....	41,540
1400 187	MC GROUND CMBT SPT ARMS SYS.....	2,000
1450 188	MARINE CORPS CMBT SERVICES SUPT.....	14,851
1500	CLASSIFIED PROGRAMS.....	130,500
1550 205	MANNED RECONNAISSANCE SYS.....	65,086
1600	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.....	298,722

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

R-1

<b>58</b>	<b>Marine Corps Ground Combat/Support System</b>	<b>5,000</b>
	Joint Light Tactical Vehicle (JLTV)	-31,800
<b>84</b>	<b>Other Helo Development</b>	<b>13,000</b>
	DIRCM Integration (ASE for USMC)	1,000
	NRE for LW/DIRCM (ASE for USMC)	12,000
<b>93</b>	<b>H-1 Upgrades</b>	<b>18,000</b>
	Aircraft survivability (DIRCM) for H-1(ASE for USMC)	18,000
<b>95</b>	<b>V-22A</b>	<b>0</b>
	Excess to need	-3,800
<b>158</b>	<b>Marine Corps Program Wide Supt</b>	<b>2,000</b>
	Program Wide Support	-8,100
<b>179</b>	<b>Harm Improvement</b>	<b>0</b>
	Defer Thermobaric Modification	-2,230
<b>186</b>	<b>Marine Corps Communications Systems</b>	<b>41,540</b>
	Funds near-term deliverables	-123,808
<b>187</b>	<b>Marine Corps Ground Combat Support Arms System</b>	<b>2,000</b>
	Ground Weaponry PIP	-2,000
<b>188</b>	<b>Marine Corps Cmbt Services Supt</b>	<b>14,851</b>
	Funds near-term deliverables	-715
<b>xx</b>	<b>Classified Programs</b>	<b>130,500</b>
	Classified Program Adjustment	-20,000

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

1650	RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE	
1700 50	INTEGRATED BROADCAST SERVICE.....	4,000
1750 67	B-1B.....	17,030
1800 79	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD.....	2,000
1850 121	B-52 SQUADRONS.....	24,500
1900 129	A-10 SQUADRONS.....	10,000
1950 162	MISSION PLANNING SYSTEMS.....	13,300
2000 199	DRAGON U-2 (JMIP).....	---
2050 200	AIRBORNE RECONNAISSANCE SYSTEMS.....	---
2100 201	MANNED RECONNAISSANCE SYSTEMS.....	20,540
2150 203	PREDATOR UAV (JMIP).....	20,000
2200 204	GLOBAL HAWK UAV.....	---
2250 999	CLASSIFIED PROGRAMS.....	75,806
2300	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE	187,176

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

<b>R-1</b>		
<b>50</b>	<b>Integrated Broadcast Service</b>	<b>4,000</b>
	CO-GINS Funding ahead of need	-5,000
<b>199</b>	<b>Dragon U-2 (JMIP)</b>	<b>0</b>
	SYERS-2 Qualification and Certification Testing	-660
<b>200</b>	<b>Airborne Reconnaissance Systems</b>	<b>0</b>
	TARS Integration on Block 40/50 F-16 Aircraft	-6,000
<b>204</b>	<b>Global Hawk UAV</b>	<b>0</b>
	MASINT and SIGINT Capability Development	-19,033
<b>999</b>	<b>Classified Programs</b>	<b>75,806</b>
	Program Adjustment	-2,852

## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

2350	RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	
2400 186	CRITICAL INFRASTRUCTURE PROGRAM (CIP).....	15,700
2450 999	CLASSIFIED PROGRAMS.....	497,104
		-----
2500	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DW.....	512,804

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
[In thousands of dollars]

**R-1**

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<b>999 Classified Programs</b>	<b>497,104</b>
Classified Program Adjustment	-138,060

FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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Defense Working Capital Funds (emergency).....	1,115,526
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## FY 2007 DEPARTMENT OF DEFENSE SUPPLEMENTAL APPROPRIATIONS

(In thousands of dollars)

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Defense Health Program (emergency).....	3,001,853
Operation and maintenance (emergency).....	(2,552,153)
Procurement (emergency).....	(118,000)
Research, development, test and evaluation (emergency).....	(331,700)
Medical support fund (emergency).....	---

**EXPLANATION OF PROJECT LEVEL ADJUSTMENTS**  
**[In thousands of dollars]**

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<b>OPERATION AND MAINTENANCE</b>	<b>2,552,153</b>
Amputee Care	61,950
Bethesda Emergency Preparedness Plan	5,000
Blast Injury Prevention, Mitigation & Treatment	14,800
Improved Identification and Access to Mental Health/PTSD Treatment	300,000
Improved Identification and Access to Traumatic Brain Injury Treatment	300,000
Care Givers Support Program	12,000
Burn Care	14,800
Comprehensive Combat Casualty Care (C5)	6,500
BAMC Infrastructure (Elevators)	1,500
WRAMC Infrastructure (Building 18 & other infrastructure)	20,000
Efficiency Wedge	382,000
Restores Funding for Legislative Proposal not adopted	410,750
<b>PROCUREMENT</b>	<b>118,000</b>
Efficiency Wedge	118,000
<b>RESEARCH, DEVELOPMENT, TEST, AND EVALUATION</b>	<b>331,700</b>
Peer Reviewed Post Traumatic Stress Disorder Research	150,000
Peer Reviewed Traumatic Brain Injury Research	150,000
Peer Reviewed Burn, Orthopedic, and Trauma Research	31,700
<b>MEDICAL SUPPORT FUND</b>	<b>0</b>

Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

It was on February 5 that the President sent his emergency supplemental request to the Hill for our consideration. Today, Congress is poised to finally send the President a package that he can sign.

The days, weeks, and months that have passed since the supplemental request first arrived on the Hill have been long on politics and short on substance. The Speaker and the majority leadership have spent valuable time at our troops' expense taking symbolic votes for the purpose of placating the Out of Iraq Caucus.

No political party has a corner on virtue, but the Democrat majority's reluctance to act swiftly on funding our troops clearly calls into question its commitment to our men and women in uniform.

As a longtime Member of the Appropriations Committee, I cannot recall a time that legislation has come to the floor under the committee chairman's name that the committee chairman apparently plans to oppose, and yet that is exactly what is occurring today.

My colleague, Chairman OBEY, has indicated that he, like most of his caucus, is going to oppose the piece of this emergency supplemental that supports our troops, and he is going to support the piece of this emergency supplemental that funds political pork. Perhaps my friend from Wisconsin would be more comfortable in replacing his name with mine as the chief sponsor of the troop-funding bill.

The funding package before us today contains \$17 billion in unrequested Federal spending. While a small piece of this funding addresses legitimate needs, its designation as emergency spending serves only one purpose: to make headroom for even more Federal spending in the fiscal year 2008 appropriations process.

I urge my colleagues to consider this: In the last week, four appropriations subcommittees have marked up bills for the coming fiscal year. Already, these four bills are \$9.1 billion above the President's budget request and provide \$21.8 billion above the 2007 enacted level. The committee has yet to mark up another eight bills. By the time the committee completes its work, it will propose over \$20 billion in new spending beyond the President's request for next year. Between the emergency supplemental and the fiscal year 2008 bills, the Democrat majority has proposed spending an additional \$37 billion.

I am deeply dismayed that this legislation was written without any consultation whatsoever with the minority. The Speaker's public pronouncement of a desire to work across the party lines, to say the least, runs hollow once again. What makes this more astounding is that Speaker PELOSI, Majority HOYER and Mr. CLYBURN, the dis-

tinguished majority whip, have been longtime members of the Appropriations Committee. They know that our committee process has historically been a bipartisan, or even, in its ideal form, a nonpartisan process. The majority party clearly made a decision early on not only to abandon our troops, but to abandon any semblance of bipartisanship in this process. That does not bode well for our remaining work this year.

Mr. Speaker, I strongly urge a "yes" vote on the Obey amendment, providing critical funding to our troops, which I gather Mr. OBEY is going to vote against, and strongly urge a "no" vote on the Obey amendment providing \$17 billion in spending unrequested and unrelated, I would describe as pork, to hurricane relief or the global war on terror. I gather Mr. OBEY is going to vote against supporting our troops in the first instance and for pork in the second.

Mr. Speaker, I reserve the balance of the time.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, I rise to speak and to urge our colleagues to please vote and pass this passage.

Now, the most important part, and, of course, all of it is very important, but there is one part that I want to emphasize that is so important on the second part; and I take quite a distaste at how the gentleman referred to that as pork, because the children's health program is not pork.

In my State of Georgia, there are 273,000 children who will go without their insurance or health care if we do not pass this measure.

Now, yes, we must get the funding to the troops; they are in need, and we certainly want to get the funding there. But let me just urge those in the minority on the other side of the aisle that many of these 273,000 children who are in Georgia without health insurance belong to the soldiers who are serving in Iraq, and we have been working feverishly in each step of the way to make sure we had the SCHIP program included. And I want to make sure we include this all the way, and urge the President to sign it when we get there.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished majority leader, Mr. HOYER.

Mr. HOYER. Mr. Speaker, I thank the chairman of the committee for yielding.

No matter how the Members vote on the two amendments before the House on this measure, I know that every one of us is absolutely committed to our men and women in harm's way and prays for their safe return home.

I also know that the Members on our side of the aisle, regardless of how we vote on these amendments, are united

in our collective judgment that the President's policy is failing; and that after 4 years of repeated misjudgments in Iraq by this administration, it is long past time to insist that the administration and the Iraqi Government be held accountable for making progress; and, that we must change direction in Iraq.

In fact, the American public strongly support the Democratic position on the war. Just today, the latest New York Times/CBS poll found that 76 percent of Americans, including a majority of Republicans, say that the troop surge has either had no impact or made the situation worse. Meanwhile, 63 percent said the United States should set a date for withdrawing troops sometime in 2008. That, of course, is what the bill that we passed and sent to the President did. He vetoed it. That position was adopted by the majority of this House and the majority of the Senate in the last supplemental bill.

And 69 percent say Congress should appropriate money for the war on the condition that we set benchmarks for progress. I am pleased, of course, that the Warner language is in there, but it is not enough.

Mr. Speaker, it is deeply disappointing that the President continues to defy the will of the American people. But today, with this amendment which includes 18 strong new benchmarks on political, security, and economic progress, and other reporting requirements, I believe this Congress has moved the ball forward and begun to hold the administration accountable.

Is it as far as we are going to go? It is not. Should we go further? We must. Make no mistake, this amendment does not provide everything that we had hoped for, but I do not believe that it provides a blank check or that this Congress is rubber-stamping the President's request. The President did not want the Warner amendment attached. He doesn't want any constraints.

In addition to benchmarks, this requires the President to report on progress in July and September, and ties all economic support for Iraq to progress on the benchmarks, although a waiver is required. Why? Because the President said he would veto the bill if it was not.

The fact is, this is simply the best bill we could put together and that would be signed. It is a political reality. It is not what we want to pass.

It imposes truly for the first time ever a level of accountability that did not exist, however, previously. For the first time ever, we are also calling for the Iraqi Security Forces to step up and do the job assigned to them so our soldiers can step down by providing funding for an outside review of the Iraqi Security Forces' current capacity and their reliance on our Armed Forces.

We have moved the ball forward. Far enough? No. Do we need to move further? Yes. But we have advanced toward a new direction and a new policy

in Iraq. And in the months ahead, we will continue to fight for a new direction in Iraq in the fiscal year 2008 defense appropriations bill and other measures to be considered.

Finally, Mr. Speaker, let me say that I am very pleased that the second amendment being considered will provide for the first time in a decade a long overdue increase in the Federal minimum wage, as well as additional funding for defense and veterans health care, and homeland security, drought relief, the State Children's Health Insurance Program, and gulf coast recovery. The Katrina provision is a critical one.

Mr. Speaker, I will vote for both of these amendments, and I urge my colleagues to do so as well.

□ 1730

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague from Florida, the ranking member of the Defense Subcommittee, BILL YOUNG.

Mr. YOUNG of Florida. Mr. Speaker, I thank Mr. LEWIS for yielding the time. And I rise in very strong support of the warfighting supplemental. Mr. MURTHA and I have worked together very closely to make sure that the numbers were what our soldiers and sailors and airmen and Marines and Coast Guardsmen were what they needed as they continue this battle in Iraq and Afghanistan.

The suggestions that I have seen today in the media that this political group lost or this political group won, I don't believe either one, any of those. The victory goes to the members of our military who are going to have the funding that they need to make sure that they have the equipment that they need and whatever else that they need.

Something else that it does, it proves that the Constitution is good. It proves that, by legislators working together along with the executive branch of government, that we can come to a solution.

Mr. MURTHA and I strongly support the dollars. We did disagree, and there was no secret about that, on the language that he had originally inserted. But we all worked that out. And during our many conversations, we both agreed, and we both knew that we had to come to an agreement, not only here in the House and in the Senate, but with the White House. And that's what we've done.

And I think this is a good package, and I hope that for those who might be wavering and thinking that they're not going to vote for this warfighting supplemental, think about that, because it is a good package, and it's one that I strongly support.

And I commend leadership on both sides for having been able to come to this agreement and this compromise on a very good piece of legislation.

I'm not sure if that's going to be amendment No. 1 or amendment No. 2,

but whichever amendment it is, I hope that all of us will vote for it and support it sincerely and aggressively.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentleman for yielding, and for your leadership.

In 2003, Congress approved a \$78 billion supplemental. In 2004, it was \$87 billion. In 2005, it was \$82 billion. In 2006, it was \$72 billion, and now the administration wants almost \$100 billion more.

Over 3,400 of our brave troops and countless Iraqis have died in this occupation. The President has dug us deep in a hole in Iraq, and it boggles my mind, boggles my mind that Congress wants to give him another blank check to buy more shovels.

This occupation and civil war cannot be won militarily. Mr. Speaker, how many will have to die before this House stops writing blank checks?

The American people are looking to Congress to end this failed policy and to bring our troops home.

Two months ago, we went to the Rules Committee to try to get an amendment to fully fund the safe and timely withdrawal of the United States forces from Iraq. That is what we should be voting on today, not to give the President another blank check. So I urge my colleagues to vote against this bill.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL of Texas. Mr. Speaker, first I rise in support of this bill, and I am pleased that our troops are being supported with the funding necessary.

But I also rise in my capacity as ranking member of the Emerging Threats Subcommittee of the Homeland Security Committee to make an important observation about this supplemental appropriations bill.

The funding included in the prior supplemental that would have provided \$800 million for advancing the national strategy for pandemic influenza are not in this supplemental. I'm perplexed as to how the strategic threat to this Nation of a pandemic influenza outbreak declined in the past 2 weeks. We all voted to include it then, and now it is gone.

I bring this up to remind all of us that emerging threats are best addressed with preparation before the outbreak. Once an outbreak occurs, it is too late. I cannot tell you the day or week when the pandemic influenza will occur, but all the experts agree that it will. Our only strategy, therefore, is to prepare now so we will be ready when it does happen.

We run catastrophic risks in delaying this pandemic influenza preparation, and I strongly encourage the House to include this funding in the next appropriations vehicle. The risks here are simply too great to postpone our preparations.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Let me simply note that it was the administration that refused to provide support for including funds for the pandemic flu challenge facing the country. We have tried on this side of the aisle for more than a month to include that funding.

I've even noted that it was the administration itself who originally asked for that money, as an emergency, 2 years ago. And yet they declined to support it and, in fact, insisted that it come out in this negotiation, just as they insisted that funding for low-income heating assistance come out.

So I certainly agree with the gentleman's suggestion that that money ought to be in here. I said that in my own remarks. I also want it very clear why it isn't.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, the Democrats owe our majority to the American public who voted us into power for one simple reason; they trusted us. They trusted us to act boldly to hold this administration accountable and to bring our troops home. So far, we're failing the very trust that they've placed in us.

But, more importantly, every day that we allow this occupation to continue, we are failing our brave young men and women, those who are serving honorably and professionally in Iraq, and we are failing their families here at home who are struggling to keep their lives and families together, who are forced to worry whether their loved ones will come home alive or actually in one piece.

Today is not an opportunity to claim victory or to give bellicose speeches for partisan debate. Today is an opportunity to grieve for the soldiers who have sacrificed their lives for this President who has failed Iraq in his policies.

Today is a day to stand by our Nation's sons and daughters who suffer through irreparable physical and mental wounds.

Vote "no."

Mr. LEWIS of California. Mr. Speaker, if I can get Mr. OBEY's attention, it is my understanding that, by considering the supplemental in this highly unorthodox way, that the majority's new rule related to earmarks does not apply to the two amendments that are under consideration today.

I'm happy to yield to my friend, Chairman OBEY, if he'd like to respond.

Mr. OBEY. What's the gentleman's question?

Mr. LEWIS of California. It's my understanding that by considering the supplemental in this way, under this rather unorthodox way, the majority's new rule that's related to earmarks does not apply to the two amendments we're considering today.

Mr. OBEY. Well, let me make two points. First of all, this is not all that unusual. It was not done during the time that the Republicans ran the House, but it was done often prior to that. All we have to do is to take a look at the history of the Hyde amendment and take a look at several other conference reports that were adopted, one in 1996, for instance.

With respect to the two questions, or the question about the two amendments, technically, it's my understanding that they do not apply to amendments, or that the rules do not apply to amendments.

Mr. LEWIS of California. Well, just out of curiosity, Mr. Speaker, or Mr. OBEY, I wonder if there are any earmarks in this massive package that went unidentified in the true spirit of that earmark disclosure rule.

Mr. OBEY. To my knowledge, there are none.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA), the chairman of the Defense Appropriations Subcommittee.

Mr. MURTHA. Mr. Speaker, I rise in support of this bill that BILL YOUNG and I worked out.

Let me say this to the Members: We did everything we could to work this out. We worked diligently. We sent a bill to the White House. They vetoed it. We've done everything we could do to change it.

I feel a direction change in the air. I see the Iraqis are starting to talk about redeployment. I see the administration starting to talk about other countries being involved. I see them asking the U.N. to get involved, something that should have happened a long time ago. But the point is, I see a new political diplomatic effort which is beginning to take effect here that's going to make a big difference.

But, in the meantime, we have to fund the troops. They'll run out in the next few weeks. They'll run out of money. There's no question about that. We send our staff continually to find out exactly how long it'll go. There'll be tremendous problems if we weren't to fund the troops.

And let me say what's in this bill. There's \$94 billion for the Department of Defense military, and \$24 billion of that is for reset and re-equipment; \$7.7 billion for four critical initiatives; \$1.1 billion for family housing allowances; \$1.6 billion for strategic reserve readiness. We're trying to change. We're trying to stabilize the military.

We've already found with some of the work that we've done a couple of billion dollars in contracting that we can use and divert, and BILL YOUNG and I were talking about this earlier today; \$1.6 billion for strategic reserve; \$34 billion for MRAP. That's the new vehicle that resists the IED attacks. Almost \$2 billion in additional funding for health care; we have funded the health care

that was not funded last year. We put extra money in for Walter Reed. We put extra money in for care giving. We put extra money in for all kind of things.

But let me just say this: I saw the other day, to show you the kind of problem we have, I saw the other day a young fellow who got 20 percent disability when he got out of the military. And then he went to the VA, and he got 100 percent disability. But the point is, he gets no health care for his family, and he has four children. So even though he gets 100 percent disability and he's taking care of himself, and he'll probably be paralyzed at some point because he's getting worse instead of better, and these are the kinds of things we're trying to fix.

So we have several problems. First of all, we have the short-term problem; we have to take care of the funding for the military for the next 4 months. As Chairman OBEY says, we need to take care for an extra 2 months from the original bill we passed.

Then we need to start to work on a nurse shortage. We're looking at paying the nurses \$25,000 more. We're looking at doctor shortages. We are looking at an administrative shortage in the hospital. We, finally, BILL YOUNG and I worked, and we got General Casey going to all the hospitals finding out what the shortages are. We've got a lot of work to do here, and this bill starts us in that direction.

But let me just end this by saying, we're now in a position where I see that, by September, we'll be able to judge. When we pass our bill, and the 2008 bill will come up as a basic defense bill, then we're going to hold the supplemental until September. By that time, we will know that the surge is working or not working. And I predict, and I've been right in every one of my predictions, that incidents are going to continue to increase; oil production will not be above pre-war level; and that electricity will not be above pre-war level. And incidents will continue to increase, and more and more people will be killed by IEDs.

So I do not wish for a bad result, but I see the administration finally changing and finally recognizing this can't be won militarily. I think we're moving in the right direction.

It's very painful because people are frustrated. They'd like to see this thing over overnight. All of us are frustrated. But we have to take what we can get, and I think here we have a good bill, as good a bill as we could put together.

The two bills put together are good bills. I hope that everybody will vote for both bills because one takes care of the troops and the funding that's necessary, and the other takes care of all the other, the change in direction that we're trying to get in the military.

□ 1745

I would request that all the Members vote for both amendments to the bill.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of this supplemental package. Obviously, we need to get the money to the troops in the field, and, also, my State of Louisiana needs these additional funds as well.

But I want to point something out that has not been discussed in the debate. The President called for 10 new provincial reconstruction teams for Baghdad. Upon arrival in Baghdad, General Petraeus has asked for 14, four additional PRTs. State and USAID cannot really adequately plan to put this into effect. Particularly, they are phase 3, where they get the personnel in position. So the much-needed money for the State Department is in this supplemental. And for those of us who are interested in seeing the political and economic side of our plan enacted and successful in Iraq, it greatly depends on getting this funding to the State Department.

So I urge our colleagues to support this supplemental package, particularly those of you who are interested in the economic and political side of this, because if we are going to push for reconciliation, it is clearly critical to have these State Department personnel on the ground providing that on-the-ground pressure to move toward reconciliation in Iraq.

Mr. LEWIS of California. Mr. Speaker, I think now I can probably be much more generous than I ever would have been and am happy to yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding.

We went into Iraq on a bipartisan basis, two-thirds of the House and three-quarters of the Senate, and we need to leave on a bipartisan basis enabling the Iraqis to stand on their own. And what I feel in these two resolutions and legislation that we are passing is, it is still Democrats basically saying this is the way we are going to structure the debate. This is the way we are going to do it. Take it or leave it. So we end up with this bifurcated piece of legislation that, frankly, I don't think does justice to the process. And I want to be on record on that.

I also want to say to my colleague on the other side of the aisle you say, "I predicted and I have been right 100 percent of the time," you know what? That is debatable. Frankly, it is very debatable. And when you talk about there are incidences here, and there will be incidences there, if that is how we are going to judge this war, then we might as well leave now. But why don't we judge it on economic, political, and military efforts, not on incidences? Why not judge it on the fact that in December we gave up on Anbar Province and now we are winning Anbar? And it is clearly one of the most important provinces. It is totally Sunni. It connects Syria to Baghdad.

This is the route to which insurgents have been coming from Syria. They follow the river, and now we have tribes all along the way, Sunni tribes, not Shia tribes, Sunni tribes that are saying, hey, who are you? What are you doing here? And they are calling a stop to it. And they are saying to us every time we meet with them "Do not leave us. You came here unwelcomed, but now do not leave us until you help us stand on our own."

And I fear, Mr. MURTHA, that what we are going to do if your predictions are right, and it is almost like you want to be right instead of want to be wrong, if your predictions are right, and we will leave too soon because of incidences, then we will have only ourselves to be shameful of, not that we went in there, but because we deserted them before we gave them a chance.

The political process, it is moving forward. Is it doing as well as I would like? Some have described it to me this way: It is like a sixth-grade dance. You had Sunnis, Shias, and Kurds, and they were all there, but nobody danced. And now they are starting to interact with each other. Now Sunnis and Shias and Kurds are saying to us collectively, Please give us more time to work out our differences. It is not Shias saying the Sunnis are doing this or the Sunnis saying the Shias are doing this. Collectively they are saying, give us more time.

I think, they are at a point where if we give them time, you will see, Mr. MURTHA, that your predictions will be wrong. But if you don't give them enough time, it is a self-fulfilling prophecy. Your predictions will be right because you didn't give them a chance.

Let me conclude by saying we attacked them; they didn't attack us. And I believe we have an absolute moral obligation to replace their army, to replace their police, to replace their border patrol. I think we have a moral obligation to give this political process a chance.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Speaker, let me say that the Iraqi Legislature is going on a 2-month vacation. A 2-month vacation they are taking. We have been there 4½ years. And the people that give us the report is not JACK MURTHA. The people that give us the report is the Joint Staff. And if you read with real glasses, you see what is happening in Iraq. You see incidents erupt. You see people getting killed. You see that nine people were killed just yesterday. You see that the IEDs are killing more people. More people were killed in the last 4 months than at any other time during the war.

We are trying to help you. We are trying to change the direction. We are trying to win it politically. We are trying to win this war. That is what we are trying to do. You can't win it if you don't look at it objectively. The gen-

tleman is looking at it with rosy glasses instead of looking at it realistically. He is not looking at it objectively.

Mr. LEWIS of California. Mr. Speaker, I yield 30 seconds to the gentleman from Connecticut.

Mr. SHAYS. Mr. MURTHA, they are not going to take 2 months off. They will probably take less time off than this Congress has taken.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. BLUNT), our minority whip.

Mr. BLUNT. Mr. Speaker, I thank Mr. LEWIS for yielding.

All I can say, Mr. Speaker, is that it is about time that we got this job done. Three and a half months to respond to our troops and to their families is too long.

Frankly, I think if we had been interested in getting this job done, most of us could have taken out a yellow legal pad and written 30 or 60 or maybe even as much as 90 days ago what the House would finally vote on that would solve this impasse in supporting our troops.

While we have let this process drag on, the military has had to cancel non-critical contracts, defer home station unit training activities, defer any non-absolutely critical orders for spare parts, defer maintenance, put off summer programs that have affected spouses and families while military personnel were assigned to Iraq, and that is unfortunate.

What is fortunate is that we have come up with a bill that funds the needs of the troops and sets benchmarks for the Iraqis. House Republicans have been saying since January this bill needs to include benchmarks for the Iraqis. I have been saying almost since that time those benchmarks need to have consequences. We have done that in this bill, and that is a good thing. We are requiring the Iraqis to step up and do their part of the job.

Equitable distribution of oil resources is something that needs to happen if this country is going to achieve stability. Establishing a High Electoral Commission and establishing a deadline for regional elections is something that we have been talking about since January that tonight we are going to say the Iraqis have to do or there are consequences. Militia disarmament is important here, as it is also important, as you deal with the military, not to undermine the military or change military leadership if they are doing the job that needs to be done in ending sectarian violence. Protecting minority political parties in Iraq is something that we are going to be monitoring. The Iraqis have to come up with the brigades that they need to be part of the operation that General Petraeus is leading. The President has to certify these items. All these are things that many in this House have been talking about for most of the 109 days this debate has been dragging on.

It is time to bring this debate to an end. It is time to support the troops. It

is time to support their families and do the job that the Congress needs to do rather than trying to figure out the job that the commanders in the field need to do. They need to do what is necessary to be successful. This is a step in giving them the tools to do that and giving the Iraqi Government the incentive to be who they are supposed to be.

Mr. OBEY. Mr. Speaker, I yield myself 1½ minutes.

The previous speaker just complained about the fact that this has taken 110 days to finish. If I am not mistaken, he was the majority party whip when his party controlled this Chamber last year, and it took 110 days before the Republican-controlled Congress could get a supplemental to the President. So I think it comes with considerable ill grace for the gentleman to be calling the kettle black.

Let me also suggest that if there has been any delay whatsoever associated with this process, it is due to two things: Number one, it is a little thing called democracy. You know what? We don't have a rubber-stamp Congress anymore. If we did have a rubber-stamp Congress, we could have finished this in 1 day. But that is not what our obligation is.

And, secondly, and even more fundamentally, any delay in the process was not caused by the Congress. We had this job done 3 weeks ago. The delay was caused by fact that the President blocked the funds going to the troops when he vetoed the bill. So I would suggest that the gentleman recognize where the true responsibility lies.

We have a right and an obligation to spell out what we think is in the national interest of this country. Pardon me if it takes a few days.

Mr. LEWIS of California. Mr. Speaker, I think it is appropriate that the Republican whip respond to what would only be described as a so far do-nothing Congress in connection with helping the troops; so I yield him 30 seconds.

Mr. BLUNT. Mr. Speaker, I thank the gentleman for the 30 seconds.

And I would say in response to those questions, first of all, by definition the last Congress must not have been a rubber stamp, or it wouldn't have taken the time that you suggest this Congress sees as so important to do the job.

And what the last Congress was doing was, one, trying to get a bill the President would sign in circumstances that the Defense Department said was dramatically different than this; and, two, eliminating \$14.5 billion of spending that we didn't want and the President didn't want. We didn't do that part of this job.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

I intend to yield the remainder of my time to close debate to the Speaker.

Before I do that, and before the gentleman closes with his last speaker, let me simply thank the committee staff.

Let me thank the CBO staff, the legislative counsel staff, even the White House staff, who worked with us to fashion together this package.

Regardless of how Members feel about it, it took a tremendous amount of work by people whose names never get in the papers, whose pictures never get in the papers, but who do their darnedest to see to it that the will of this House is carried out with as much clarity as possible. I appreciate their work. I appreciate their dedication to this institution and this country.

Mr. Speaker, I reserve the balance of my time.

□ 1800

Mr. LEWIS OF California. Mr. Speaker, I yield the balance of our time to the Republican leader, Mr. JOHN BOEHNER.

Mr. BOEHNER. Let me thank my colleague for yielding and say, thank goodness that we're finally here.

Mr. Speaker, over 100 days trying to come to an agreement on how to do the right thing for our men and women in the military fighting for our freedom and our safety and our security right here at home. I ask myself, why? What have we done over the last 100-plus days, and why has it taken this long? And there is one image that keeps coming back to me, and it's from my friend, the chairman of the committee, and it is his favorite saying: There are a lot of Members who have been posing for holy pictures over the last 100-plus days. The gentleman knows exactly what I'm talking about.

Put yourself in the shoes of our men and women fighting in Iraq, fighting in Afghanistan and elsewhere around the world. And think about the message that we have sent them over the last 100-plus days. We sent them there to do a job. We sent them there on a mission. And yet, for the last three and a half months we had a debate going on here that has undermined their efforts, lowered their morale and clearly sent the wrong message to our allies and to our enemies. But thank goodness that we're finally here.

We have no artificial deadlines. We have no surrender dates. We have no shackles on the generals and our troops on the ground. We are going to give our generals and our troops what they need to win in Iraq. And winning in Iraq is important for our country. I don't believe that there is a Member in this Chamber who doesn't understand that winning in Iraq is important to our country. It has been difficult; mistakes have been made. But think about why we went to Iraq. We went to Iraq to get rid of a brutal dictator who was a threat to his own population and to all of his neighbors. We succeeded.

We went to Iraq to eliminate weapons of mass destruction. Of course they were shipped somewhere else. But we know that they were used against their own Iraqi people. But they are not there. We went there to help install a government to build a basic democracy

in a part of the world that has never known it. We are in the midst of it, and we are succeeding.

It is al Qaeda, the sworn enemy of the United States, who wants to kill us, who made Iraq the central front in their war with us. If we don't take on al Qaeda in Iraq and defeat them, where will we draw the line? Will we draw the line when they go into Saudi Arabia? Will we draw the line when they try to decimate Israel? Or are we going to wait and draw the line when we are fighting the terrorists here in America?

Think once again about those young men and women in our military out there doing their duty for us. We, the Congress of the United States, authorized the President to go to Iraq and to do what I've just outlined. We sent them there. And this last 100 days, we've questioned whether in fact we really should have done it. I think it is far too late. They are there. They are on the ground. They deserve our support. And, finally, tonight they are going to get the resources they need to try to win the battle in Iraq.

Now let me just say something about the rest of this bill, the second part of this bill that has some \$20 billion worth of additional spending, probably some \$8 or \$9 billion of nonmilitary, nonveteran spending that does not belong in this bill. It may be well-meaning. It may be well-intentioned, but it doesn't deserve to be put on the backs of our men and women in the military serving our country. It deserves to be done in a regular order.

When it comes to that part of the bill, I am going to have to vote "no." To load this bill up with not only all the additional spending, but we've got a half a dozen pension issues. We've got a minimum wage issue. We've got a whole host of other issues that don't deserve to be put on the backs of our men and women in the military. It is a sneaky way to do business. I wish it was not in there. And on that portion of the bill, I will vote "no" tonight.

But I am glad that we're here. I know that there are differences in this Chamber, Members on both sides of the aisle who feel differently about our mission in Iraq and our chances of success there. I know when I came here and every 2 years since I've been here, on the opening day, we all stand here; we raise our right hands and swear to uphold and defend the Constitution of the United States. There are a lot of my colleagues that have heard me make the statement that I didn't come here to be a Congressman. I came here to do something. And I think at the top of our list is providing for the safety and security of the American people. That's at the top of our list. After 3,000 of our fellow citizens died at the hands of these terrorists, when are we going to stand up and take them on? When are we going to defeat them?

Ladies and gentlemen, let me tell you, if we don't do it now, and if we don't have the courage to defeat this

enemy, we will long, long regret it. So, thank you for the commitment to get the job done today.

Mr. OBEY. Mr. Speaker, I yield the remainder of our time to the distinguished Speaker.

Ms. PELOSI. I thank the gentleman for yielding, the distinguished chairman of the Appropriations Committee.

Thank you, Mr. OBEY, for your brilliance in bringing the legislation to the floor that we have today so we can express ourselves on the direction of this war, and at the same time, we have the opportunity to meet the emergency needs of the people of America, the Hurricane Katrina survivors, our farmers suffering from natural disasters, children without health insurance, our veterans. Thank you for the strong commitment you and Mr. MURTHA and others have made to military health, to veterans health and to BRAC. After 10 years of indifference, we are raising the minimum wage for millions of our hardest-working Americans. And with the passage of the provisions in the first piece of this bill, the first amendment, we strengthen our country and address the health and well-being of millions of Americans who have been ignored again for too long. The new direction of Congress is keeping its promise to them.

Mr. Speaker, we have two amendments before us, and I just spoke about one of them. The other resolution, the other amendment about the war, the President's request plus the Warner resolution, is really an inkblot. We are all familiar with the Rorschach test; you look at it and you see what you see. Some will see one thing; some will see others. Some will see an opportunity, for the first time, for the Republicans to say that accountability is needed on the part of the President of the United States and on the part of the government of Iraq. And so there are these benchmarks. But these benchmarks by no means meet the obligation that we have to our men and women in uniform if they can be as easily waived as they can be in this resolution.

The resolution that the Republicans put forth, I am really glad that they finally admitted that there is a need for accountability. But what they haven't done is met that need with something appropriate. This is like a fig leaf. This is a token. This is a small step forward. Instead, we should have a giant step forward into a new direction. So when I look at this inkblot, I see something that does not have adequate guidelines and timetables; something that does not have adequate consequences; and something that does not have my support. Democrats are proposing something much better.

Instead of a missed opportunity, we had hoped that the President would have accepted our proposals, which we sent to him over and over again, over and over again, meeting his request, and even doing more for our troops, for our veterans, and for strengthening our

military in ways beyond the President's request.

We now have our troops engaged in a civil war. There are reports that the Department of Defense has declared what is happening in Iraq to be a civil war. The American people do not think that it is necessary for us to be refereeing a civil war in Iraq. They want our focus to be on fighting terrorism, retraining the Iraqis, protecting our diplomats and our forces there, and that is exactly what Democrats have proposed. Instead, we have a situation where, in refereeing and engaging in combat in the civil war in Iraq, as the President has us doing there, we have lost thousands of Americans. The number is hard to measure, but everyone agrees, easily over 100,000 Iraqis. The cost to our reputation and our military readiness is incalculable, but it is huge.

We think there should be a new direction. We think what we should be talking about here today is a different vision for stability in the Middle East and how our role in Iraq contributes to that. The generals, including General Odierno, recently stated that any strategy for success in Iraq must begin with the redeployment of our troops out of Iraq. That is a general, a retired general, and his voice is echoed by other generals as well. That, again, is what we are proposing, a change of mission, a redeployment for a different purpose, fighting terrorism, which is the threat to our national security.

The focus on Afghanistan must be re-emphasized as that situation becomes more tenuous.

If we went down the path that General Odierno suggests and which Democrats have proposed over and over again, we would have a drastically reduced need for American troops in Iraq. Our troops have performed their duties excellently, excellently. Every opportunity we get, we must honor them for their patriotism, their courage and the sacrifices they and their families are willing to make. Time and again, we do this. And as we go into Memorial Day Weekend, we do it again. And we convey our condolences to those who have lost a family member in Iraq, in Afghanistan or any of the other wars we have been engaged in.

And we have honored our veterans not just with words but with actions. In the last couple of weeks, under the leadership of Chairman IKE SKELTON, Democrats put forth our Department of Defense Authorization bill. And in that bill, it was dedicated to troop readiness, with training and equipping our troops so that we don't send them into harm's way at a disadvantage.

Mr. SKELTON's bill also calls for a 3.5 percent raise in military pay and a \$40 survivor benefit to survivors of those who were lost in battle. Do you know what the President said about that in his statement of administrative policy? That that increase was unnecessary.

While yesterday, we had representatives of the veterans' organizations, especially the survivors, telling us that a

\$40 increase doesn't nearly go far enough to be commensurate with the sacrifice. We could never match the sacrifice, but we should at least make a respectable attempt at it. And for the White House to say a \$40-per-month increase for survivors of those who gave their life in battle is unnecessary, unnecessary to whom? So if you want to talk about supporting the troops, how about supporting the troops, our veterans and their families?

Around the same time, Chairman SPRATT brought to the floor the Democratic budget. This budget has a \$6.7 billion increase for our veterans; \$6.7 billion more than the previous budget; historic in its increase, making veterans a priority, an investment in those who sacrifice so much for us, an investment in honoring our commitment to our veterans. And just this week, Chairman CHET EDWARDS of the Appropriations Subcommittee on Military Construction and Veterans Affairs put forth the largest increase in the VA in the history of the Veterans' Administration, 77 years. This is to make up for some promises not kept, but it is also to say, in our spending priorities, even within the context of PAYGO, no new deficit spending, no increases in the deficit; we put veterans at the top of the list and our military at the top of our list.

This isn't about whether we support our troops. Of course, we support our troops. We all demonstrated that over and over again.

□ 1815

But it is about opposing this war.

This is not the end of the debate. We have to be here to bring this bill to the floor so we can go forward. But this debate will go on. There will be legislation on the floor in the next several months to change the mission once again from combat to fighting terrorism, training and diplomatic and force protection. Again, that would require a greatly reduced U.S. force in Iraq, and coalition force as well.

We will have legislation to repeal the President's authority for the war in Iraq, to repeal the authority that the President has for the war in Iraq. We will have that vote.

We will have votes on Mr. MURTHA's defense appropriations bills: one of them the regular order defense appropriation bill; another one, the supplemental that has been requested by the administration.

Mr. Speaker, I come to the floor today sad that the opportunity we have has been missed. There is a recognition that we need accountability, because the American people are demanding it. At least 70 percent of the American people say we have to have accountability. So instead of putting accountability into the bill, we make a gesture at it. We could have taken a giant step in a new direction. Instead, we are taking a baby step. But, as I said, this is not the end of the debate.

As we think about all of this, I would like to recall the words of a philoso-

pher. Hannah Arendt once observed that nations are driven by the endless flywheel of violence, believing that one last, one final gesture will bring peace. But each time they sow the seeds for more violence.

That is what President Bush is doing in Iraq. That has been the deeply flawed policy of President Bush.

Again, Democrats are proposing a new direction. I urge my colleagues as we go forward, however you see the inkblot, however you decide your vote, to join in listening to the American people in the coming days, weeks and months, and bring this war to an end.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I have never supported the war in Iraq. From the very outset of the conflict, I have stood as an ardent opponent of the war, and voted against the War Resolution, House Joint Resolution 114, which "authorized the use of United States Armed Forces against Iraq," when it came before the House of Representatives on October 8, 2002. I have argued from the beginning of this conflict that the President intentionally misled the American public by supplying them with spurious grounds for going to war.

I cannot, in good conscience, return to my district over the Memorial Day recess having cast a vote to continue funding, and henceforth, provide financial support for the continuation of this horrible war. Moreover, the bill's lack of a timetable for troop withdrawal is not acceptable. This is a war without any end in sight, without any sort of deadlines or oversight, and the administration will continue to throw away billions and billions of dollars in this conflict if we cannot pass a bill with timelines or restrictions.

Clearly, the November midterm elections demonstrated that the majority of the American public is bitterly opposed to the war in Iraq. Just today in fact, a New York Times/CBS poll showed that "over 61 percent of Americans say that the United States should have stayed out of Iraq, while over 75 percent say that things [in Iraq] are going badly" (New York Times, May 24, 2007). I stand with the American people today, and although I wholeheartedly support our troops, I cannot support a bill to continue funding a terrible war while the White House refuses to accede to readiness standards or any other measures that restrict their oil war in Iraq.

It is estimated that we have already spent over a trillion dollars of taxpayer money in Iraq. This is funding which we could be using for social services for our own citizens. Indeed, important items like education, prescription drugs, health care and homeland security goes underfunded while a disastrous war, unwillingly being paid for by U.S. taxpayers, wages on.

And yet the administration continues to request blank checks to be used at their discretion. A perfect example of this is the money sent over there in the period, between May 2003 and June 2004, when our military was carrying huge, wrapped stacks of \$100 bills over to Iraq—\$12 billion total—in cash. This money was sent over there without oversight, without any sort of accountability, and many are now worried that the same insurgent groups that are battling against our troops may have bought their weapons with this money. And the argument put forward by the

Bush administration for sending money over in this way was that Iraq was without a functioning banking system. This utterly ludicrous reasoning is nearly as preposterous as their lies and poor reasons for going to war in the first place, like scaring the American people into believing that Iraq had weapons of mass destruction, which, to this day, have not been discovered.

President Bush has asked for a blank check and the American people have stamped his account "insufficient funds."

Mr. LEVIN. Mr. Speaker, voting "no" today will not bring home the troops during the next four months. The President is determined that the troops remain during this period. The danger is that cutting the funds could leave our troops in Iraq without the necessary equipment, including equipment vital for their safety. It is so difficult to watch the deaths of so many brave American soldiers. Until we can force the President to bring them home, we must give them the equipment they need to keep them safe.

So de-funding this supplemental will not shorten the war but could endanger the safety of our men and women in uniform. This is the issue confronting those of us, like myself, who actively opposed going to war in the first place 4 years ago, and who have voted time and again since then to press the White House and the Iraqi government to achieve a number of key benchmarks so our troops can come home. The Iraqi government has to finally step up and make some difficult political decisions and end the sectarian violence that is tearing their country apart.

The benchmarks contained in this bill are important, but they would be much more effective if they were backed up by a realistic timetable for the redeployment of our troops if the benchmarks are not met. The House and Senate approved just such a bill last month, but the President vetoed it and there were not enough votes in either the House or the Senate to override the President. Everyone should understand that it was not for lack of Democratic votes that we were unable to force the President to change direction on Iraq. The problem is that it takes a two-thirds vote of the House and Senate to override a Presidential veto and only a handful of Republicans were willing to vote with us.

This bill contains funds to provide our troops with body armor, vehicles designed to withstand improvised explosive devices, countermeasures to roadside bombs and mines, and medical care to treat their injuries. Again, voting no on the bill today won't force the President to withdraw our troops from Iraq; it just means our troops in Iraq and Afghanistan won't get the resources they need to protect themselves. Voting no would also cut off funding needed to sustain our military and political efforts in Afghanistan. This is an area that many of us feel deserves more attention and resources, not less.

It is critical that today's vote is not the end of this debate. The funds provided for Iraq in this bill run only through September. In the weeks ahead, there will be other opportunities for Congress to change the direction of this war, to hold the Iraqi government and President Bush accountable, and bring our troops home. The legislation we need to debate and pass is one that essentially deauthorizes our current military involvement in Iraq and provide a responsible timeline for the orderly re-

deployment of our forces. I regret that this is not the bill before us today, but we will have this debate in September. At that time, I hope that more of our Republican colleagues will join us in voting to change the President's policy on Iraq.

Mr. UDALL of Colorado. Mr. Speaker, I will vote for this supplemental appropriations bill today, but like many Americans who want to see an end to the war in Iraq, I am not happy about it.

In fact, I am deeply frustrated and saddened by the prospect, but I also am compelled by my conscience to this vote.

On Monday, Memorial Day ceremonies throughout Colorado and across the country will honor the men and women in uniform who have paid the full measure of devotion to duty in all of America's wars.

But as long as the war in Iraq goes on, every day will be Memorial Day.

Already, more than 3,400 of our servicemen and servicewomen have died in Iraq, and more will die before we withdraw our troops. Just last Friday, for example, 33-year old SFC Scott Brown of Windsor, Colorado, and 27-year old SGT Ryan Baum of Aurora, Colorado, were among them.

A friend of Ryan's family told reporters, "Ryan never wanted to be known as a hero, he just did his job." In fact, he did his job—and he is a hero.

This is not a heroic day in Congress, but as his comrades are faithful to their responsibilities, we must be faithful to ours.

And one of those responsibilities—even for those of us who have opposed this war—is to support those brave comrades as they continue to do what the President has ordered them to do.

And now, today, all of us in the Congress face a dilemma that I foresaw 4 years ago—when President Bush first sent our forces into Iraq: having to choose either to take the guns out of the hands of our soldiers in the field or to let the President move forward with a misguided and reckless policy.

Cutting off funds for supplies and equipment for our troops is one way, of course, to bring this war to an end, and I understand why many Americans believe Congress should do so. But the more responsible way to end this war, in my opinion, is to change our policy, and to avoid making an already bad situation worse.

I opposed the Bush administration's decision to launch a pre-emptive war in Iraq because I believed it would be a diversion from our larger post 9-11 strategic objectives and I was not convinced that the President had an adequate plan and enough international support to secure and stabilize Iraq after overthrowing its regime.

I said at the time that getting into this war would be far easier than getting out. I wrote in March, 2003 that "success in Iraq is not just about eliminating Saddam Hussein. . . . Success in Iraq also means managing the ensuing social chaos, keeping a lid on the Middle East powder keg, thwarting terrorist attacks at home, and occupying and rebuilding Iraq—and doing all of this when our own economy is faltering, energy prices are rising and domestic priorities like health care and education are crying out for attention."

So, I offered my own resolution to slow the rush to war in 2003 and argued for a program of coercive inspections that would have uncov-

ered the truth about weapons of mass destruction before shedding American blood.

When that was rejected, I voted against authorizing the President to send our forces into Iraq—and today, more than ever, I am convinced that my vote against the war was the right vote.

Congress, nevertheless, voted to give the President the authority to go to war, and he has used that authority, to disastrous effect.

I have worked to extricate us from the ongoing disaster. I was among the first in Congress to call for an exit strategy from Iraq. I have introduced legislation, cosponsored legislation, spoken out with my colleagues, published articles, traveled to Iraq to better understand the challenges we face, and asked tough questions of our military leaders during Armed Services Committee hearings. And I continue—every day—to pressure this administration in every way I can.

I firmly believe that our challenge is to withdraw from Iraq rapidly—but responsibly. For me, the debate today should be about how to carry out a responsible withdrawal. And that is the point on which I find myself disagreeing with many whose passion to end this war I respect.

They argue that the best way to get out is to vote today to cut off funding for our men and women in uniform, and in harm's way. I respectfully disagree, because that would sacrifice a responsible exit in favor of a rapid one—and in good conscience, I cannot support that anymore than I could support the reckless way we were led into this war in the first place.

I think responsibility demands that we provide the funding necessary to keep the many thousands of brave Americans now in service in Iraq supplied. With our troops stretched thin, forced to perform longer tours of duty and short of equipment and supplies, funding for the immediate needs of these men and women in uniform cannot be held hostage to disagreements about the folly of Bush administration policies.

Make no mistake—I have no doubt that the President's policies have brought our country to the brink of a national security crisis. I am angry that the President still refuses to accept a supplemental funding proposal for Iraq and Afghanistan that provides real accountability measures for ending the Iraq war. I voted to force him to adopt a different course, and when he vetoed that legislation, I voted to override that shortsighted and stubborn exercise of Presidential power. Unfortunately, and primarily because of the misguided loyalty of members of the President's party, that override effort failed, which is why we are considering the legislation now before us.

I did not choose the wording of the bill that we are considering today. It is not the bill that I would have written. But it will provide the essential funding to support and protect America's sons and daughters who are in Iraq right now doing everything we have asked of them and putting their lives on the line every day.

But another part is to bring pressure to bear on this administration to end this war because I don't want any more young dedicated Americans to lose their lives in this war. I want to bring them home.

So far, that pressure has not been enough, as was shown by the President's veto of a bill that fully funded our troops, held the Iraqi government accountable, and demanded that the

President change course and bring the war in Iraq to a responsible end. It is abundantly clear that he is not prepared to adopt a better course—and as long as we lack a sufficient majority to override his veto, we Democrats can't force him to do so without Republican support.

But I will persist, because I think it is up to those of us who opposed this war in the first place to show the way forward.

That is why, after the Memorial Day recess I will introduce legislation that implements the recommendations of the Iraq Study Group and provides a foundation for the phased withdrawal of American troops out of Iraq beginning in March of next year. So far over 40 Members of Congress—both Democrats and Republicans—have agreed to cosponsor this legislation.

I am hopeful that this bipartisan effort will lead to more such efforts. Republicans and Democrats alike believe that this fall is key to the future of U.S. military involvement in Iraq. By then, another funding package will be up for a vote, General Petraeus will be reporting back on the progress of the “surge,” and we will have other indications of progress on benchmarks based on reports that the administration will be forced to produce as part of this supplemental funding bill.

I commit to continuing to do what I can every day to bring this war to an end. Today, I believe the responsible thing to do is to provide needed funds for our men and women in uniform with this bill, which also includes benchmarks for the Iraqi government—an indispensable step toward having Iraqis begin to take responsibility for their own country's future.

Mr. CONYERS. Mr. Speaker, I rise in strong support of the first amendment before us, and in strong opposition to the second.

It is unfortunate that we have come to this point today. This House has already passed two supplemental war funding bills that would set in motion the change of course in Iraq that the American people have demanded of us. The first was vetoed by the President; the second failed in the Senate. Last week, Democratic leaders met with the President and offered to drop all domestic items in the supplemental if the administration would accept meaningful benchmarks and timelines for ending our involvement in that civil war. He refused.

We are now left with the Senate-passed plan, which gives the President the funds he requested, accompanied by a much weaker set of benchmarks than those passed by the House. Some have cited the inclusion of these benchmarks as a step toward ending 6 years of Congressional blank checks for the President's war. While these benchmarks may be a step in the right direction, they are too small of a step. I will vote against the second amendment we are considering today.

However, I will support amendment No. 1 to the Senate amendment to H.R. 2206. This measure will provide emergency funding to address critical needs here at home. It includes additional funding for the State Children's Health Insurance Program to prevent many thousands of poor children and some of their parents from losing health coverage, as well as increased spending for Gulf Coast hurricane recovery. It also provides more funding for our veterans' health needs, with additional funding set aside specifically to address trau-

matic brain injury, one of the most common and devastating injuries our soldiers are suffering in Iraq. The amendment also codifies the raise in the minimum wage that the House originally passed during the First 100 Hours of the 110th Congress. The value of the minimum wage is at its lowest level in more than 30 years, and raising it will provide much-needed help to many of America's financially-strapped working families.

I find it unconscionable that the President and some Congressional Republicans have derided these provisions as “pork.” Each of these issues is an emergency in its own right and rises to the level of inclusion in this emergency spending bill. I am proud to support them.

In September, as these funds expire, the Congress will once again have to decide what course of action to take on this war. The rule we passed for consideration of this bill requires that before we vote on another supplemental bill in the fall, we must vote on whether the funds appropriated therein be limited to the safe redeployment of our troops on a responsible timetable. It is my hope that when these votes occur in September, many more of my colleagues on the other side of the aisle will have come to their senses and realized that the civil war in Iraq cannot be ended by further American military involvement. I am confident that if the American people continue to voice their strong opposition to the President's failed policy in Iraq, enough Republicans will join with us to override future vetoes and end this misbegotten war.

Mr. HALL of New York. Mr. Speaker, I oppose the war in Iraq and I have always said that I would vote for additional war funding only if the bill contained a firm, responsible timeline to redeploy U.S. troops out of Iraq. On those grounds, and in accordance with the overwhelming sentiment I have heard from the people in my district, I could not in good conscience vote for the funding bill brought before the House this evening.

Mr. VAN HOLLEN. Mr. Speaker, today I voted against the 2007 Supplemental War Funding Bill. I opposed the bill not for what it contained—but for what it lacked. The bill lacked strong accountability measures for the Iraqi government and omitted readiness standards to ensure that deployed troops are fully prepared and equipped for duty. While this bill represents an important step forward from where we were before the election, it does not go far enough. In the last election, the American public made clear that they wanted a change of direction in this war. This is not change enough.

On May 1, 2003, the day the President declared an end of hostilities in Iraq and Afghanistan, there were 142,000 American soldiers in Iraq. Today there are 155,000. On that day there had been 138 American casualties and 542 wounded in Iraq. Today the number of casualties is 3,476 and the number of wounded is 25,225. The Iraqi people have also suffered. The estimated number of Iraqi civilians killed by violence since May 2003 is between 53,000 and 63,000. The bill voted on today does little to reverse this course.

The Congress sent the President a bill that would have begun the process of changing worsening conditions in this war by holding the Iraqis accountable for taking the steps necessary to achieve political reconciliation and greater stability. The bill also provided addi-

tional funding to go after Osama bin Laden, the Taliban and al Qaeda. By vetoing that bill, the President missed an opportunity to change direction in Iraq and complete the job in Afghanistan.

By vetoing that bill, the President said “no” to ensuring that our troops had the training and equipment they need. By vetoing that bill he said “no” to ensuring that we hold the Iraqi Government accountable to the benchmarks which the Bush administration and the Iraqi Government have said are absolutely necessary to achieve political stability in Iraq.

We voted to give our troops every penny the President asked for and more. We also insisted on accountability to protect our troops. The President wanted the money without adequate accountability. Our troops deserve better and so do the American people.

Mr. KENNEDY. Mr. Speaker, I have and will always support our troops.

I have grieved with their families when they have fallen in battle. I have visited them in the hospitals and watched as they recover from some of the most devastating injuries any human could endure. As a member of the Military Construction-Veterans Affairs Appropriations Subcommittee, I joined my colleagues earlier this week in passing the largest increase in veterans' health care funding in 77 years. I want our soldiers and marines in Iraq and Afghanistan to never doubt that their country values their sacrifices and will always be there for them and their families, whether in battle or when they come home.

This bill, however, does not honor nor protect our troops. Without accountability and a clear change in policy, this bill simply becomes another blank check for President Bush to continue waging this war without regard to reality or the demands of the American people. The Congress has an obligation to provide our troops with the funding they need to succeed, but it is under no obligation to support a policy that leaves our troops trapped in the cross fire of a civil war.

This Administration's disregard for the reality in Iraq, for what a clear majority of Americans now demand, and what is in the best interest of our long-term national security has gone on for too long. This is a vote to make clear that the Congress will not sit idly by as more American soldiers and marines are sucked into the quagmire of Iraq. It is long since past time to begin bringing our troops home. American blood cannot be a substitute for Iraqi political will.

The Administration's mishandling of the war in Iraq has brought us to this point, and the Administration's determination to save face at all costs has again denied our troops a policy that takes full measure of the sacrifices they have made.

I cast this vote with a heavy heart. The White House has been playing a reckless game of “chicken” when it comes to our troops, but neither the Congress nor the White House will ever bear the true burden. Our troops and their families shoulder the true grief and pain of suffering.

The Administration has been served notice. It's my hope that this is only the beginning of Congressional efforts to force the Administration to face reality.

Mr. HOLT. Mr. Speaker, I rise today in opposition to this bill. We cannot provide a blank check to this President regarding our involvement in Iraq.

I've heard a lot of talk about September—that it will be clear by September whether or not the “surge” is working. I've heard these comments even as this week the press has reported that another, little publicized “surge” is already underway—one that when completed will result in some 200,000 American troops being on the ground in Iraq before the year is out. We know now the “surge” is not working.

I cannot vote to provide this President with more money to send more troops to try to quell Iraq's civil war. I remind my colleagues that in less than a month's time, Iraq's parliament is going to adjourn for most of the summer, taking a two month vacation while American kids are left to dodge sniper fire and IEDs. Where are the Iraqi security forces? What happened to “As they stand up, we'll stand down?”

This month, the Defense Department reported a total of 337,000 Iraqi police and soldiers had been trained and equipped. They now outnumber our troops by two to one. Yet the administration has repeatedly refused to give the House Armed Services Committee information on the training program for Iraqi security forces and how their unit readiness is assessed. I suspect Secretary Gates is holding back those answers because he knows we're going to ask what we have bought with the money we have spent on Iraq's security forces—more than \$15 billion. But I think most of us know what that \$15 billion has bought us: an Iraqi security force that is corrupt, sectarian, infiltrated by insurgents, and hopelessly ineffective.

We can't keep ratifying a failed policy; that's not what the American people expect or need from us. I urge my colleagues to oppose the resolution.

Mr. KAGEN. Mr. Speaker, as your Congressman, I'd like to share with you the difficult reality our Nation faces in the religious civil war in Iraq. The truth is things are bad in Iraq and getting worse—with no end in sight.

After 4 years of conflict, with more than 3,400 courageous American soldiers dead—and counting—with more than 650,000 civilians killed, and after spending billions and billions of our hard-earned tax dollars on private no-bid contractors, the Iraqi government is still not standing up to help themselves.

I was shocked to learn that 1/3 of the elected Iraqi government does not even live in Iraq—they live in London, England—even as our own children are being killed in their centuries-old religious civil war. And their parliament, well, in the middle of a war—they're about to take a 2-month vacation—even as our children continue to make the ultimate sacrifice.

Unfortunately, today's vote cannot, and will not, end this war, because we do not have enough democratic votes to overcome the president's veto. And make no mistake—Iraq is President Bush's war—and he is the only one, today, who can stop it.

The current commander of our forces in Iraq told Congress the civil war in Iraq cannot be won militarily—it can only end with a political solution, not a military one.

I have been working hard to find a way home for our troops, and I have supported every effort to improve the safety and readiness of our soldiers, to guarantee they receive expert medical care when they come home, to increase their pay, and to deploy our forces away from Iraq—and back after al Qaeda. But,

the President vetoed, or threatened to veto, all of our attempts to support our troops. In my opinion, the President is unable to see and hear the realities on the ground in Iraq. Plainly put, Congress cannot follow a President with poor judgement—period. Enough is enough.

I have been listening to many Wisconsin veterans at the American Legion, the veterans of foreign wars, and to parents and grandparents of fallen soldiers. Military veterans from Appleton to Green Bay, from Ashwaubenton to Pulaski, and from Waupaca, Clintonville, Shawano and Marinette have shared their feelings with me.

Please, just for a moment, listen to their heartfelt thoughts:

“We need to get our boys home.”

“We went in with not enough troops.”

“It is just like Vietnam.”

“This war can never be won—we don't belong there.”

“We all back our troops—but not this dumb policy.”

“Our President has a complete disregard for humanity.”

“We need a President who really believes in diplomacy.”

“The President will not listen to ordinary people, and he does not understand when he is wrong.”

Today, I voted to support our troops by protecting them from a President who cannot understand reality. I support our troops, but not this failed policy.

Finally, allow me to share with you the pain of a grandmother whose grandson perished in Iraq: “Oh, Steve. It is so hard to talk about. He was such a bright young man. He wanted a college education and was going to use the money he was being paid to go to school.

Where is this war getting us? We got Saddam. Let's bring our military home.

I have another grandson ready to go over to Iraq. Let the higher-ups send their kids to Iraq. I don't want to see it happen to anyone else. Enough is enough.”

And remember this: The vote today was not about ending the Iraqi civil war. It was about supporting our troops by protecting them from a President who cannot understand reality. Congress cannot continue to give a loaded gun to a President with poor judgement. I will always support our troops, but not this failed policy. I believe there is a better way to do things in America. By working together, we will find it as we build a better and more secure nation for all of us.

Thank you for listening, and God Bless America.

Mrs. MALONEY of New York. Mr. Speaker, today we are considering funding legislation for the war in Iraq which unfortunately does not include the timelines for bringing the troops home that I and many of my colleagues have supported previously. While I strongly believe that we must provide the troops with the resources that they need to do their jobs, I cannot support an amendment that would leave them in Iraq indefinitely.

The intent of the benchmarks included in this amendment seems to be to send an important signal to the Iraqi government that it must make progress on the political, economic, and security fronts. I know that we all want to see that happen, but it is up to those of us in Congress who are committed to ending this war to ensure that the administration and the Iraqi government realize that we, and

the American people, will not accept any more blank checks or false promises.

I do intend to support the amendment that will be offered to provide more than \$20 billion for several key domestic items that have been part of the Democratic Majority's agenda. This amendment includes \$1.8 billion for veterans' health care as well as funding for military health care, children's health care, and Hurricane Katrina recovery efforts. I am very pleased that this amendment includes the minimum wage increase that millions of hard-working Americans have been waiting on for a decade. I also want to commend Chairman OBEY and the Appropriations Committee for including \$50 million for Ground Zero workers and responders who risked their lives and are now suffering devastating health effects because of their brave service following the 9/11 terrorist attacks. I urge my colleagues to support this amendment so that we will provide long overdue relief to those Americans who need it.

I am pleased to note that the rule, which I supported, that provided for consideration of these amendments ensures that before any further supplemental appropriations bills to fund the war can be considered, a vote must occur on legislation to redeploy U.S. troops from Iraq.

I am disappointed that the bill that will be sent to the President does not set out a clear path to end the war in Iraq. However, I and my colleagues who agree on this issue will continue to work for what the American people overwhelmingly voted for in November: a new direction, both in Iraq and at home.

Mr. PRICE of North Carolina. Mr. Speaker, today we are asked to vote for a fourth time in 2 months on legislation to provide funding for the ongoing military mission in Iraq.

The tally of this vote will reflect the dilemma facing this Congress as well as the American people. We are torn by two deeply held sentiments: on the one hand, we support our troops and want to make sure they are protected and supported in the field of battle; on the other hand, we are frustrated by a failed war policy and a President too stubborn to change course.

I voted against giving the President the authority to wage war in Iraq. I have introduced legislation to place a termination date on that authorization and to require the President to formulate and execute an exit strategy. But I have consistently voted for bills to fund the war effort because that funding is essential to our troops in the field. Over the last 2 months alone, I have voted three times for funding for the troops in different versions of a supplemental appropriations bill. But I will not vote yes today.

In addition to funding troop needs, the previous versions of the bill—despite differences among them and the compromises they contained—would have made substantial progress toward bringing this war to an end. The legislation before us today takes some modest steps forward by including benchmarks for progress for the first time and requiring the administration to report on whether its strategy is achieving them. Unfortunately, however, it does not advance us nearly far enough toward ending this war and putting Iraqis in charge of their own governance and defense.

The progress the bill does make has been the result of the pressure brought to bear by

the prior supplemental votes. I will be voting against this bill as a way of helping maintain and increase that pressure.

Let no one mistake the significance of the vote we take today. This fourth vote is not primarily about material support for the troops—every Member of this body supports our troops. This vote is fundamentally about the future of our policy in Iraq.

Even if this bill were to fail today, the result would not be a cut-off of funding for the troops. The result would be to force the administration to give ground it should have given long ago, and that, sooner or later, I believe it will be forced to give by this Congress.

There is nothing about our military strategy that can solve what are fundamentally political and sectarian conflicts among Iraqis. Military and intelligence leaders have consistently declared that the solution in Iraq will be political and diplomatic in nature, not military. We have increasingly asked the military to work toward goals that military force cannot achieve: political agreements between intransigent Iraqi leaders, equitable sharing of power and resources, and an end to sectarian-based civil war. In the meantime, our presence has become a provocation for insurgency and a magnet for international terrorism.

We have, in short, left our troops in an impossible situation. I am not willing to vote to fund their operations without at the same time compelling a change in policy that will bring them home.

The struggle to change the U.S. course in Iraq is not over. The American people are speaking loudly and clearly. Our efforts over the last 2 months have moved the debate in the right direction, and we will continue exerting pressure on the administration to alter its course in the days and weeks to come as we consider other legislation related to the war. In fact, it should not escape notice that we also passed today a resolution requiring consideration of legislation in September that would require an end to the occupation of Iraq.

Our goal in considering the President's supplemental appropriations request was to confront the President over his failed policy and to force a change in course. Even as this supplemental legislation likely passes into law, we can be confident that we have taken important steps toward this goal. We have demonstrated to the administration that it can no longer proceed with its failed policy unaccountably. While many in the House and the other body, where the power of filibuster can be used to obstruct progress, have resisted efforts to craft a more effective Iraq policy, the President and his allies in Congress have been put on notice that the tide is turning.

I regret that this bill will not immediately bring the change to our Iraq policy that we so desperately need. But it does represent one more turn of the screw. The President should recognize that a growing number of Members of this Congress, and a clear majority of the American people, will continue boring deeper toward the heart of his failed policy. And we will not stop pressing until our troops begin to come home.

Mr. STARK. Mr. Speaker, today is a sad day.

Decades ago, I ran for Congress because I opposed the War in Vietnam. After arriving in Washington, I carried out the will of my constituents, repeatedly voting to stop funding the death of American troops and Vietnamese civilians.

More than 4 years ago, I voted against the original resolution authorizing the President to take unprecedented preemptive military action against Iraq. In the years since, I have consistently opposed the President at every turn, always voting to deny him the funding he requested to continue his failed War in Iraq.

Last November, the American people delivered a loud and clear message to their representatives in Washington. In electing a Democratic House and Senate, the public demanded a new direction in Iraq.

Today, however, we're staying the course.

The supplemental before us includes no deadlines for troop withdrawal and no enforceable benchmarks for holding President Bush accountable.

In other words, there is no way I—or the overwhelming majority of my constituents—would ever support it.

We can't go on like this, killing our troops and Iraqi civilians—and wasting tens of billions of dollars that would be better spent on vital domestic priorities like education and health care.

You know who supports this bill? President Bush and Republicans in Congress who refuse to acknowledge either the Shiite-Sunni civil war or our lack of progress in Iraq.

I strongly urge my colleagues to remember who sent them to Washington. It wasn't President Bush; it was America's voters. They've made their opposition to this war clear. It's time for Congress to do the same.

Mr. LANGEVIN. Mr. Speaker, I rise in reluctant opposition to the supplemental spending measure before us. Though I originally voted against giving the President authority to invade Iraq in October 2002, I supported every supplemental appropriations bill since then because I believed that, irrespective of how we might feel about our operations in Iraq, we must stand together in support of our troops in the field. Those spending bills provided much-needed body armor, up-armored Humvees and IED jammers and helped our men and women and uniform as they undertook challenging and often unconventional missions.

However, in the last 4 years, the situation on the ground in Iraq has changed, and we must adapt our strategy accordingly. We can no longer allow our military to referee what has become a civil war. The underlying causes of violence are now primarily sectarian in nature and can only be resolved by the Iraqis—a conclusion that nearly all foreign security experts accept. Consequently, we need a new approach that will support the Iraqi political process to end sectarian divisions in Iraq, help rebuild the economy and infrastructure, and promote maximum diplomatic efforts to bring an end to the violence. We can meet these goals by redeploying our troops out of Iraq—allowing a limited U.S. military presence solely for training Iraqi Security Forces, protecting our citizens and interests and hunting down al Qaeda and combating terrorism.

Earlier this year, the Democratic-led Congress passed a supplemental spending bill that would have demanded accountability of the Bush Administration and set the groundwork for bringing our troops home. Despite Americans' strong dissatisfaction with his handling of the war, President Bush vetoed that measure. I am deeply disappointed with that decision and with his subsequent unwillingness to work with congressional leadership on a true compromise that funds the needs of our

troops while pursuing a new strategy for success in Iraq. The bill before us today does require that the President certify that Iraq is making progress in attaining certain benchmarks—a provision that will help Congress conduct greater oversight. However, it falls short of the accountability requirements in the earlier House-passed measure and gives the President far too much authority to continue prosecuting a war that has been mismanaged from the start by the civilian leadership. Despite my past support of supplemental spending bills, I simply cannot vote for the measure before us today. If we do not shift our mission in Iraq from a military approach to a comprehensive diplomatic and economic one, we run the serious risk of damaging the readiness of our military, doing long-term harm to our armed forces and endangering our national security. I will vote today to support our troops, and the best way we can do that is by getting them out of a civil war and bringing them home.

Ms. DEGETTE. Mr. Speaker, I rise in opposition to the amendment to be voted on today which will provide supplemental funds for the war in Iraq.

As I have said before on the floor of the House, it is time we ended our military involvement in Iraq. We are not making progress, despite losing thousands of lives, expending years of effort, and spending hundreds of billions of dollars. This is a viewpoint shared by the vast majority of the American people.

I strongly support our troops and understand we must provide resources for them in the field. However, today's amendment continues the President's failed policy in Iraq by not holding him accountable to his own benchmarks for success and failing to set a timetable for the redeployment of our troops. Although the amendment ties non-military aid to the Iraqi Government's progress in meeting certain benchmarks, the President can waive the requirement.

Spending billions on the war in Iraq without providing a prescription for withdrawal or benchmarks with meaningful consequences for the Iraqi Government, as the amendment before us would do, does our troops and our entire Nation a disservice. It suggests that we will continue this war without end or without putting meaningful pressure on the Iraqi Government to do its fair share.

Unfortunately, President Bush and most Republicans in Congress believe that this is exactly what we should do. President Bush vetoed H.R. 1591, which imposed benchmarks with real consequences on the Iraqi Government and mandated that our military forces would have left Iraq by August 2008. So far he has refused to accept any major changes in his Iraq policy.

If President Bush continues to be intransigent, Congress has the responsibility to use its spending power to truly make a meaningful change in the direction of the war in Iraq. The amendment under consideration does not do that and I ask my colleagues to vote against it.

Mr. MARKEY. Madam Speaker, it is with a heavy heart that I come to the floor today to debate funding for President Bush's war in Iraq, yet again, as more innocent Americans and Iraqis fall victim to a horrible and debilitating violence that has not only torn Iraq apart, but threatens the stability of the entire Middle East.

We should not be having this debate at all, because the President should have changed course long ago. The President has had so many opportunities to reevaluate his policies in Iraq that his failure to do so can only be explained by an absolute unwillingness to admit that he has made a grave mistake. He continues to act as if nothing is wrong, even as Baghdad burns and the body count of dead Iraqi civilians and dead American troops continues to rise. He continues to send more troops to Iraq even as the Army, Marines, and National Guard are all straining to the breaking point. He continues to ignore the will of the American people who want an end to this war, even as public opinion turns ever more decisively against his failed war policy.

Madam Speaker, it is far past time for a new direction in Iraq. The American people do not want to be there, and the Iraqis do not want to have us there. Only the President and his dwindling cadre of head-in-the-sand advisors believe that the United States is on the right course in Iraq.

I am tremendously disappointed that the President, in the face of the utter collapse of his policies in Iraq, refuses to change course. I supported the first supplemental bill we passed this year for a simple reason: It contained language to force an end to this disastrous war. But in his legendary stubbornness and his inability to see reason, the President vetoed that bill. I also supported the House version of the second supplemental appropriations bill, because that bill established strict benchmarks for progress by the Iraqi Government and military and required the President to certify that progress to the Congress, or else face a cutoff of funds to pursue the war.

But the supplemental that we will vote on today does not require the troops to come home, and does not establish strict benchmarks to ensure accountability, and for these reasons I will oppose it. But today's vote does not end the effort in Congress to end the war. There will be future votes, and I believe that as the public continues to make its opposition to this war clear, there will be continued pressure on the White House and on congressional Republicans to change course. We will end this war eventually, but today I must oppose this appropriations bill because it fails to take the steps needed to advance the goal of bringing our valiant troops home.

Mr. UDALL of New Mexico. Mr. Speaker, this legislation, the third supplemental bill we have considered this year, has many merits. However, I am extremely disappointed that it does not include a plan for phased redeployment of our troops. It is past time that we chart a new path in Iraq.

I have supported the previous versions of this legislation because they required that the White House demonstrate milestones of success and progress in Iraq with an explicit timeline for troop removal. But to now give the President a blank check would be unacceptable. We have spent hundreds of billions of dollars on this war and have yet to see even the beginning of the dividends of democracy promised to us by the President. Additional funding must include sufficient requirements for evidence of success. We also need an understanding of how much longer we will be in Iraq.

It is significant that the new Democratic leadership in Congress has ensured that appropriations funding bills are now focused on

the soldiers and I am pleased to see that this bill includes funding for the armor and equipment needed. Nevertheless, this bill, with its absence of a plan for phased regional redeployment of American troops, will only further ensure that we stay in Iraq with no end in sight. The best way to support our troops is to give them the tools to do their job, and to change our policy to bring them home as safely and quickly as possible.

I believe this President must be held accountable for the deteriorating situation in Iraq and for lacking a plan to succeed. I believe it is the role—and the right—of Congress to be substantially involved in the direction of our foreign policy. And I believe that our men and women in uniform deserve better leadership. For these reasons, I cannot, and will not, support continuing to fund this war without a distinct time line for redeployment, and I will be voting “no.”

Mr. GEORGE MILLER of California. Mr. Speaker, this is a great day for America's workers.

Today the House once again passes the minimum wage increase—and this time we expect this bill to be signed by the President.

America's minimum wage workers have been waiting a long time for a raise. The last time they saw an increase was nearly 10 years ago. Since that last increase, in 1997, the value of the minimum wage has dropped to its lowest level in over half a century.

Last summer, I had the honor to meet a woman named Sheryl Wade in Louisville, Kentucky. Sheryl told me at a forum about life at the minimum wage. She couldn't afford housing for herself and 3 sons. She had to move in and out with relatives and friends. Her boys had to constantly change schools and change friends. She could not afford health care. Sheryl is a hardworking American, sick and tired of barely living paycheck to paycheck, not making enough to get by.

Mr. Speaker, her day has come.

When we increase the minimum wage with this bill, from \$5.15 per hour to \$7.25 per hour over 2 years, the poorest working families in this country will see a \$4,400 increase in their annual income—enough to pay for 15 months of groceries for a family of three.

Thanks to this increase, in 2009, a family of four will move from 11 percent below the poverty line to 5 percent above the poverty line.

Thanks to this increase, 13 million workers will see their pay go up, directly or indirectly. That includes 7.7 million women and 3.4 million parents. Over 6.3 million children will see their parents' income rise.

This raise in wages is long overdue. Thanks to the hard work of religious, civil rights, labor, and community organizations—and American voters and working families—it is finally coming to pass.

I'm proud of the work this Democratic Congress has done. This House, under new leadership, is putting working families and America's middle class first. What a change that is—and we've only just begun.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 438, the previous question is ordered.

The Chair will divide the question of adoption of the motion between the two House amendments.

The question is: Will the House concur in the amendment of the Senate

with House amendment No. 1 printed in House Report 110-168?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, this 15-minute vote on the first portion of the divided question will be followed by a 5-minute vote, if ordered, on the second portion of the divided question.

The vote was taken by electronic device, and there were—yeas 348, nays 73, not voting 12, as follows:

[Roll No. 424]

YEAS—348

Abercrombie	Crenshaw	Hinchey
Ackerman	Crowley	Hinojosa
Aderholt	Cubin	Hirono
Akin	Cuellar	Hobson
Alexander	Cummings	Hodes
Allen	Davis (AL)	Holden
Altmire	Davis (CA)	Holt
Andrews	Davis (IL)	Honda
Arcuri	Davis (KY)	Hooley
Baca	Davis, Lincoln	Hoyer
Bachmann	DeFazio	Hulshof
Baird	Delahunt	Hunter
Baker	DeLauro	Inslie
Baldwin	Dent	Israel
Barrow	Diaz-Balart, L.	Jackson (IL)
Bartlett (MD)	Diaz-Balart, M.	Jackson-Lee
Barton (TX)	Dicks	(TX)
Bean	Dingell	Jefferson
Becerra	Doggett	Jindal
Berkley	Donnelly	Johnson (GA)
Berry	Doolittle	Johnson (IL)
Biggert	Doyle	Johnson, E. B.
Blibray	Drake	Kagen
Bilirakis	Edwards	Kanjorski
Bishop (GA)	Ehlers	Kaptur
Bishop (NY)	Ellison	Keller
Blumenauer	Ellsworth	Kennedy
Blunt	Emanuel	Kildee
Bonner	English (PA)	Kilpatrick
Bono	Eshoo	Kind
Boozman	Etheridge	King (NY)
Boren	Everett	Kirk
Boswell	Fallin	Klein (FL)
Boucher	Farr	Kline (MN)
Boustany	Fattah	Knollenberg
Boyd (FL)	Ferguson	Kuhl (NY)
Boyda (KS)	Filner	Lampson
Brady (PA)	Forbes	Langevin
Braley (IA)	Fortenberry	Lantos
Brown (SC)	Fossella	Larsen (WA)
Brown, Corrine	Frank (MA)	Larson (CT)
Buchanan	Gallegly	Latham
Burgess	Gerlach	LaTourette
Butterfield	Giffords	Lee
Cannon	Gillibrand	Levin
Capito	Gillmor	Lewis (KY)
Capps	Gohmert	Lipinski
Capuano	Gonzalez	LoBiondo
Cardoza	Goode	Loeb sack
Carnahan	Goodlatte	Lofgren, Zoe
Carney	Gordon	Lowe y
Carson	Granger	Lucas
Carter	Graves	Lynch
Castle	Green, Al	Mahoney (FL)
Castor	Green, Gene	Maloney (NY)
Chandler	Grijalva	Manzullo
Clarke	Gutierrez	Marchant
Clay	Hall (NY)	Markey
Cleaver	Hall (TX)	Marshall
Clyburn	Hare	Matheson
Cohen	Harman	Matsui
Cole (OK)	Hastings (FL)	McCarthy (NY)
Conaway	Hastings (WA)	McCaul (TX)
Conyers	Hayes	McCollum (MN)
Cooper	Heller	McCotter
Costa	Herger	McCrery
Costello	Hersteth Sandlin	McDermott
Courtney	Higgins	McGovern
Cramer	Hill	McHugh

McIntyre  
McNerney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Musgrave  
Nadler  
Napolitano  
Neal (MA)  
Neugebauer  
Obey  
Olver  
Ortiz  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pelosi  
Perlmutter  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Platts  
Poe  
Pomeroy  
Porter  
Price (NC)  
Pryce (OH)  
Rahall

Ramstad  
Rangel  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sali  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Saxton  
Schakowsky  
Schiff  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sessions  
Sestak  
Shays  
Shea-Porter  
Sherman  
Shuler  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder

Space  
Spratt  
Stark  
Stupak  
Sutton  
Tanner  
Tauscher  
Taylor  
Terry  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walberg  
Walden (OR)  
Walsh (NY)  
Walsh (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (OH)  
Wolf  
Woolsey  
Wu  
Wynn  
Yarmuth  
Young (AK)  
Young (FL)

## NAYS—73

Bachus  
Barrett (SC)  
Bishop (UT)  
Blackburn  
Boehner  
Brady (TX)  
Brown-Waite,  
Ginny  
Burton (IN)  
Buyer  
Calvert  
Camp (MI)  
Cantor  
Chabot  
Coble  
Culberson  
Davis, David  
Davis, Tom  
Deal (GA)  
Dreier  
Duncan  
Feeney  
Flake  
Foxx  
Franks (AZ)

Frelinghuysen  
Garrett (NJ)  
Gingrey  
Hastert  
Hensarling  
Hoekstra  
Inglis (SC)  
Issa  
Johnson, Sam  
Jordan  
King (IA)  
Kingston  
Kucinich  
LaHood  
Lamborn  
Lewis (CA)  
Linder  
Lungren, Daniel  
E.  
Mack  
McCarthy (CA)  
McHenry  
McKeon  
Mica  
Miller, Gary

Myrick  
Nunes  
Paul  
Pence  
Pitts  
Price (GA)  
Putnam  
Radanovich  
Rogers (AL)  
Rohrabacher  
Roskam  
Royce  
Ryan (WI)  
Schmidt  
Sensenbrenner  
Shadegg  
Shimkus  
Shuster  
Stearns  
Sullivan  
Tancredo  
Wamp  
Weldon (FL)  
Westmoreland  
Wilson (SC)

## NOT VOTING—12

Berman  
Campbell (CA)  
Davis, Jo Ann  
DeGette  
Emerson

Engel  
Gilchrest  
Jones (NC)  
Jones (OH)  
Lewis (GA)

McMorris  
Rodgers  
Oberstar

□ 1839

Messrs. PENCE, BURTON of Indiana and BACHUS changed their vote from “yea” to “nay.”

Messrs. McDERMOTT, EHLERS, DAVIS of Kentucky, HUNTER, SOUDER, KELLER of Florida, Mrs. DRAKE and Ms. SCHAKOWSKY changed their vote from “nay” to “yea.”

So the first portion of the divided question was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GILCHREST. Mr. Speaker, on rollcall No. 424 I was inadvertently detained. Had I been present, I would have voted “yea.”

Mr. JONES of North Carolina. Mr. Speaker, on rollcall No. 424 I was unavoidably detained. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The Chair will now put the question on the second portion of the divided question.

The question is: Will the House concur in the amendment of the Senate with House amendment No. 2 printed in House Report 110-168?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 280, noes 142, not voting 11, as follows:

[Roll No. 425]

## AYES—280

Aderholt  
Akin  
Alexander  
Altmire  
Andrews  
Baca  
Bachmann  
Bachus  
Baird  
Baker  
Barrett (SC)  
Barrow  
Bartlett (MD)  
Barton (TX)  
Bean  
Berkley  
Berry  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Blackburn  
Blunt  
Boehner  
Bonner  
Bono  
Boozman  
Boren  
Boswell  
Boucher  
Boustany  
Boyd (FL)  
Boyd (KS)  
Brady (TX)  
Brown (SC)  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Butterfield  
Buyer  
Calvert  
Camp (MI)  
Cannon  
Cantor  
Capito  
Cardoza  
Carney  
Carter  
Castle  
Chabot  
Chandler  
Clyburn  
Coble  
Cole (OK)

Conaway  
Cooper  
Costa  
Cramer  
Crenshaw  
Cubin  
Cuellar  
Culberson  
Davis (CA)  
Davis (KY)  
Davis, David  
Davis, Lincoln  
Davis, Tom  
Deal (GA)  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Donnelly  
Doolittle  
Drake  
Dreier  
Edwards  
Ehlers  
Ellsworth  
Emanuel  
English (PA)  
Etheridge  
Everett  
Fallin  
Feeney  
Ferguson  
Flake  
Forbes  
Fortenberry  
Fossella  
Foxx  
Franks (AZ)  
Frelinghuysen  
Galleghy  
Garrett (NJ)  
Giffords  
Gilchrest  
Gillibrand  
Gillmor  
Gingrey  
Gohmert  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green, Gene  
Hall (TX)

Hastert  
Hastings (WA)  
Hayes  
Heller  
Hensarling  
Herger  
Herseth Sandlin  
Hill  
Hinojosa  
Hobson  
Hoekstra  
Holden  
Hoyer  
Hulshof  
Hunter  
Inglis (SC)  
Issa  
Jindal  
Johnson (IL)  
Johnson, Sam  
Jones (NC)  
Jordan  
Kagen  
Kanjorski  
Keller  
Kildee  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline (MN)  
Knollenberg  
Kuhl (NY)  
LaHood  
Lamborn  
Lampson  
Larsen (WA)  
Latham  
LaTourette  
Levin  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lucas  
Lungren, Daniel  
E.  
Mack  
Mahoney (FL)  
Manzullo  
Marchant  
Marshall  
Matheson  
McCarthy (CA)  
McCaul (TX)

McCotter  
McCrery  
McHenry  
McHugh  
McIntyre  
McKeon  
Meek (FL)  
Melancon  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mitchell  
Mollohan  
Moore (KS)  
Moran (KS)  
Murphy, Tim  
Murtha  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Ortiz  
Pearce  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Pomeroy  
Porter  
Price (GA)  
Pryce (OH)  
Putnam  
Radanovich

Rahall  
Ramstad  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Roskam  
Ross  
Royce  
Ruppersberger  
Ryan (WI)  
Salazar  
Sali  
Saxton  
Schmidt  
Schwartz  
Scott (GA)  
Sensenbrenner  
Sessions  
Sestak  
Shadegg  
Shays  
Shimkus  
Shuler  
Shuster  
Simpson  
Skelton  
Smith (NE)  
Smith (NJ)  
Smith (TX)

Snyder  
Souder  
Space  
Spratt  
Stearns  
Stupak  
Sullivan  
Tancredo  
Tanner  
Taylor  
Terry  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Turner  
Udall (CO)  
Upton  
Visclosky  
Walberg  
Walden (OR)  
Walsh (NY)  
Walsh (MN)  
Wamp  
Wasserman  
Schultz  
Weldon (FL)  
Westmoreland  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (OH)  
Wilson (SC)  
Wolf  
Young (AK)  
Young (FL)

## NOES—142

Abercrombie  
Ackerman  
Allen  
Arcuri  
Baldwin  
Becerra  
Bishop (NY)  
Blumenauer  
Brady (PA)  
Braley (IA)  
Brown, Corrine  
Capps  
Capuano  
Carnahan  
Carson  
Castor  
Clarke  
Clein (FL)  
Kucinich  
Langevin  
Lantos  
Larson (CT)  
Lee  
Loeback  
Courtney  
Crowley  
Cummings  
Davis (AL)  
Davis (IL)  
DeFazio  
Delahunt  
DeLauro  
Doggett  
Doyle  
Duncan  
Ellison  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Green, Al  
Grijalva  
Gutierrez  
Hall (NY)  
Hare  
Harman  
Hastings (FL)  
Higgins  
Hinchev

Hirono  
Hodes  
Holt  
Honda  
Hookey  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Kennedy  
Kilpatrick  
Klein (FL)  
Kucinich  
Langevin  
Lantos  
Larson (CT)  
Lee  
Loeback  
Lofgren, Zoe  
Lowey  
Lynch  
Maloney (NY)  
Markey  
Matsui  
McCarthy (NY)  
McCollum (MN)  
McDermott  
McGovern  
McNerney  
McNulty  
Meehan  
Meeks (NY)  
Michaud  
Miller (NC)  
Miller, George  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Nadler  
Napolitano  
Neal (MA)  
Obey

Olver  
Pallone  
Pascrell  
Pastor  
Paul  
Payne  
Pelosi  
Perlmutter  
Price (NC)  
Rangel  
Rothman  
Roybal-Allard  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Scott (VA)  
Serrano  
Shea-Porter  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Solis  
Stark  
Sutton  
Tauscher  
Thompson (CA)  
Tierney  
Towns  
Udall (NM)  
Van Hollen  
Velázquez  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Wexler  
Woolsey  
Wu  
Wynn  
Yarmuth

## NOT VOTING—11

Berman  
Campbell (CA)  
Davis, Jo Ann  
DeGette

Emerson  
Engel  
Jones (OH)  
Lewis (GA)

McMorris  
Rodgers  
Oberstar  
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1845

So the second portion of the divided question was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WELLER of Illinois. Mr. Speaker, on roll-call No. 425, I was inadvertently detained. Had I been present, I would have voted "aye."

#### PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO HAVE UNTIL MIDNIGHT, MAY 31, 2007, TO FILE REPORT ON H.R. 2446, AFGHANISTAN FREEDOM AND SECURITY SUPPORT ACT OF 2007

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight on May 31, 2007, to file its report to accompany H.R. 2446.

The SPEAKER pro tempore (Mr. COURTNEY). Is there objection to the request of the gentleman from New York?

There was no objection.

#### CONDITIONAL ADJOURNMENT TO MONDAY, MAY 28, 2007

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 9:30 a.m. on Monday, May 28, 2007, unless it sooner has received a message from the Senate transmitting its concurrence on House Concurrent Resolution 158, in which case the House shall stand adjourned pursuant to that concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JUNE 6, 2007

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, June 6, 2007.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

#### APPOINTMENT OF HON. STENY H. HOYER AND HON. CHRIS VAN HOLLEN TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JUNE 5, 2007

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

May 24, 2007.

I hereby appoint the Honorable STENY H. HOYER and the Honorable CHRIS VAN HOLLEN

to act as Speaker pro tempore to sign enrolled bills and joint resolutions through June 5, 2007.

NANCY PELOSI,

*Speaker of the House of Representatives.*

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

#### VOTE ON THE WAR SUPPLEMENTAL

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I'm very proud that the actions on the House floor today reflect the attitude of a caring Nation, and so I'm very proud that we have had the opportunity now to pass out of this House for the President's signature an increase in the minimum wage; relief for small businesses; a fix for the Walter Reed debacle, and the health care for the many families and soldiers, soldiers that are returning home from Iraq and Afghanistan; and the crisis in the gulf region has been responded to by hopefully providing dollars for education and a construction of homes.

As we enter upon this weekend to memorialize the dead, I could not continue a disastrous war, and so I proudly stand as a caring American to have voted against the continuation of this war. But I say to those who are fallen and to their families, we mourn you, we respect you, and we admire your service. Together we will continue to press forward so that this war, this misdirected mission, will end.

But to our soldiers that we will honor, as we return home to our districts, we say to their families, they were victorious, they were successful, they were honorable, they are patriots, they are loved by America. May I salute you, and God bless the United States of America.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### DAD—AMERICAN GI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, born in the 1920s, he grew up in the Depression of the 1930s, and like most rural American children, he grew up poor. Fresh vegetables were grown in the family garden behind the small frame house. His mother made sandwiches for school out of homemade bread. Store-bought bread, as he called it, was for the rich. He grew up belonging to the Boy Scouts, playing the trumpet in the high school band, and he went to church almost every Sunday.

In 1944, this 18-year-old country boy who had never been more than 50 miles from home finally found himself going through basic training for the United States Army at Camp Walters in Camp Walters, Texas. After that he rode the train with hundreds of other young teenage American males to New York City for the ocean trip on a cramped Liberty ship to fight in the great World War II.

As a soldier in the 7th Army, he went from France on to survive the Battle of the Bulge and through the cities of Aachen, Stuttgart, Cologne, Bonn and others. He thought General Patton was the greatest soldier that ever lived, and as a teenager, this young soldier saw the concentration camps and the victims of the Nazis. He saw incredible numbers of other teenage Americans buried in graves throughout France. One monument to those soldiers is on the cliffs at a place called Normandy.

After Germany surrendered, he went back to Ft. Hood, Texas, expecting to be reequipped for the land invasion of Japan. It was there he met his wife at a Wednesday-night prayer meeting service at church.

Until a few years ago, this GI would never talk about World War II, and he still will not say much except he does say that heroes are the ones that are buried in Europe today.

After the war, he opened a DX service station where he pumped gas, sold tires, fixed cars and began a family. Deciding he needed to go to college, he moved to west Texas and enrolled in a small Christian college called Abilene Christian College. He and his wife and his two small children lived in an old converted Army barracks with other such families. He supported his family by working nights at KRBC radio and climbing telephone poles for Ma Bell, later called Southwestern Bell.

He finished college, became an engineer and worked 40-plus years for Southwestern Bell Telephone Company in Houston, Texas. He turned down a promotion and a transfer to New York City because it was not Texas, and he said it was no place to raise a family.

This GI, my dad, instilled in my sister and me the values of being a neighbor to all, loving our country, loving our heritage and always just doing the right thing by all people.

He still gets mad at the Northeastern media. He flies the flag on holidays. He goes to church on Sunday, and he takes Mom out to eat every Friday night. He stands in the front yard, and he talks