

## Calendar No. 67

109TH CONGRESS } <i>1st Session</i>	SENATE	{ REPORT 109-52
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### EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

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APRIL 6, 2005.—Ordered to be printed

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

### REPORT

[To accompany H.R. 1268]

The Committee on Appropriations, to which was referred the bill (H.R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, and for other purposes, reports the same to the Senate with an amendment and with an amendment to the title and recommends that the bill as amended do pass.

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## BACKGROUND

### PURPOSE OF THE BILL

The Committee recommendation addresses the President's supplemental requests contained in the budget estimate No. 1, transmitted on February 14, 2005 (H. Doc. 109-9) and budget estimate No. 2, transmitted on March 2, 2005 (H. Doc. 109-14).

### SUMMARY OF BILL

The Committee recommends \$80,581,832,000 in supplemental appropriations for fiscal year 2005. The recommendation is \$1,460,796,000 below the President's supplemental request, and \$758,046,000 below the House allowance.

The recommendation includes \$74,426,257,000 for defense-related programs, primarily the costs of continuing operations in Afghanistan and Iraq, in title I.

The recommendation also includes \$4,322,700,000 for international security programs, for assistance for reconstruction in Afghanistan and Iraq, and for support for coalition allies in title II.

Title III includes appropriations totaling \$687,145,000 for domestic appropriations upgrading security and counter-terrorism activities.

Title IV includes \$907,340,000 for Indian Ocean tsunami relief.

Title V includes \$238,390,000 for other emergency appropriations, primarily for emergency watershed protection.

Finally, title VI includes general provisions and technical corrections.

The Committee recommendation does not include the designation of the supplemental language as division A.

The Committee recommendation does not include division B of the House bill, the text of the Real ID Act of 2005. Identical language is contained in H.R. 418, which passed the House on February 10, 2005 and was referred to the Senate Committee on the Judiciary on February 17, 2005. The Committee on the Judiciary is the appropriate committee to address this matter.

## TITLE I—DEFENSE-RELATED APPROPRIATIONS

### CHAPTER 1

#### SUBCOMMITTEE ON DEFENSE

#### DEPARTMENT OF DEFENSE—MILITARY

#### OVERVIEW OF THIS CHAPTER

The Committee recommends appropriations totaling \$73,280,703,000 for various Department of Defense Programs in this Chapter. Funds appropriated in this Chapter are provided to finance continuing military operations in Iraq and Afghanistan, to ensure military forces are properly equipped to continue the Global War on Terror, and to accelerate the training of Iraqi and Afghan security forces so they can assume responsibility for security of their nations. The following table displays Committee recommendations by funding category:

[In thousands of dollars]

	Fiscal year 2005 enacted	Supplemental estimate	Committee recommendation
Military Personnel .....	103,731,158	16,869,094	17,531,786
Operation and Maintenance .....	121,062,969	38,076,123	37,438,852
Procurement .....	77,679,803	16,136,466	15,872,045
Research, Development, Test and Evaluation .....	69,932,182	460,322	552,322
Revolving and Management Funds .....	2,378,836	1,343,700	1,343,700
Other Department of Defense Programs .....	20,655,510	432,698	452,698
Related Agency .....	557,866	250,300	89,300
General Provisions .....	— 4,845,012	12,000	.....
Total .....	391,153,312	73,580,703	73,280,703

#### MILITARY PERSONNEL

The Committee recommends \$17,531,786,000 for pay, allowances, subsistence, and other personnel costs for Active, Guard, and Reserve troops activated for duty in Iraq, Afghanistan, and other areas around the world in support of Operation Iraqi Freedom, Operation Enduring Freedom and the Global War on Terror. This recommendation includes funding for special pays, including Imminent Danger Pay, Family Separation Allowance, foreign language proficiency pay, and Hardship Duty Pay. To sustain the readiness levels of deploying units, this recommendation supports the pay of personnel affected by military stop-loss programs and personnel maintained on active duty above the normal end strength levels. This recommendation also includes funding for increased unemployment compensation costs associated with demobilization of Reserve Component members, and additional retention incentives for Special Operations Forces.

Included in the Committee's recommendation are funds to be available for extra reimbursement payments to the Servicemembers' Group Life Insurance [SGLI] program and for enhanced payments for certain death gratuities. This recommendation includes general provisions to authorize the Department of Defense to increase to \$500,000 the amount that can be paid to the surviving families. This \$500,000 amount is a combination of a \$100,000 death gratuity (increased from \$12,420) and \$400,000 of elective coverage under SGLI (increased from \$250,000 maximum coverage).

The Committee's recommendation restores funds transferred early in the fiscal year through approved reprogrammings that were necessary to meet urgent force protection and war-related requirements.

The Committee is also aware and concerned about the challenges the Defense Department, particularly the Army and Marine Corps, faces to meet the recruiting goals that are necessary to support the authorized end strength. Included in the recommendation are funds to support recruiting and retention efforts.

The following table provides details of the Committee's recommendations for the military personnel accounts:

[In thousands of dollars]

Account	Request	Committee recommendation	Change from request
Military Personnel, Army .....	13,298,942	13,609,308	+ 310,366
Military Personnel, Navy .....	524,980	535,108	+ 10,128
Military Personnel, Marine Corps .....	1,246,126	1,358,053	+ 111,927
Military Personnel, Air Force .....	1,316,572	1,684,943	+ 368,371
Reserve Personnel, Army .....	39,627	39,627	.....
Reserve Personnel, Navy .....	9,411	9,411	.....
Reserve Personnel, Marine Corps .....	4,015	4,015	.....
Reserve Personnel, Air Force .....	130	130	.....
National Guard Personnel, Army .....	429,200	291,100	- 138,100
National Guard Personnel, Air Force .....	91	91	.....
Total Military Personnel .....	16,869,094	17,531,786	+ 662,692

#### MILITARY PERSONNEL, ARMY

2005 appropriation to date .....	\$29,381,422,000
2005 supplemental estimate .....	13,298,942,000
House allowance .....	13,321,742,000
Committee recommendation .....	13,609,308,000

The Committee recommends \$13,609,308,000 for Military Personnel, Army. The recommendation is \$310,366,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Costs .....	10,922,842
Restore Baseline Reprogrammings .....	1,921,100
Enhanced Death Benefits .....	508,374
Recruiting and Retention .....	256,992
Total .....	13,609,308

## MILITARY PERSONNEL, NAVY

2005 appropriation to date .....	\$24,347,807,000
2005 supplemental estimate .....	524,980,000
House allowance .....	534,080,000
Committee recommendation .....	535,108,000

The Committee recommends \$535,108,000 for Military Personnel, Navy. The recommendation is \$10,128,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Costs .....	491,480
Enhanced Death Benefits .....	19,928
Recruiting and Retention .....	23,700
Total .....	535,108

## MILITARY PERSONNEL, MARINE CORPS

2005 appropriation to date .....	\$9,581,102,000
2005 supplemental estimate .....	1,246,126,000
House allowance .....	1,251,726,000
Committee recommendation .....	1,358,053,000

The Committee recommends \$1,358,053,000 for Military Personnel, Marine Corps. The recommendation is \$111,927,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Costs .....	926,826
Restore Baseline Reprogrammings .....	211,000
Enhanced Death Benefits .....	220,227
Total .....	1,358,053

## MILITARY PERSONNEL, AIR FORCE

2005 appropriation to date .....	\$24,155,911,000
2005 supplemental estimate .....	1,316,572,000
House allowance .....	1,473,472,000
Committee recommendation .....	1,684,943,000

The Committee recommends \$1,684,943,000 for Military Personnel, Air Force. The recommendation is \$368,371,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Costs .....	1,300,472
Enhanced Death Benefits .....	16,471
Recruiting and Retention .....	8,000
Personnel Over Strength .....	360,000
Total .....	1,684,943

## RESERVE PERSONNEL, ARMY

2005 appropriation to date .....	\$3,663,890,000
2005 supplemental estimate .....	39,627,000
House allowance .....	40,327,000
Committee recommendation .....	39,627,000

The Committee recommends \$39,627,000 for Reserve Personnel, Army. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Costs .....	30,727
Recruiting and Retention .....	8,900
Total .....	39,627

## RESERVE PERSONNEL, NAVY

2005 appropriation to date .....	\$2,084,032,000
2005 supplemental estimate .....	9,411,000
House allowance .....	11,111,000
Committee recommendation .....	9,411,000

The Committee recommends \$9,411,000 for Reserve Personnel, Navy. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Costs .....	9,411
Total .....	9,411

## RESERVE PERSONNEL, MARINE CORPS

2005 appropriation to date .....	\$623,073,000
2005 supplemental estimate .....	4,015,000
House allowance .....	4,115,000
Committee recommendation .....	4,015,000

The Committee recommends \$4,015,000 for Reserve Personnel, Marine Corps. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Costs .....	4,015
Total .....	4,015

## RESERVE PERSONNEL, AIR FORCE

2005 appropriation to date .....	\$1,451,950,000
2005 supplemental estimate .....	130,000
House allowance .....	130,000
Committee recommendation .....	130,000

The Committee recommends \$130,000 for Reserve Personnel, Air Force. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Costs .....	130
Total .....	130

## NATIONAL GUARD PERSONNEL, ARMY

2005 appropriation to date .....	\$5,901,729,000
2005 supplemental estimate .....	429,200,000
House allowance .....	430,300,000
Committee recommendation .....	291,100,000

The Committee recommends \$291,100,000 for National Guard Personnel, Army. The recommendation is \$138,100,000 below the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Costs .....	284,200
Recruiting and Retention .....	145,000
Recruiting and Retention (transfer to O&M, Army National Guard) .....	— 138,100
Total .....	291,100

## NATIONAL GUARD PERSONNEL, AIR FORCE

2005 appropriation to date .....	\$2,540,242,000
2005 supplemental estimate .....	91,000
House allowance .....	91,000
Committee recommendation .....	91,000

The Committee recommends \$91,000 for National Guard Personnel, Air Force. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Costs .....	91
Total .....	91

## OPERATION AND MAINTENANCE

The Committee recommends \$37,438,852,000 for operation and maintenance accounts in support of Operation Iraqi Freedom and Operation Enduring Freedom. The Committee recommendation would provide funds for the incremental cost of ground operations, flying hours, logistics support, fuel, travel and transportation. The funds would also finance the repair and refurbishment of equipment used in Iraq and Afghanistan to ensure our forces remain ready to meet global operational commitments.

The following table provides Committee recommendations for the operation and maintenance accounts:



[In thousands of dollars]

Account	Request	Recommendation	Change from request
Operation and Maintenance, Army .....	17,267,304	16,767,304	— 500,000
Operation and Maintenance, Navy .....	3,423,501	3,430,801	+ 7,300
Operation and Maintenance, Marine Corps .....	970,464	970,464	.....
Operation and Maintenance, Air Force .....	5,601,510	5,528,574	— 72,936
Operation and Maintenance, Defense-Wide .....	3,521,327	3,308,392	— 212,935
Operation and Maintenance, Army Reserve .....	8,154	21,354	+ 13,200
Operation and Maintenance, Navy Reserve .....	75,164	75,164	.....
Operation and Maintenance, Marine Corps Reserve .....	24,920	24,920	.....
Operation and Maintenance, Army National Guard .....	188,779	326,879	+ 138,100
Overseas Humanitarian, Disaster, and Civic Aid .....	10,000	.....	— 10,000
Afghanistan Security Forces Fund .....	1,285,000	1,285,000	.....
Iraq Security Forces Fund .....	5,700,000	5,700,000	.....
Total Operation and Maintenance .....	38,076,123	37,438,852	— 637,271

## OPERATION AND MAINTENANCE, ARMY

2005 appropriation to date .....	\$25,764,634,000
2005 supplemental estimate .....	17,267,304,000
House allowance .....	17,432,304,000
Committee recommendation .....	16,767,304,000

The Committee recommends \$16,767,304,000 for Operation and Maintenance, Army. The recommendation is \$500,000,000 below the estimate.

[In thousands of dollars]

	Committee recommendation
Incremental Wartime Operating Costs .....	7,429,604
LOGCAP .....	1,518,400
Second Destination Transportation .....	1,231,800
Other Transportation .....	646,900
Depot Maintenance .....	1,401,300
Contractor Logistics Support .....	353,700
Other Maintenance—Reset/Recap .....	1,003,400
Contract Linguists .....	165,300
Personnel Support .....	364,300
Training .....	22,300
CONUS Base Support .....	387,000
OCNUS Contract Security Guards .....	100,000
Army Working Capital Fund Spares .....	183,000
Other GWOT Support .....	136,100
Intelligence Activities and Support .....	142,600
Coalition Support .....	483,300
Commanders Emergency Response Program (CERP) .....	854,000
Project and Contracting Office Support .....	329,500
Green Zone Support .....	172,000
Classified Programs .....	190,400
Reprogramming Restoral .....	802,400
Home Station Training Offset .....	— 1,150,000
Total .....	16,767,304

*HMMWV Recapitalization.*—In Title IX of the Department of Defense Appropriations Act, 2005 (Public Law 108–287), Congress appropriated \$56,050,000 in the “Operation and Maintenance, Army” account for Brigade Restructuring HMMWV Recapitalization. The Committee understands that according to Army General Counsel, “Other Procurement, Army” is the appropriate account for execu-

tion of these funds. In order to comply with the original intent of Congress, the Committee directs the Army to transfer the HMMWV Recapitalization funding provided in Title IX of Public Law 108–287 to the “Other Procurement, Army” account for execution following normal reprogramming procedures.

#### OPERATION AND MAINTENANCE, NAVY

2005 appropriation to date .....	\$29,687,245,000
2005 supplemental estimate .....	3,423,501,000
House allowance .....	3,030,801,000
Committee recommendation .....	3,430,801,000

The Committee recommends \$3,430,801,000 for Operation and Maintenance, Navy. The recommendation is \$7,300,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
Deployed Sailors Support .....	11,900
Morale, Welfare, and Recreation .....	8,300
Pre-Deployment Training .....	8,800
Steaming Days .....	145,000
Flying Hours .....	451,700
Other Units (Seabees, Medical) .....	24,600
Aircraft and Ground Depot Maintenance .....	134,000
Ship Depot Maintenance .....	237,000
C4I, Logistics, Material and Training Supports .....	629,500
Operation Vigilant Mariner (Security for MSC Ships) .....	21,636
Increase in Composite Fuel Rate .....	521,000
NFIP .....	52,300
Aviation Maintenance Cash Drawdown .....	200,000
Afghan Freedom Support Act Drawdown .....	83,300
Home Station Training Offset for Deployed Forces .....	–159,300
Airlift .....	625,500
Sealift .....	25,500
Miscellaneous Transportation .....	9,665
Marine Corps Transportation .....	393,100
Physical Security Equipment .....	7,300
Total .....	3,430,801

*EOD Support to Address IED Threats.*—Explosive Ordnance Disposal personnel are at the forefront of efforts to protect our troops by neutralizing improvised explosive devices [IEDs] in Iraq and other theaters as well as disposal of munitions that could otherwise be used against United States or allied forces. The Navy Explosive Ordnance Disposal Technology Division [EOD–TechDiv] exploits technology and intelligence to develop and deliver EOD information, tools, and equipment for Joint EOD forces deployed worldwide. The Committee encourages the Department of Defense to identify funding for the EOD–TechDiv to bring on additional manpower to provide technical support to operational EOD forces 24 hours a day, 7 days a week.

#### OPERATION AND MAINTENANCE, MARINE CORPS

2005 appropriation to date .....	\$3,629,901,000
2005 supplemental estimate .....	970,464,000
House allowance .....	982,464,000
Committee recommendation .....	970,464,000

The Committee recommends \$970,464,000 for Operation and Maintenance, Marine Corps. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
TDY .....	6,300
Clothing & Other Personnel Equipment and Supplies .....	24,900
Medical Support/Health Services .....	3,500
Other Personnel Support .....	3,900
Morale, Welfare, and Recreation .....	2,900
OPTEMPO (Fuel, Other POL, Parts) .....	311,380
Organizational Level Maintenance .....	150,900
Intermediate Level Maintenance .....	15,800
Depot Level Maintenance .....	92,400
Reconstitution/Setting the Force .....	171,000
Support (C4I, Logistics, Materials) and Training .....	95,584
Increase in Composite Fuel Rate .....	22,000
Home Station Training Offset for Deployed Forces .....	-20,400
Services and Contracts .....	81,700
Sealift .....	7,000
Miscellaneous Transportation Costs .....	1,600
Total .....	970,464

#### OPERATION AND MAINTENANCE, AIR FORCE

2005 appropriation to date .....	\$28,113,533,000
2005 supplemental estimate .....	5,601,510,000
House allowance .....	5,769,450,000
Committee recommendation .....	5,528,574,000

The Committee recommends \$5,528,574,000 for Operation and Maintenance, Air Force. The recommendation is \$72,936,000 below the estimate.

[In thousands of dollars]

	Committee recommendation
Personnel Support .....	139,600
Operating Support/Flying Hours .....	2,371,000
Transportation .....	1,386,600
Increase in Composite Fuel Rate .....	809,900
Contract Logistics Support/Depot Maintenance .....	628,800
Commercial Transportation .....	90,000
Classified and Other Support Costs .....	102,674
Total .....	5,528,574

#### OPERATION AND MAINTENANCE, DEFENSE-WIDE

2005 appropriation to date .....	\$17,449,619,000
2005 supplemental estimate .....	3,521,327,000
House allowance .....	3,061,300,000
Committee recommendation .....	3,308,392,000

The Committee recommends \$3,308,392,000 for Operation and Maintenance, Defense-Wide. The recommendation is \$212,935,000 below the estimate.

[In thousands of dollars]

	Committee recommendation
Special Operations (SOCOM) .....	580,427
Coalition Support: (DSCA) .....	1,370,000
Combatant Commander Initiative Fund .....	25,000
Iraq Project Contracting Office and OSD Pentagon Support .....	4,600
Intelligence .....	969,665
Lift & Sustain .....	200,000
Family Assistance Programs (DoDEA & OSD) .....	92,000
AFIS—Stars and Stripes Distribution in Theater .....	6,600
DCAA—Contract Audit .....	5,600
DCMA—Contract Management .....	1,500
DLSA—Legal Services .....	15,000
OSD—Network and Information Services (NII) .....	10,500
OSD—Rewards Program .....	5,000
OSD—Critical Infrastructure Protection .....	3,500
OSD—Counter MANPADS .....	6,000
DSCA—Regional Centers .....	8,700
TJS—Requirements Planning .....	4,300
Total .....	3,308,392

The Committee recommends \$580,427,000 for the Special Operations Command. This is \$55,000,000 below the budget request. Of this amount \$30,000,000 was reduced for classified programs and \$25,000,000 is not recommended for the payment to irregular forces or other groups. The Committee believes this authority is unnecessary considering other authorities and funding which have been provided elsewhere.

*Support of Coalition Liaison Officers.*—The supplemental request includes a provision that would extend the authority provided in 10 U.S.C. 1051a to September 30, 2006. The current authority expires September 30, 2005. Under this authority, the Secretary of Defense may reimburse coalition liaison officers from another nation for travel, subsistence, and other personnel expenses. The Committee understands the extension of this authority is also included in the fiscal year 2006 Department of Defense legislative package. The Committee, therefore, does not include the proposed provision in this bill and expects this legislation to be addressed in the National Defense Authorization Act for Fiscal Year 2006.

*Military Tents.*—The Committee encourages the Department of Defense to use some of the funds in the Operation and Maintenance account to clear the backlog of military tents.

#### OPERATION AND MAINTENANCE, ARMY RESERVE

2005 appropriation to date .....	\$1,991,128,000
2005 supplemental estimate .....	8,154,000
House allowance .....	8,154,000
Committee recommendation .....	21,354,000

The Committee recommends \$21,354,000 for Operation and Maintenance, Army Reserve. The recommendation is \$13,200,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
Alerted Unit Training .....	5,135

[In thousands of dollars]

	Committee recommendation
Second Destination Transportation .....	2,389
Logistics Automation .....	630
Recruiting and Retention Support .....	13,200
Total .....	21,354

## OPERATION AND MAINTENANCE, NAVY RESERVE

2005 appropriation to date .....	\$1,237,638,000
2005 supplemental estimate .....	75,164,000
House allowance .....	75,164,000
Committee recommendation .....	75,164,000

The Committee recommends \$75,164,000 for Operation and Maintenance, Navy Reserve. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Reserve Support for GWOT .....	22,800
Increase in Composite Fuel Rate .....	49,000
Operation Vigilant Mariner .....	3,364
Total .....	75,164

## OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

2005 appropriation to date .....	\$187,196,000
2005 supplemental estimate .....	24,920,000
House allowance .....	24,920,000
Committee recommendation .....	24,920,000

The Committee recommends \$24,920,000 for Operation and Maintenance, Marine Corps Reserve. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Initial Issue, Travel, Training and Supplies .....	20,820
Reconstitution .....	3,100
Increased Fuel Costs .....	1,000
Total .....	24,920

## OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

2005 appropriation to date .....	\$4,442,386,000
2005 supplemental estimate .....	188,779,000
House allowance .....	188,779,000
Committee recommendation .....	326,879,000

The Committee recommends \$326,879,000 for Operation and Maintenance, Army National Guard. The recommendation is \$138,100,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
Alerted Unit Training .....	8,800
Second Destination Transportation .....	12,629
Family Readiness Programs .....	10,000
Recruiting and Retention .....	295,450
Total .....	326,879

## OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

2005 appropriation to date .....	\$59,000,000
2005 supplemental estimate .....	10,000,000
House allowance .....	10,000,000
Committee recommendation .....	

The Committee recommends no appropriation for Overseas Humanitarian, Disaster, and Civic Aid. The recommendation is \$10,000,000 below the estimate.

## AFGHANISTAN SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

2005 appropriation to date .....	
2005 supplemental estimate .....	\$1,285,000,000
House allowance .....	1,285,000,000
Committee recommendation .....	1,285,000,000

The Committee recommends \$1,285,000,000 for the Afghanistan Security Forces Fund. The recommendation is equal to the estimate.

The Committee recommendation would provide funds to assist the Afghan government to increasingly assume responsibility for their nation's security. The funds shall be available to train, equip, and deploy Afghan forces as well as provide increased counterinsurgency capabilities. The funds will also assist the Afghans in building an infrastructure to sustain security operations in the future. The Committee directs the Secretary of Defense to notify the congressional defense committees 5 days prior to making transfers to or from the account, and further directs the Secretary to submit quarterly reports summarizing the details of any transfers.

## IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

2005 appropriation to date .....	
2005 supplemental estimate .....	\$5,700,000,000
House allowance .....	5,700,000,000
Committee recommendation .....	5,700,000,000

The Committee recommends \$5,700,000,000 for the Iraq Security Forces Fund. The recommendation is equal to the estimate.

The funds are provided to assist the Iraqi government to increasingly assume responsibility for their nation's security. The funds shall be available to train, equip, and deploy Iraqi security forces as well as provide increased counterinsurgency capabilities. The funds will also assist the Iraqis in building an infrastructure to

sustain security operations in the future. The Committee directs the Secretary of Defense to notify the congressional defense committees 5 days prior to making transfers to or from the account, and further directs the Secretary to submit quarterly reports summarizing the details of any transfers. The Committee has also included language authorizing the use of these funds to establish a training center for regional military and security forces.

### PROCUREMENT

The Committee recommends appropriations totaling \$15,872,045,000 in various procurement accounts. The recommendation is \$264,421,000 below the request. Funds appropriated for procurement provide for force protection equipment, the restoration of equipment lost in operations, the recapitalization of equipment used in operations, and the equipping of units supporting upcoming rotations. The Committee has displayed line item recommendations in tables presented under each procurement account. A summary of Committee recommended procurement appropriations is provided below:

[In thousands of dollars]

Account	Request	Committee recommendation	Change from request
Aircraft Procurement, Army .....	458,677	458,677	.....
Missile Procurement, Army .....	294,036	280,250	– 13,786
Procurement of WTCV, Army .....	2,425,207	2,406,447	– 18,760
Procurement of Ammunition, Army .....	475,000	475,000	.....
Other Procurement, Army .....	5,316,405	5,322,905	+ 6,500
Aircraft Procurement, Navy .....	200,295	200,295	.....
Weapons Procurement, Navy .....	71,600	66,000	– 5,600
Procurement of Ammunition, Navy & Marine Corps .....	133,635	133,635	.....
Other Procurement, Navy .....	85,672	78,397	– 7,275
Procurement, Marine Corps .....	2,974,045	2,929,045	– 45,000
Aircraft Procurement, Air Force .....	269,241	269,309	+ 68
Procurement of Ammunition, Air Force .....	6,998	6,998	.....
Other Procurement, Air Force .....	2,834,328	2,653,760	– 180,568
Procurement, Defense-Wide .....	591,327	591,327	.....
Total Procurement .....	16,136,466	15,872,045	– 264,421

### AIRCRAFT PROCUREMENT, ARMY

2005 appropriation to date .....	\$2,854,541,000
2005 supplemental estimate .....	458,677,000
House allowance .....	458,677,000
Committee recommendation .....	458,677,000

The Committee recommends \$458,677,000 for Aircraft Procurement, Army. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
UH-60L Black Hawk .....	50,800
AH-64D Apache Longbow .....	321,100
Guardrail Common Ground Sensor [TIARA] .....	13,650
Airborne Reconnaissance Low [TIARA] .....	36,000
Aircraft Survivability Equipment .....	37,127
Total .....	458,677

*Guard UH-60 Replacement.*—The Committee recognizes that the Army National Guard provides 40 percent of the Total Army's utility aviation force, and that the Army has identified an ARNG requirement of 710 H-60 airframes. The Committee is also aware that as a result of operations in Afghanistan and Iraq, the Guard is experiencing a severe shortfall in these assets. This shortfall has been compounded by the loss of six of these Guard aircraft during operations in Iraq and Afghanistan. The Committee encourages the Secretary of the Army to consider the Guard and Reserve with respect to replacing lost aircraft.

#### MISSILE PROCUREMENT, ARMY

2005 appropriation to date .....	\$1,307,000,000
2005 supplemental estimate .....	294,036,000
House allowance .....	340,536,000
Committee recommendation .....	280,250,000

The Committee recommends \$280,250,000 for Missile Procurement, Army. The recommendation is \$13,786,000 below the estimate.

[In thousands of dollars]

	Committee recommendation
Javelin (AAWS-M) System Summary .....	133,000
TOW 2 System Summary .....	52,000
Army Tactical Msl Sys [ATACMS]—Sys Sum .....	91,000
ITAS/TOW Mods .....	4,250
Total .....	280,250

#### PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

2005 appropriation to date .....	\$2,467,495,000
2005 supplemental estimate .....	2,425,207,000
House allowance .....	2,678,747,000
Committee recommendation .....	2,406,447,000

The Committee recommends \$2,406,447,000 for Procurement of Weapons and Tracked Combat Vehicles, Army. The recommendation is \$18,760,000 below the estimate.

[In thousands of dollars]

	Committee recommendation
Bradley Base Sustainment .....	1,254,764
Stryker .....	44,500
Carrier, Mod .....	209,332
FIST Vehicle (Mod) .....	147,140
BFVS Series (Mod) .....	33,700
Howitzer, Med Sp Ft 155 MM M109A6 (Mod) .....	625
System Enhancement Pgm: SEP M1A2 .....	294,000
Armor Machine Gun, 7.62 MM M240 Series .....	59,358
Machine Gun, 5.56 MM (SAW) .....	19,860
Grenade Launcher, AUTO, 40 MM, MK19-3 .....	23,841
Mortar Systems .....	24,254
M107, Cal. 50, Sniper Rifle .....	3,755
5.56 Carbine M4 .....	55,380
Common Remotely Operated Weapons Station .....	11,300
M4 Carbine Mods .....	436



[In thousands of dollars]

	Committee recommendation
Squad Automatic Weapon (Mod) .....	732
Medium Machine Guns (Mods) .....	1,344
Howitzer, Towed, 155 MM, M198 (Mods) .....	58,157
Items Less Than \$5 Million (WOCV-WTCV) .....	6,249
Small Arms Equipment (Soldier Enh Prog) .....	8,600
Improved Recovery Vehicle (IRV) .....	146,600
Armored Vehicle Launch Bridge (AVLB) .....	2,520
Total .....	2,406,447

## PROCUREMENT OF AMMUNITION, ARMY

2005 appropriation to date .....	\$1,590,952,000
2005 supplemental estimate .....	475,000,000
House allowance .....	532,800,000
Committee recommendation .....	475,000,000

The Committee recommends \$475,000,000 for Procurement of Ammunition, Army. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Ctg, 5.56 MM, All Types .....	76,682
Ctg, 7.62 MM, All Types .....	55,803
Ctg, .50 Cal, All Types .....	52,515
Ctg, 25 MM, All Types .....	4,523
Ctg, 30 MM, All Types .....	7,162
Ctg, 40 MM, All Types .....	84,841
60 MM Mortar, All Types .....	20,017
81 MM Mortar, All Types .....	55,402
Ctg, Mortar, 120 MM, All Types .....	81,540
Ctg, Tank, 120 MM Tactical, All Types .....	15,000
Rocket, Hydra 70, All Types .....	12,941
Demolition Munitions, All Types .....	6,020
Grenades, All Types .....	1,952
Signals, All Types .....	386
Items Less Than \$5 Million .....	216
Total .....	475,000

**M67 Hand Grenade.**—The Committee wants to ensure that the Army will move forward to procure domestically produced M67 hand grenades from funds that were appropriated in the Department of Defense Appropriations Act, 2005, and the fiscal year 2005 emergency supplemental for this purpose. The Committee strongly urges the Department of the Army to use these funds to conduct a demonstration project for total systems integration of the M67 Hand Grenade by the Government Owned, Contractor Operated [GOCO] facility at the Lone Star Army Ammunition Plant [LSAAP].

## OTHER PROCUREMENT, ARMY

2005 appropriation to date .....	\$4,955,296,000
2005 supplemental estimate .....	5,316,405,000
House allowance .....	6,549,905,000
Committee recommendation .....	5,322,905,000

The Committee recommends \$5,322,905,000 for Other Procurement, Army. The recommendation is \$6,500,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
Tactical Trailers/Dolly Sets .....	6,051
Semitrailer, Flatbed .....	712
Hi Mob Multi-Purp Whld Veh (HMMWV) .....	320,827
Family of Medium Tactical Vehicles (FMTV) .....	334,432
Family of Heavy Tactical Vehicles .....	309,577
Armored Security Vehicle (ASV) .....	550,300
Mine Protection Vehicle Family .....	24,950
Truck, Tractor, Lane Haul, M915/M916 .....	10,384
Heavy Expanded Mobile Tactical Truck Ext Serv Program .....	90,270
HMMWV Recapitalization Program .....	122,594
Modification of In Service Equip (Add-on Armor Kits; Gunner Protective Kit; Roll-over Protection Kits) .....	562,900
SHF TERM .....	27,000
NAVSTAR-GPS .....	27,800
Army Data Distribution System .....	29,130
SINCGARS Family .....	718,856
Bridge to Future Networks .....	432,300
Radio Improved HF Family .....	119,300
Army Key Management System (AKMS) .....	19,000
VV Technical Control Improvement Program .....	26,000
Information Systems .....	50,000
All Source Analysis System .....	27,385
Prophet .....	94,884
TUAV .....	172,700
Digitized Topographic Support System .....	11,200
Distributed Common Ground System—Army .....	840
MOD-In-SVC (Intel Spt) .....	4,800
CI Humint Info Management System .....	30,800
Items Less Than \$5 Million (Trojan Spirit) .....	60,050
Warlock IED Jammers .....	25,000
Sentinel .....	3,235
Night Vision Devices .....	37,629
Long Range Adv Scout Surveillance System .....	48,870
Night Vision Thermal Weapon Sight .....	2,835
JLENS Family .....	74,100
Artillery Accuracy EQ .....	10,900
Profiler .....	24,600
MOD-M-SVC-EQ (Firefinder Radars) .....	20,200
Lightweight Laser Designator/Range Finder .....	31,000
Computer Ballistics: LHMBC .....	7,232
Mortar Fire Control System .....	66,500
Tactical Operations Center .....	71,900
Advanced Field Artillery Tactical (Data Sys) .....	10,950
Battle Command Sustainment Support System .....	43,450
FAAD C2 .....	66,000
Knight Family .....	38,400
Maneuver Control System (MCS) .....	30
Tactical Bridge Float Ribbon .....	1,556
Items Less Than \$5 Million (Eng Spt Eq) .....	110
Distribution System Petroleum and Water .....	36,400
Water Purification System .....	50,205
Combat Support Medical .....	300
Shop Equipment Contact Maint Truck .....	48,011
Welding Shop, Trailer MTD .....	4,452
Items Less Than \$5 Million (Maint Eq) .....	462
Loaders .....	1,780
Tractor, Full Tracked .....	1,480
Generators and Associated Equipment .....	79,866
Rough Terrain Handler .....	1,000
Calibration Sets .....	13,250

[In thousands of dollars]

	Committee recommendation
Integrated Family Of Test Equipment .....	8,210
Test Equipment Modernization (Spectrum Analyzer TEMOD) .....	3,300
Building, Pre-Fab, Relocatable .....	252,550
Classified Programs .....	52,100
Total .....	5,322,905

*Electronic Jammers (Warlocks).*—The Committee is concerned that the supplemental request contains no funding for the electronic jammers used to combat remote-controlled bombs in Iraq when the Army is drastically short of the number of jammers required for force protection in theater. While the Committee recommends the Army for working to deploy “next-generation” electronic jamming systems later this year, the Committee believes the Army needs to aggressively pursue the deployment of existing Improvised Explosive Device [IED] countermeasures. To accelerate the fielding of existing technology, the Committee provides \$25,000,000 for Warlock electronic jamming systems.

#### AIRCRAFT PROCUREMENT, NAVY

2005 appropriation to date .....	\$8,912,042,000
2005 supplemental estimate .....	200,295,000
House allowance .....	200,295,000
Committee recommendation .....	200,295,000

The Committee recommends \$200,295,000 for Aircraft Procurement, Navy. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
EA-6B Series Mods .....	11,000
AV-8B Series Mods .....	1,600
F/A-18 Series Mods .....	49,780
AH-1W Series Mods .....	1,790
H-53 Series Mods .....	40,500
SH-60 Series Mods .....	19,030
H-1 Series Mods .....	1,651
EP-3 Series Mods .....	13,000
P-3 Series Mods P-3C AIP Critical Components .....	8,400
C-130 Series Mods .....	12,417
Common ECM Equipment .....	24,907
Common Ground Equipment .....	5,220
War Consumables Aircraft Armament Equipment .....	11,000
Total .....	200,295

#### WEAPONS PROCUREMENT, NAVY

2005 appropriation to date .....	\$2,114,720,000
2005 supplemental estimate .....	71,600,000
House allowance .....	71,600,000
Committee recommendation .....	66,000,000

The Committee recommends \$66,000,000 for Weapons Procurement, Navy. The recommendation is \$5,600,000 below the estimate.

[In thousands of dollars]

	Committee recommendation
Hellfire .....	43,000
Small Arms and Weapons .....	23,000
Total .....	66,000

### PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

2005 appropriation to date .....	\$888,340,000
2005 supplemental estimate .....	133,635,000
House allowance .....	141,735,000
Committee recommendation .....	133,635,000

The Committee recommends \$133,635,000 for Procurement of Ammunition, Navy and Marine Corps. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Air Expendable Countermeasures .....	11,000
76 MM Gun Ammunition .....	1,697
Other Ship Gun Ammunition .....	4,060
Small Arms & Landing Party Ammo .....	20,959
Pyrotechnic and Demolition .....	1,276
Ammunition Less Than \$5 Million .....	2,350
5.56 MM, All Types .....	3,626
7.62 MM, All Types .....	2,044
Linear Charges, All Types .....	8,620
.50 Caliber .....	3,810
40 MM, All Types .....	7,100
60 MM, All Types .....	3,277
81 MM, All Types .....	9,625
120 MM, All Types .....	18,634
CTG 25 MM, All Types .....	4,654
9 MM All Types .....	85
Grenades, All Types .....	5,900
Rockets, All Types .....	2,766
Artillery, All Types .....	8,432
Demolition Munitions, All Types .....	9,163
Fuze, All Types .....	4,516
Items Less Than \$5 Million .....	41
Total .....	133,635

### OTHER PROCUREMENT, NAVY

2005 appropriation to date .....	\$4,875,786,000
2005 supplemental estimate .....	85,672,000
House allowance .....	78,372,000
Committee recommendation .....	78,397,000

The Committee recommends \$78,397,000 for Other Procurement, Navy. The recommendation is \$7,275,000 below the estimate.

[In thousands of dollars]

	Committee recommendation
MATCALs .....	2,830
Gun Fire Control Equipment .....	600
Passenger Carrying Vehicles .....	220

[In thousands of dollars]

	Committee recommendation
Construction & Maintenance Equip .....	5,360
Tactical Vehicles .....	28,227
Items Under \$5 Million .....	12,300
Command Support Equipment .....	500
Medical Support Equipment .....	1,300
C4ISR Equipment .....	920
Physical Security Equipment .....	26,140
Total .....	78,397

## PROCUREMENT, MARINE CORPS

2005 appropriation to date .....	\$1,432,203,000
2005 supplemental estimate .....	2,974,045,000
House allowance .....	3,588,495,000
Committee recommendation .....	2,929,045,000

The Committee recommends \$2,929,045,000 for Procurement, Marine Corps. The recommendation is \$45,000,000 below the estimate.

[In thousands of dollars]

	Committee recommendation
AAV7A1 PIP .....	43,486
LAV PIP .....	343,210
Improved Recovery Vehicle [IRV] .....	13,850
Modification Kits (Armor and Fire Support) .....	10,400
Marine Enhancement Program .....	877
Weapons and Combat Vehicles Under \$5 Million .....	28,790
Modular Weapon System .....	14,700
Operations Other Than War .....	32,270
Javelin .....	34,540
Modification Kits .....	41,800
Unit Operations Center .....	113,500
Repair and Test Equipment .....	370
General Purpose Tools & Test Systems .....	5,910
Global Combat Support System .....	35,550
Items Under \$5 Million (Comm & Elec) .....	900
Air Operations C2 Systems .....	8,210
Joint Tactical Radio Systems .....	1,990
RADAR SET AN/TPS-59 .....	25,970
Fire Support System .....	42,770
Small Unit Remote Scouting System [SURSS] .....	500
Intelligence Support Equipment .....	21,290
Mod Kits (INTEL) .....	80
Visual Information Systems [VIS] .....	19,630
Night Vision Equipment .....	481,650
Common Computer Resources .....	44,160
Command Post Systems .....	3,270
Radio Systems .....	239,270
Comm Switching & Control Systems .....	64,910
Comm & Elec Infrastructure Support .....	3,240
Commercial Passenger Vehicles .....	5,000
Commercial Cargo Vehicles .....	1,160
5/4T Truck HMMWV .....	186,780
Motor Transport Modifications .....	289,100
Medium Tactical Vehicle Replacement .....	199,400
Logistics Vehicle System Rep (Note: Only for Interim Heavy Fleet Capability.) .....	111,140
Family of Tactical Trailers .....	19,800
Items Less Than \$5 Million .....	4,400
Environmental Control Equip Assort .....	6,690

[In thousands of dollars]

	Committee recommendation
Bulk Liquid Equipment .....	28,470
Tactical Fuel Systems .....	22,260
Nitrile Rubber Collapsible Storage Units .....	2,400
Demolition Support Systems .....	7,280
Power Equipment Assorted .....	40,580
Amphibious Raid Equipment .....	91,210
Material Handling Equip .....	27,580
Family of Incident Response .....	80
Family of EOD Equipment .....	107,672
Training Devices .....	42,460
Container Family .....	1,170
Family of Construction Equipment .....	35,020
Family of Internally Transportable Veh [ITV] .....	760
Bridge Boats .....	12,550
Modification Kits .....	1,170
Items Less Than \$5 Million .....	6,020
Classified Program .....	1,800
<b>Total .....</b>	<b>2,929,045</b>

### AIRCRAFT PROCUREMENT, AIR FORCE

2005 appropriation to date .....	\$13,648,304,000
2005 supplemental estimate .....	269,241,000
House allowance .....	279,241,000
Committee recommendation .....	269,309,000

The Committee recommends \$269,309,000 for Aircraft Procurement, Air Force. The recommendation is \$68,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
ATP/Rover PACMAN-Integrated Air-to-Ground Imaging .....	2,700
C-17 Large Aircraft Infrared Countermeasures .....	95,000
C-5 Missile Warning System .....	3,800
C-40 Large Aircraft Infrared Countermeasures .....	63,600
Improved Ballistic Armor Sub-System [I-BASS] .....	1,700
TARS .....	11,800
Improved Hoover Infrared Suppression System [I-HRSS] .....	4,700
A-10 Extended Duration Covert Infrared Countermeasures System .....	12,400
C-130 Large Aircraft Infrared Countermeasures .....	25,000
Joint STARS Blue Force Situational Awareness .....	11,000
WRM Aerospace Ground Equipment Rotational Bomber Bed Down .....	3,000
SENIOR SCOUT Aircraft Units .....	1,000
Global Hawk Mission Support Kit Spares .....	16,500
Global Hawk Production Delay and Disruption .....	1,800
U-2 SYERS-2 .....	6,800
National Airborne Operations Center [NAOC] .....	8,441
Red Horse Response Equipment (Transfer from OPAF) .....	68
<b>Total .....</b>	<b>269,309</b>

### PROCUREMENT OF AMMUNITION, AIR FORCE

2005 appropriation to date .....	\$1,327,459,000
2005 supplemental estimate .....	6,998,000
House allowance .....	6,998,000
Committee recommendation .....	6,998,000

The Committee recommends \$6,998,000 for Procurement of Ammunition, Air Force. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Rifles .....	4,100
Demolition Munitions .....	2,898
Total .....	6,998

#### OTHER PROCUREMENT, AIR FORCE

2005 appropriation to date .....	\$13,071,297,000
2005 supplemental estimate .....	2,834,328,000
House allowance .....	2,658,527,000
Committee recommendation .....	2,653,760,000

The Committee recommends \$2,653,760,000 for Other Procurement, Air Force. The recommendation is \$180,568,000 below the estimate.

[In thousands of dollars]

	Committee recommendation
Night Vision Goggles .....	2,900
Battlefield Laser Rangefinder .....	1,200
STEEL EAGLE .....	15,000
Cargo Pallets and Nets .....	43,957
Battlefield Development Course .....	1,429
Survival Radios .....	8,864
Red Horse Response Equipment (Transfer to APAF) .....	3,298
Special Purpose Vehicles .....	13,807
Red Horse Vehicles .....	19,220
Emergency Response Vehicles .....	160
EOD Tactical Radios .....	7,500
EOD Robotic System .....	285
EOD Systems .....	163
Deployable Independent Communication Element .....	4,000
Weather Observation Equipment .....	4,860
TPN-19 Radar Spares .....	2,400
Thermal Imaging Equipment .....	1,621
X-Ray Equipment .....	2,100
Chemical Agent Monitor .....	1,250
Predator Receive Terminal .....	1,500
Medical Equipment .....	1,147
Rivet Joint Support Equipment .....	2,500
SATCOM equipment .....	1,500
ARGUS sensors .....	7,700
HEU sensors .....	15,600
Distributed Common Ground System .....	95,000
Classified Programs .....	2,394,799
Total .....	2,653,760

#### PROCUREMENT, DEFENSE-WIDE

2005 appropriation to date .....	\$2,956,047,000
2005 supplemental estimate .....	591,327,000
House allowance .....	646,327,000
Committee recommendation .....	591,327,000

The Committee recommends \$591,327,000 for Procurement, Defense-Wide. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
ISSP .....	4,400
GCCS—Joint .....	2,700
Teleports Program .....	4,500
Items Less Than \$5 Million .....	14,700
Classified Programs .....	105,500
SOCOM—Rotary Wing Upgrades and Sustainment .....	4,800
Combat Talon II .....	30,000
C-130 Mods .....	2,700
SOF Ordnance .....	91,000
Communications Equipment and Electronics .....	27,900
SOF Intelligence Systems .....	6,700
Small Arms and Weapons .....	104,100
SOF Combatant Craft Systems .....	8,000
Tactical Vehicles .....	27,200
Theater Sets .....	16,000
SOF Operational Enhancements .....	78,800
Electro-Optical/Infrared Ground Sensors .....	23,400
Chemical-Biological Defense Program—Individual Protection .....	7,000
Decontamination .....	8,000
Collective Protection .....	8,500
Contamination Avoidance .....	15,427
Total .....	591,327

### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The Committee recommends appropriations totaling \$552,322,000 in various research, development, test and evaluation accounts. The recommendation is \$92,000,000 above the estimate. The Committee recommendation would provide funds that support Army modularity, force protection, equipment improvements, and classified activities. The Committee has displayed line item recommendations in tables presented under each account. A summary of Committee recommended research, development, test and evaluation appropriations is provided below:

[In thousands of dollars]

Account	Request	Committee recommendation	Change from request
Research, Development, Test and Evaluation, Army .....	25,170	37,170	+ 12,000
Research, Development, Test and Evaluation, Navy .....	179,051	179,051	.....
Research, Development, Test and Evaluation, Air Force .....	102,540	132,540	+ 30,000
Research, Development, Test and Evaluation, Defense-Wide .....	153,561	203,561	+ 50,000
Total Research, Development, Test and Evaluation .....	460,322	552,322	+ 92,000

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

2005 appropriation to date .....	\$10,698,989,000
2005 supplemental estimate .....	25,170,000
House allowance .....	25,170,000
Committee recommendation .....	37,170,000

The Committee recommends \$37,170,000 for Research, Development, Test and Evaluation, Army. The recommendation is \$12,000,000 above the estimate.



[In thousands of dollars]

	Committee recommendation
Combating Terrorism, Technology Development for IED Detection .....	17,170
Close-in APS for Stryker .....	12,000
Maneuver Control System .....	3,000
Force XXI Battle Command BDE and Below .....	200
Classified Program .....	4,800
Total .....	37,170

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

2005 appropriation to date .....	\$17,043,812,000
2005 supplemental estimate .....	179,051,000
House allowance .....	202,051,000
Committee recommendation .....	179,051,000

The Committee recommends \$179,051,000 for Research, Development, Test and Evaluation, Navy. The recommendation is equal to the estimate.

[In thousands of dollars]

	Committee recommendation
Improvised Explosive Device [IED] Defeat Demonstration .....	20,171
CH-53 Directional Infra Red Counter Measures .....	14,900
Improvised Explosive Device [IED] Defeat .....	6,320
Classified Program .....	137,660
Total .....	179,051

*DD(X) Integrated Power System.*—Land-based testing of the Integrated Power System for DD(X), the next-generation Navy destroyer, is scheduled for this summer. During this testing, the Navy plans to use a fall back motor option instead of the Permanent Magnet Motor [PMM] being developed as part of the DD(X) program. The Committee is aware the PMM is significantly lighter and smaller than the fall back option and is much more efficient than any other motor option. The Committee, therefore, directs the Navy to continue PMM development efforts and evaluate conducting land-based testing of the PMM prior to Production Readiness Review [PRR].

## RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

2005 appropriation to date .....	\$20,890,922,000
2005 supplemental estimate .....	102,540,000
House allowance .....	121,500,000
Committee recommendation .....	132,540,000

The Committee recommends \$132,540,000 for Research, Development, Test and Evaluation, Air Force. The recommendation is \$30,000,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
Global Hawk Upgrades .....	39,740
Classified Programs .....	89,700

[In thousands of dollars]

	Committee recommendation
Other Items .....	3,100
Total .....	132,540

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

2005 appropriation to date .....	\$20,983,624,000
2005 supplemental estimate .....	153,561,000
House allowance .....	159,600,000
Committee recommendation .....	203,561,000

The Committee recommends \$203,561,000 for Research, Development, Test and Evaluation, Defense-Wide. The recommendation is \$50,000,000 above the estimate.

[In thousands of dollars]

	Committee recommendation
Quick Reaction Special Projects .....	13,100
Long Lead Items for Test GBIs .....	50,000
Classified Programs .....	140,461
Total .....	203,561

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

2005 appropriation to date .....	\$1,174,210,000
2005 supplemental estimate .....	1,311,300,000
House allowance .....	1,411,300,000
Committee recommendation .....	1,311,300,000

The Committee recommends \$1,311,300,000 for Defense Working Capital Funds. The recommendation is equal to the estimate. The amounts provided are to be allocated as follows:

[In thousands of dollars]

	Recommendation
Defense Logistics Agency Fuel Costs .....	842,300
Military Sealift Command Fuel Costs .....	67,000
Defense Logistics Agency Fuel Delivery Costs .....	402,000

**NATIONAL DEFENSE SEALIFT FUND**

2005 appropriation to date .....	\$1,204,626,000
2005 supplemental estimate .....	32,400,000
House allowance .....	32,400,000
Committee recommendation .....	32,400,000

The Committee recommends \$32,400,000 for the National Defense Sealift Fund. The recommendation is equal to the estimate.

## OTHER DEPARTMENT OF DEFENSE PROGRAMS

## DEFENSE HEALTH PROGRAM

2005 appropriation to date .....	\$18,171,436,000
2005 supplemental estimate .....	175,550,000
House allowance .....	175,550,000
Committee recommendation .....	225,550,000

The Committee recommends \$225,550,000 for the Defense Health Program. The recommendation is \$50,000,000 above the estimate. The Committee recommends that the additional \$50,000,000 be directed to the Army to address funding shortfalls for military treatment facilities [MTFs].

## CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, ARMY

The Committee is concerned with the status of the Chemical Demilitarization program. The cost of operations and development of new facilities is growing at a disturbing rate. The increasing expenses when combined with delays in developing the Blue Grass and Pueblo Chemical Munitions Disposal Facilities are placing the nation's ability to meet the Chemical Weapons Convention Treaty requirements at risk. The Committee believes the Chemical Demilitarization program will require significantly more funding to comply with the Treaty.

Further, the Committee understands the Department of Defense is conducting a study of the program to determine options to address the cost growth and funding issues. While the Committee understands the need to perform a review to address challenges that arise, the Committee does not support the use of appropriated funds for any studies that consider transporting chemical munitions across state lines. Also, the Committee directs the Department to continue operations to destroy chemical munitions and continue to develop new sites while the study is on-going. The Treaty timelines are too constrained to permit the Newport plant to be idle or to delay development of the Blue Grass and Pueblo facility sites. Further, the Committee expects that all of the planned sites will be developed and operated to include Blue Grass and Pueblo and instructs the Department of Defense to begin obligation of funds at Blue Grass and Pueblo immediately. The Committee has included Section 1115 to address these matters.

The Committee directs the Department of Defense to prepare a report to be delivered to the congressional defense committees not later than 90 days after enactment of this Act, that (1) addresses the funding required by year to develop, operate and complete the Chemical Demilitarization program within Treaty requirements, (2) provides the Department's plan to fully fund the program in order to comply with the Treaty, (3) describes the Department's plan for each of the known sites or facilities (Tooele, Anniston, Umatilla, Pine Bluff, Aberdeen, Newport, Blue Grass, and Pueblo), and (4) addresses whether the Army should have executive agent responsibility for Assembled Chemical Weapons Alternatives [ACWA]. The Committee also directs the Department of Defense to submit a report detailing the current status of obligations and expenditures at both sites covered under the ACWA program. This report shall be

provided to the Defense Committees 60 days following enactment and every 60 days thereafter until the funds are fully expended.

#### DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

##### (INCLUDING TRANSFER OF FUNDS)

2005 appropriation to date .....	\$906,522,000
2005 supplemental estimate .....	257,000,000
House allowance .....	257,000,000
Committee recommendation .....	227,000,000

The Committee recommends \$227,000,000 for Drug Interdiction and Counter-Drug Activities, Defense for programs only in Afghanistan and Pakistan. This is \$30,000,000 below the administration's request. The Committee is disappointed that the Department utilized National Guard counter-drug program funds to initiate programs in South West Asia and insists that the Guard accounts be replenished as soon as possible.

#### OFFICE OF THE INSPECTOR GENERAL

2005 appropriation to date .....	\$204,562,000
2005 supplemental estimate .....	148,000
House allowance .....	148,000
Committee recommendation .....	148,000

The Committee recommends \$148,000 for the Office of the Inspector General. The recommendation is equal to the estimate.

#### RELATED AGENCY

##### INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

2005 appropriation to date .....	\$310,466,000
2005 supplemental estimate .....	250,300,000
House allowance .....	250,300,000
Committee recommendation .....	89,300,000

The Committee recommends \$89,300,000 for the Intelligence Community Management Account. The recommendation is \$161,000,000 below the estimate.

#### GENERAL PROVISIONS, THIS CHAPTER

##### SPECIAL TRANSFER AUTHORITY

SEC. 1101. The Committee recommendation includes a provision for transfer between appropriations of up to \$2,000,000,000 of funds in this Act, and provides that transfer authority 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 provided in section 8005 of the Department of Defense Appropriations Act, 2005.

##### GENERAL TRANSFER AUTHORITY

SEC. 1102. The Committee recommendation amends section 8005 of the Department of Defense Appropriations Act, 2005, to increase transfer authority up to \$5,685,000,000.

## COUNTER-DRUG ACTIVITIES

SEC. 1103. The Committee recommendation includes a provision that funds made available in “Drug Interdiction and Counter-Drug Activities, Defense” be available for counter-narcotics assistance only for the Governments of Afghanistan and Pakistan.

## EXTRAORDINARY AND EMERGENCY EXPENSES

SEC. 1104. The Committee recommendation includes a provision for \$43,000,000 for extraordinary and emergency expenses in order to support emergent requirements associated with the ongoing war on terrorism.

## ADVANCE BILLING

SEC. 1105. The Committee recommendation includes a provision that working capital funds of the Department of Defense may utilize advance billing in a total amount not to exceed \$1,500,000,000.

## WEAPONS PURCHASE AND DISPOSAL

SEC. 1106. The Committee recommendation includes a provision that the Department of Defense may use Operation and Maintenance, Defense-Wide funds, not to exceed \$10,000,000, for the purchase and disposal of weapons from any person, foreign government, international organization or other entity, for the purpose of protecting U.S. forces overseas.

## COMMANDER’S EMERGENCY RESPONSE PROGRAM

SEC. 1107. The Committee recommendation includes a provision amending the National Defense Authorization Act for Fiscal Year 2005 by increasing the amount of funds provided for the Commander’s Emergency Response Program [CERP] to \$854,000,000.

## CLASSIFIED PROGRAM

SEC. 1108. The Committee recommendation includes a provision to increase the amount of funds pursuant to section 8090(b) in Public Law 108–287 by \$25,000,000.

## OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

SEC. 1109. The Committee recommendation includes a provision for the Director of National Intelligence [DNI] with language requested with respect to filling additional positions authorized for the Office of the DNI.

## RESERVE AFFILIATION BONUS

SEC. 1110. The Committee recommendation includes a provision for authority to increase the maximum amount of the reserve affiliation bonus not to exceed \$10,000.

## SERVICEMEMBERS’ GROUP LIFE INSURANCE

SEC. 1111. The Committee recommendation includes a provision amending title 38 to increase the maximum amount payable under Servicemembers’ Group Life Insurance to an amount of \$400,000.

## DEATH GRATUITY

SEC. 1112. The Committee recommendation includes a provision amending title 10 to increase the death gratuity payment to an amount of \$100,000 in cases when death results from wounds, injuries, or illness that are combat related or occurs in a combat operation or combat zone.

## INTELLIGENCE ACTIVITIES AUTHORIZATION

SEC. 1113. The Committee recommendation includes a provision deeming funds appropriated or made available by transfer in this Act for intelligence activities be authorized by Congress.

## PROHIBITION OF NEW START PROGRAMS

SEC. 1114. The Committee recommendation includes a provision prohibiting the initiation of new start programs without prior congressional approval.

## CHEMICAL WEAPONS DEMILITARIZATION

SEC. 1115. The Committee recommendation includes a provision prohibiting the obligation or expenditure of funds to finance directly or indirectly any study related to the transportation of chemical weapons across State lines.

## PHILADELPHIA REGIONAL PORT AUTHORITY

SEC. 1116. The Committee recommendation includes a provision for a grant to the Philadelphia Regional Port Authority.

## CONTINUITY OF GOVERNMENT TRANSPORTATION

SEC. 1117. The Committee recommendation includes a provision regarding transportation of officers and employees of the Executive Office of the President to facilitate continuity of government.

## LPD-17 COST ADJUSTMENT

SEC. 1118. The Committee recommendation includes a provision that transfers \$19,000,000 from the LCU(X) to the LPD-17 program.

PROHIBITION ON COMPETITION OF THE NEXT GENERATION DESTROYER  
(DD(X))

SEC. 1119. The Committee recommendation includes a provision prohibiting funds from being used to implement a winner-take-all strategy for the acquisition of DD(X), the next generation Navy destroyer.

## CIVILIAN PAY

SEC. 1120. The Committee recommendation includes a provision that limits funds from being used for any pay raise that is based on an employee's status as a career or non-career employee.

## INDUSTRIAL MOBILIZATION CAPACITY

SEC. 1121. The Committee recommendation includes a provision that designates funding for Industrial Mobilization Capacity at Rock Island Arsenal.

## CHAPTER 2

SUBCOMMITTEE ON MILITARY CONSTRUCTION AND VETERANS  
AFFAIRS, AND RELATED AGENCIES

## DEPARTMENT OF DEFENSE

## MILITARY CONSTRUCTION

The Committee carefully reviewed the Department's request for emergency military construction funds. In addition to scrutinizing the detailed proposal for each project, the Committee reviewed the request with two broad criteria in mind: whether the proposed spending is truly of an emergency nature, and whether the construction of permanent facilities (where proposed), rather than those of a more expeditionary nature, is appropriate.

Emergency funding is appropriate in limited circumstances. The need must have been impossible to anticipate in time for inclusion in a regular budget request, or of such an urgent nature that construction of a facility must begin before regular appropriations would be available. Construction projects by their nature have long lead times and meeting the "emergency nature" test is difficult. This becomes increasingly true the longer the Global War on Terror endures and operations approach a more steady state.

The question of permanence also bears on whether supplemental emergency funding is appropriate. In some cases (e.g., construction of a runway for heavy aircraft) it may not be possible to distinguish usefully between temporary and permanent facilities. But in many cases useful distinctions can be made. Given the expeditionary nature of our Nation's efforts in Southwest Asia, the Committee would expect temporary facilities to be the rule rather than the exception. The Committee recognizes that some facilities may support longer-term plans for an enduring presence in the region, but the very fact that such projects are part of long-term planning argues against their inclusion in an emergency appropriation. The nature of the United States' long-term presence in the region remains largely undecided and should be determined before extensive investments in permanent facilities are made. Generally, projects intended to support a longer-term enduring presence should be requested in the normal budget process, in which both authorization and appropriations committees have an opportunity to carefully consider the request.

With these criteria in mind, the Committee recommends supporting much, but not all, of the Department's request. The Committee believes that all the proposed projects have merit and ultimately would provide useful capability in the field, but this is an insufficient test for determining whether appropriations should be provided on an emergency basis outside the normal authorization and appropriations process.

## MILITARY CONSTRUCTION, ARMY

2005 appropriation to date .....	\$1,962,108,000
2005 supplemental estimate .....	990,100,000
House allowance .....	930,100,000
Committee recommendation .....	897,191,000

The Committee recommends \$897,191,000 for Military Construction, Army, which is \$92,909,000 below the administration's request. Funds are provided as follows:

Location	Project description	Budget request	Committee recommendation
Alaska: Fort Wainwright .....	Aircraft Maintenance Hangar .....	\$31,000,000	\$31,000,000
Alaska: Fort Wainwright .....	Site Preparation and Utility Work .....	11,000,000	11,000,000
Colorado: Fort Carson .....	Barracks—Mobilization and Training .....	26,000,000	26,000,000
Georgia: Fort Benning .....	Site Preparation and Utility Work .....	10,000,000	10,000,000
Kansas: Fort Riley .....	Barracks—Mobilization and Training .....	22,000,000	22,000,000
Kansas: Fort Riley .....	Site Preparation and Utility Work .....	25,000,000	25,000,000
New York: Fort Drum .....	Aircraft Hangar and Site Preparation .....	37,000,000	37,000,000
North Carolina: Fort Bragg .....	Site Preparation and Utility Work .....	19,000,000	19,000,000
Texas: Fort Bliss .....	Barracks—Mobilization and Training .....	22,000,000	22,000,000
Texas: Fort Bliss .....	Site Preparation and Utility Work .....	47,000,000	47,000,000
Afghanistan: Bagram Airfield .....	CMU Barracks .....	16,100,000	16,100,000
Afghanistan: Bagram Airfield .....	Fuel Tank Farm .....	57,000,000	.....
Afghanistan: Bagram Airfield .....	JSOTF—A Joint Operations Center .....	6,400,000	6,400,000
Afghanistan: Bagram Airfield .....	Prime Power Generation .....	31,600,000	.....
Afghanistan: Kandahar Airfield .....	Ammunition Supply Point .....	16,000,000	16,000,000
Cuba: Guantanamo Naval Station .....	Camp 6 Detention Facility .....	36,000,000	36,000,000
Cuba: Guantanamo Naval Station .....	Radio Range Security Fence .....	4,400,000	4,400,000
Iraq: Camp Hope .....	CMU Barracks .....	2,500,000	2,500,000
Iraq: Camp Taji .....	CMU Barracks .....	24,600,000	24,600,000
Iraq: Camp Warrior .....	Medical Facility .....	7,500,000	7,500,000
Iraq: Camp Warrior .....	Tactical Operations Building .....	6,100,000	6,100,000
Iraq: LSA Anaconda .....	Battalion & Company HQ .....	7,800,000	7,800,000
Iraq: LSA Anaconda .....	Equipment Support Activity .....	17,100,000	17,100,000
Iraq: LSA Anaconda .....	Hospital Facility .....	39,000,000	39,000,000
Iraq: Marez .....	CMU Barracks .....	9,300,000	9,300,000
Iraq: Marez .....	Combat Support Hospital .....	9,900,000	9,900,000
Iraq: Marez .....	Troop Medical Clinic .....	2,900,000	2,900,000
Iraq: Muthanna .....	Muthanna Bunkers .....	11,300,000	11,300,000
Iraq: Various Locations .....	CMU Barracks .....	55,200,000	55,200,000
Iraq: Various Locations .....	Main Supply Route Aspen .....	36,000,000	36,000,000
Iraq: Various Locations .....	Overhead Cover System .....	300,000,000	300,000,000
Worldwide Unspecified .....	Planning and Design .....	43,400,000	39,091,000
Total .....	.....	990,100,000	897,191,000

*Fuel Tank Farm, Bagram, Afghanistan.*—The Army proposes expending \$57,000,000 to construct a fuel tank farm at Bagram Airfield, Afghanistan. Justification documents note that the current facility uses fuel bladders that must be replaced at an annualized cost of \$1,500,000. The time required to recover the costs of this project will thus take a number of years beyond the current planning horizon. It's possible that plans could evolve for a longer-term presence at Bagram that would better justify this expenditure, but in that event this project should be considered in the regular authorization and appropriation process. The Committee recommends no funds for this project.

*Prime Power Generation, Bagram, Afghanistan.*—The Army proposes expending \$31,600,000 for prime power generation at Bagram Airfield, Afghanistan. A field visit to Bagram confirmed that there is no construction involved in this project, which would



simply replace leased diesel generators with purchased generators. For this reason, this project should be funded under the procurement account rather than military construction.

Moreover, there was virtually no lucid justification offered for this project. Army and Central Command officials could not provide the Committee with consistent data regarding current leasing expenses and how long it would take to recoup the costs of procuring new generators. Although the Form 1391 cited poor air quality caused by the current generators' exhaust as justification for this project, the nearly identical purchased generators, which the Army plans to site in the same location, would not mitigate this problem. And although the Army plans to create an industrial area at Bagram, it has no plans to move power generation to this area, even though the generators are immediately adjacent to billeting areas.

The fuel farm and power plant projects are symptomatic of what the Committee perceives as a lack of coherent master planning for facilities at Bagram. The Committee recognizes that, under combat conditions, expediency is necessarily a prime factor in establishing facilities in the field. However, as our Nation makes the transition to a more steady state of operations in the Global War on Terror, and as facilities are reshaped from an expeditionary to an enduring character, more methodical facility planning must take hold. Bagram Airfield promises to be an important and perhaps enduring location in the future, but there is little evidence of coherent master planning, fully coordinated between the Army and the Air Force, for this facility. The Committee believes such a plan is necessary before it can recommend significant further investment at this base.

*Aircraft Hangar, Fort Drum, New York.*—The Army is embarked on a rapid reorganization of its combat forces into 43 Brigade Combat Team (Units of Action). Although reorganizational efforts would not normally be considered emergencies, the Committee has supported this "Modularity" initiative because of the Army's assurances that the effort was crucial to properly training and equipping forces rotating in and out of Southwest Asia in support of the Global War on Terror. Indeed, to date, all facilities for this effort have been temporary, supporting the notion that this effort could not wait. However, the proposed aircraft hangar at Fort Drum is not a temporary facility and does not directly support the Modularity effort. Rather, it is part of a separate effort to transform Army aviation, one that, while important, has been funded through the normal authorization and appropriations process.

The Committee has similar concerns about the proposed \$70,000,000 expense for Operational Readiness Training Barracks, also permanent facilities requested under the rubric of Modularity. However because these barracks will be located at bases hosting units involved in the rotation of forces into and out of Southwest Asia, the Committee believes these facilities have a more direct connection to the ongoing war effort. The Committee cautions, however, that the Department has now had ample time to incorporate requirements to support Modularity into its annual budget requests. The Committee is unlikely to regard supplemental appro-

priations as an appropriate vehicle for future efforts supporting Modularity.

#### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

2005 appropriation to date .....	\$1,045,947,000
2005 supplemental estimate .....	107,380,000
House allowance .....	92,720,000
Committee recommendation .....	107,380,000

The Committee recommends \$107,380,000 for Military Construction, Navy and Marine Corps, an amount equal to the administration's request. Funds are provided as follows:

Location	Project description	Budget request	Committee recommendation
California: Camp Pendleton .....	Force Recon Operations Complex ....	\$4,980,000	\$4,980,000
California: Camp Pendleton .....	Force Intel Operations Center .....	8,700,000	8,700,000
California: Twenty-Nine Palms .....	Light Armored Reconnaissance Company Operations/BEQ.	11,900,000	11,900,000
North Carolina: Camp Lejeune .....	Modify Force Recon Operations Complex.	3,240,000	3,240,000
North Carolina: Camp Lejeune .....	Infantry Battalion Bachelor Enlisted Quarters.	30,480,000	30,480,000
North Carolina: Camp Lejeune .....	Infantry Battalion Maintenance Facility.	5,880,000	5,880,000
North Carolina: Camp Lejeune .....	Modify LAR Operations Complex ....	3,840,000	3,840,000
Djibouti: Camp Lemonier .....	Personnel Billeting .....	27,710,000	27,710,000
Djibouti: Camp Lemonier .....	Security Fence .....	2,760,000	2,760,000
Worldwide Unspecified .....	Planning and Design .....	7,890,000	7,890,000
Total .....	.....	107,380,000	107,380,000

*Force Structure Review Group.*—The Marine Corps request includes \$75,000,000 for facilities to support restructuring initiated under the Force Structure Review Group. Like the Army Modularity effort, this restructuring is intended to enable the Marine Corps to better support ongoing operations in the Global War on Terror. The Committee supports this effort, but as with the Army's, is concerned about the practice of reorganizational efforts being deemed emergencies and funded via supplemental appropriations. Moreover, the Committee is concerned that this request funds only half of the requirements identified by the Marine Corps, with the rest to come in the regular appropriation cycle. The Committee has difficulty understanding how only part of this effort can be an emergency. Notwithstanding these concerns, and recognizing the burdens shouldered by the Marine Corps in the ongoing Global War on Terror, the Committee recommends funding these projects, but directs the Department to incorporate further such requests into the regular budget process.

#### MILITARY CONSTRUCTION, AIR FORCE

2005 appropriation to date .....	\$844,531,000
2005 supplemental estimate .....	301,520,000
House allowance .....	301,386,000
Committee recommendation .....	140,983,000

The Committee recommends \$140,983,000 for Military Construction, Air Force, which is \$160,537,000 below the administration's request. Funds are provided as follows:

Location	Project description	Budget request	Committee recommendation
Afghanistan: Bagram Air Base .....	Cargo Handling Area .....	\$1,800,000	\$1,800,000
Afghanistan: Bagram Air Base .....	Coalition Force Ramp .....	1,400,000	1,400,000
Afghanistan: Bagram Air Base .....	Control Tower .....	10,200,000	10,200,000
Afghanistan: Bagram Air Base .....	East Side Ramp/Support Facilities/ Infrastructure.	17,600,000	17,600,000
Iraq: Balad Air Base .....	Cargo/Marshalling Area .....	15,000,000	15,000,000
Iraq: Balad Air Base .....	CSAR/JSOAD/MEDEVAC Alert Com- pound.	8,000,000	8,000,000
Iraq: Balad Air Base .....	Hot Cargo Pad .....	3,500,000	3,500,000
Iraq: Balad Air Base .....	Munitions Roads .....	2,700,000	2,700,000
Iraq: Balad Air Base .....	Repair/Install Airfield Lighting .....	25,000,000	15,000,000
Iraq: Balad Air Base .....	Special Operations Compound .....	2,850,000	2,850,000
Iraq: Tallil Air Base .....	Temporary Cantonment Area .....	10,800,000	10,800,000
Kuwait: Ali Al Salem Air Base .....	Aerial Port .....	75,500,000	.....
UAE: Al Dhafra Air Base .....	Aircraft Engine Run-Up Pad .....	1,400,000	1,400,000
UAE: Al Dhafra Air Base .....	ISR Launch, Recovery, and Mainte- nance Complex.	66,000,000	.....
Uzbekistan: Karshi-Khanabad Air Base .....	Runway, Taxiways and Airfield Lighting.	42,500,000	42,500,000
Worldwide Unspecified .....	Planning and Design .....	17,270,000	8,233,000
Total .....	.....	301,520,000	140,983,000

*Aerial Port, Ali Al Salem Air Base, Kuwait.*—The Air Force seeks \$75,500,000 to construct an aerial port at Ali Al Salem Air Base in Kuwait. This would be the first phase of a multi-phase project, the full scope of which is yet undetermined, as are cost-sharing arrangements with the host nation. Aerial Port operations are now conducted at Kuwait City International Airport [KCIA] and the Government of Kuwait has requested that the United States move its operations to Ali Al Salem in order to free space at the airport, in part—according to Air Force officials—to facilitate creation of a free trade zone around Kuwait City.

This is clearly a permanent facility intended to support a long-term presence in the region. Moreover, while the first phase would provide some initial capability, the aerial port facility will not reach its full capacity, and complete removal from KCIA will not be possible, without substantial additional construction, including extensive runway repair identified subsequent to submission of the supplemental budget request. As such, the Committee cannot agree that construction of this facility constitutes an emergency requirement and does not recommend funds for it. Because moving out of Kuwait City to Ali Al Salem is largely for the benefit of Kuwait, the Committee urges the Department to pursue host nation funding for this project. If U.S. funding still is required, the project should be requested in the regular authorization and appropriations cycle.

*ISR Launch and Recovery Facility and Maintenance Complex, Al Dhafra Air Base, United Arab Emirates.*—The Department requests \$66,000,000 for this facility. The justification states that operations are currently being conducted out of expeditionary facilities and this project “is a key component of the consolidation of CENTAF force structure in the Southwest Asia Area of Operations. . . .” Because the United States is in fact engaged in expeditionary operations in Southwest Asia, the Committee believes expeditionary facilities are not inappropriate. A longer-term presence with more permanent force structure may be in the interests of the

United States, but plans for such a presence—and requests for the facilities to support that presence—should be presented to the Congress in the regular authorization and appropriation process. Moreover, according to Central Command officials, no discussions have been held with the Government of the United Arab Emirates regarding additional planned construction at Al Dhafra, terms of use for new facilities, and potential cost-sharing with the host nation. The Committee believes there should be agreement with the host nation on these issues before the United States commits to extensive construction supporting an enduring presence. The Committee recognizes that ISR operations at Al Dhafra would be more expedient and less difficult if a permanent facility replaced the current expeditionary capability, but it cannot consider this construction an emergency and recommends no funds for this project.

*Repair/Install Airfield Lighting, Balad Air Base, Iraq.*—The Department asks for \$25,000,000 to repair and replace airfield lighting at Balad Air Base. This amount is several times higher than similar efforts at other air bases in the region, with no convincing justification for the disparity offered. Moreover, most of the planned work is repair, which can be accomplished with operation and maintenance funds. The Committee recommends a reduction of \$10,000,000 in this project.

TITLE II—INTERNATIONAL PROGRAMS AND ASSISTANCE  
FOR RECONSTRUCTION AND THE WAR ON TERROR

CHAPTER 1

SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, AND  
RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

2005 appropriation to date .....	\$1,173,041,000
2005 supplemental estimate .....	150,000,000
House allowance .....	150,000,000
Committee recommendation .....	150,000,000

The Committee recommends an additional \$150,000,000 to reimburse the “Public Law 480 Title II Grants” account for funds used to address emergency food needs for individuals in need of humanitarian assistance in the Darfur region of Sudan which would allow additional contributions to this and other critical food situations.

CHAPTER 2

SUBCOMMITTEE ON STATE, FOREIGN OPERATIONS, AND RELATED  
PROGRAMS

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

2005 appropriation to date .....	\$3,522,000,000
2005 supplemental estimate .....	767,200,000
House allowance .....	748,500,000
Committee recommendation .....	757,700,000

The Committee recommends \$757,700,000 for diplomatic and consular programs, a decrease of \$9,500,000 from the request. The request included \$767,200,000 for diplomatic and consular programs, to include logistical, security and other costs associated with operations in Iraq, security and operational costs associated with operations in Afghanistan, and, the initial costs for the Active Response Corps. The Committee recommends \$7,700,000 for the Office of the Coordinator for Reconstruction and Stabilization, a reduction of \$1,700,000, and expects funding to support additional

personnel requirements in Washington and Sudan. The Committee recommendation does not include \$7,800,000 for a proposed Active Response Corps. As costs and programs of these new activities are better identified, the Committee will consider any proposed re-programming of funds.

The Committee is aware of security concerns that will affect United States Missions in Iraq and Afghanistan and the challenges faced to provide secure, safe, and functional facilities for Mission employees by screening of personnel and their belongings for explosives that cannot be detected by magnetometer or X-ray. The Committee notes that the Department of Homeland Security has made great strides in the research and development of technologies to detect explosives in the transportation sector to prevent terrorist acts that have applications to support United States diplomatic and consular mission security efforts. The Committee recommends that not less than \$10,000,000 be made available for the enhancement of Embassy security in Iraq and Afghanistan by acquiring explosives detection technologies certified and/or deployed by the Department of Homeland Security.

The Committee directs the Secretary of State to submit a report to the Committees on Appropriations, not later than 90 days after enactment of this Act and 180 days thereafter, detailing: (1) the steps the Iraqi Government is taking to make the receipt and management of revenues, including oil revenues, transparent and publicly accountable; and, (2) the steps the United States is taking to improve the capacity of the Iraqi Government to achieve this goal.

#### EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

2005 appropriation to date .....	\$603,510,000
2005 supplemental estimate .....	658,000,000
House allowance .....	592,000,000
Committee recommendation .....	592,000,000

The request included \$658,000,000 to construct the permanent New Embassy Compound in Baghdad, Iraq. In planning for the construction of this Embassy, the Department of State has relied on several optimistic planning factors: first, a construction workforce of 2,000 personnel, laboring in a permissive security environment, will be able to complete construction within 24 months; second, projected mission staffing levels will approximate those needed for current operations and conditions; and, third, that the square footage and acreage required for the Embassy Compound should be commensurate with wartime staffing levels.

The Committee commends the Department of State for developing a construction plan that is graduated, and subject to being scaled back based on actual requirements in Baghdad. The Committee recommends \$592,000,000 for the New Embassy Compound, a level commensurate with reduced mission staffing levels.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES  
CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES  
(INCLUDING TRANSFER OF FUNDS)

2005 appropriation to date .....	\$483,455,000
2005 supplemental estimate .....	780,000,000
House allowance .....	580,000,000
Committee recommendation .....	680,000,000

The Committee recommends \$680,000,000, a decrease of \$100,000,000 from the request. The Committee recommendation includes funding for peacekeeping costs assessed by the United Nations and established by the Security Council. The Department of State may fund assessed costs for any United Nations peacekeeping mission begun or established subsequent to enactment of the accompanying bill through the reprogramming of funds, or during the first quarter of the next fiscal year. The Committee recommendation does not include funds for a United States contribution to a Sudan War Crimes Tribunal.

RELATED AGENCY  
BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

2005 appropriation to date .....	\$583,107,000
2005 supplemental estimate .....	4,800,000
House allowance .....	4,800,000
Committee recommendation .....	4,800,000

The Committee recommends \$4,800,000, as requested.

BROADCASTING CAPITAL IMPROVEMENTS

2005 appropriation to date .....	\$8,446,000
2005 supplemental estimate .....	2,500,000
House allowance .....	2,500,000
Committee recommendation .....	2,500,000

The Committee recommends \$2,500,000, as requested, for improvements to transmitting systems in Tajikistan.

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

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

2005 appropriation to date .....	\$367,040,000
2005 supplemental estimate .....	44,000,000
House allowance .....	94,000,000
Committee recommendation .....	44,000,000

The Committee recommends \$44,000,000, as requested, for an additional amount for International Disaster and Famine Assistance to address the humanitarian crisis in the Darfur region of Sudan, and includes language permitting reimbursement to the

United States Agency for International Development [USAID] for costs already incurred for such purposes.

#### TRANSITION INITIATIVES

2005 appropriation to date .....	\$48,608,000
2005 supplemental estimate .....	63,000,000
House allowance .....	
Committee recommendation .....	63,000,000

The Committee recommends \$63,000,000 for an additional amount for Transition Initiatives for rehabilitation and reconstruction activities in Sudan in support of the implementation of the Comprehensive Peace Agreement signed on January 9, 2005.

The Committee is aware that in excess of 1,000 individuals are currently in custody in Haiti's National Penitentiary, of which less than 1 percent have been convicted and sentenced. In addition, it is estimated that in excess of 1,000 unreported individuals are in custody in Haiti's police jails. The Committee notes that prolonged detention without charge is illegal in Haiti, and believes that USAID should immediately address this life threatening and potentially explosive situation. The Committee includes not less than \$2,500,000 for the management of criminal cases, case tracking, and the reduction of pre-trial detention in Haiti.

#### OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

2005 appropriation to date .....	\$613,056,000
2005 supplemental estimate .....	24,400,000
House allowance .....	24,400,000
Committee recommendation .....	24,400,000

The Committee recommends \$24,400,000, as requested, for an additional amount for Operating Expenses of the United States Agency for International Development for security and other extraordinary operating costs in Iraq.

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

2005 appropriation to date .....	\$34,720,000
2005 supplemental estimate .....	2,500,000
House allowance .....	2,500,000
Committee recommendation .....	2,500,000

The Committee recommends \$2,500,000, as requested, for an additional amount for Operating Expenses of the United States Agency for International Development Office of Inspector General for audit activities in Iraq.

#### OTHER BILATERAL ECONOMIC ASSISTANCE

##### ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

2005 appropriation to date .....	\$2,462,640,000
2005 supplemental estimate .....	1,631,300,000
House allowance .....	1,058,200,000
Committee recommendation .....	1,631,300,000



The Committee recommends \$1,631,300,000, as requested, for an additional amount for the Economic Support Fund to be allocated as follows:

ECONOMIC SUPPORT FUND

[Budget authority, in thousands of dollars]

	Supplemental request	Committee recommendation
Afghanistan .....	1,309,300	1,309,300
Jordan .....	100,000	100,000
West Bank/Gaza .....	200,000	150,000
Israel .....	.....	50,000
Sudan .....	22,000	22,000
Total .....	1,631,300	1,631,300

The Committee commends the people of Afghanistan for the significant progress achieved to date, and underscores its commitment to long-term assistance for that country. The Committee expects additional funding for Afghanistan to be requested through the regular annual appropriations process.

The Committee remains concerned about the thousands of internally displaced persons in Afghanistan who lack sufficient shelter, clothing, heating fuel, safe water, food and other basic necessities. Accordingly, the Committee includes not less than \$5,000,000 for assistance for Afghan IDPs.

The Committee reiterates its support for the civic education programs conducted by Voice for Humanity [VFH] in Afghanistan, and recommends not less than \$7,000,000 for these activities in support of anticipated parliamentary elections later this year.

The Committee expects the Department of State and USAID to place an emphasis on programs that address the needs of women and people with disabilities.

The Committee is alarmed by reports of anti-aircraft missiles smuggled from Egypt to Gaza and recognizes the immediate threat these missiles pose to civilian aircraft in the region. The Committee notes that the budget request does not contain direct support for the Palestinian Authority, and concurs strongly with this position and expects that to be maintained. The Committee directs the Department of State to report within 30 days after enactment of this Act on the status and threats posed to civilian aircraft by the reported smuggled missiles, and specific steps taken by the Palestinian Authority to mitigate this threat.

The Committee recognizes the importance of adequate health care for Palestinian women and children and recommends \$3,500,000 be provided to support the activities of the Holy Family Hospital in Bethlehem.

The Committee reiterates that conditions and restrictions on assistance for the West Bank, Gaza and the Palestinian Authority contained in the General Provisions section of division D of Public Law 108-447 apply to assistance for the West Bank and Gaza recommended under this heading, as well as the separate account requirement contained in section 529 of that law.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET  
UNION

2005 appropriation to date .....	\$555,520,000
2005 supplemental estimate .....	60,000,000
House allowance .....	33,700,000
Committee recommendation .....	70,000,000

The Committee recommends \$70,000,000 for an additional amount for Assistance for the Independent States of the Former Soviet Union, of which \$60,000,000 is for assistance for Ukraine.

The Committee recognizes the historic achievements of the Orange Revolution and believes that additional funding will help promote and consolidate vital political and economic reforms in that country.

The Committee strongly supports programs to strengthen Ukrainian civil society organizations, which play a key role in the consolidation of democracy. The Committee believes that support for these organizations should be increased, and recommends not less than \$3,650,000 for these programs.

The Committee recognizes the unique opportunity that exists to promote democracy in Belarus, given the success of freedom in neighboring Ukraine. The Committee recommends \$5,000,000 for these efforts to be administered by the Bureau of Democracy, Human Rights and Labor at the Department of State, and expects not less than \$2,000,000 to be provided for activities that strengthen democratic political parties in that country.

The Committee is concerned that there are also urgent humanitarian, conflict mitigation, and recovery needs in Chechnya, Ingushetia, and elsewhere in the North Caucasus. The Committee includes not less than \$5,000,000 for these purposes, to be administered by USAID's Moscow Mission and Office of Conflict Management and Mitigation, in consultation with the Committees on Appropriations.

The Committee notes with interest recent political developments in the Kyrgyz Republic, and urges the Department of State to secure the agreement of all participating States of the Organization for Security and Cooperation in Europe [OSCE] to significantly expand the existing OSCE mission in that country. The Committee believes that the OSCE is in a unique position to respond to these developments by assisting with the Kyrgyz Republic's democratic transition, including through the promotion of democratic institutions, good governance, and respect for human rights.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

2005 appropriation to date .....	\$326,189,000
2005 supplemental estimate .....	660,000,000
House allowance .....	594,000,000
Committee recommendation .....	660,000,000

The Committee recommends \$660,000,000, an amount equal to the request, for police and counternarcotics programs in Afghanistan. None of the funds recommended by the Committee may be

available for aerial eradication programs within Afghanistan absent a formal request by the President of Afghanistan seeking such support.

The supplemental request included \$46,500,000 for the operation and maintenance of a United States-owned and operated fleet of helicopters (to be procured with fiscal year 2005 funds reprogrammed from other activities) to support eradication of illicit crops. Subsequent to the supplemental request, the Congress denied the reprogramming of funds for the procurement of helicopters. Consequently, the Department of State no longer has a need for the operation and maintenance funds described above. To promote stability within Afghanistan the Committee recommends that \$44,500,000 be available only for the establishment of a pilot program to train local Afghan police forces. The Department of State is to submit a report to the Committee not later than July 1, 2005 containing a proposal for establishing such a program, and the intended expenditure of the recommended funds.

The Committee recommends not less than \$2,000,000 of these funds be transferred to and merged with "Economic Support Fund" for USAID's program to assist Afghan civilians who have suffered losses as a result of military operations in Afghanistan.

#### MIGRATION AND REFUGEE ASSISTANCE

2005 appropriation to date .....	\$763,840,000
2005 supplemental estimate .....	53,400,000
House allowance .....	103,400,000
Committee recommendation .....	108,400,000

The Committee recommends \$108,400,000 for an additional amount for Migration and Refugee Assistance. Of this amount, \$48,400,000 is to meet the urgent needs of Sudanese refugees in Chad and internally displaced persons in Darfur, Sudan, and \$5,000,000 is to facilitate the return and reintegration of Sudanese refugees from neighboring countries.

The Committee is aware that the Department of State has identified and could process up to 55,000 refugees for admission into the United States in fiscal year 2005, but that due to unanticipated costs resulting from accelerated processing to meet the President's admissions target as well as enhanced security requirements, funds previously appropriated for refugee admissions in fiscal year 2005 are sufficient to admit only 41,000 refugees. The Committee recognizes that unless this \$25,900,000 funding shortfall is addressed in fiscal year 2005, a backlog will result in fiscal year 2006 and beyond. The Committee includes sufficient funding to process 55,000 refugees. The Committee also includes additional funds to address the compelling needs of refugees and displaced persons in Africa, including Sudan, Liberia, and Uganda.

#### NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

2005 appropriation to date .....	\$398,784,000
2005 supplemental estimate .....	32,100,000
House allowance .....	17,100,000
Committee recommendation .....	32,100,000

The Committee recommends \$32,100,000, an amount equal to the request, for anti-terrorism training, protection, and a Non-proliferation and Disarmament Fund activity.

## FUNDS APPROPRIATED TO THE PRESIDENT

### OTHER BILATERAL ASSISTANCE

#### GLOBAL WAR ON TERROR PARTNERS FUND

2005 appropriation to date .....	
2005 supplemental estimate .....	\$200,000,000
House allowance .....	
Committee recommendation .....	40,000,000

The request includes \$200,000,000 for a Global War on Terror Partners Fund to provide critical economic assistance to coalition partners contributing forces to operations in Iraq and Afghanistan. The Committee is acutely aware, and appreciative of, the sacrifices endured by America's allies, and recommends \$40,000,000 to meet the urgent economic requirements of Yemen, the Krygyz Republic, Morocco, El Salvador, Mongolia and Djibouti.

### MILITARY ASSISTANCE

## FUNDS APPROPRIATED TO THE PRESIDENT

#### FOREIGN MILITARY FINANCING PROGRAM

2005 appropriation to date .....	\$4,745,232,000
2005 supplemental estimate .....	250,000,000
House allowance .....	250,000,000
Committee recommendation .....	250,000,000

The Committee recommends \$250,000,000 for the Foreign Military Financing Program, an amount equal to the request. Of the funds provided, \$150,000,000 shall be available only for Pakistan, and \$100,000,000 for Jordan.

### PEACEKEEPING OPERATIONS

2005 appropriation to date .....	\$256,928,000
2005 supplemental estimate .....	210,000,000
House allowance .....	10,000,000
Committee recommendation .....	210,000,000

The request included \$210,000,000 for Peacekeeping Operations to fund military and other security assistance for important coalition partners. The Committee is aware that many of our coalition allies have deferred training and modernization in order to fund their respective deployments to either Iraq or Afghanistan. The Committee recommends \$210,000,000 to assist our allies in force modernization, training, and to improve their respective capabilities for future deployments.

The Committee urges the Secretary of State to consider the following coalition partners for assistance: Poland, Romania, Bulgaria, El Salvador, Ukraine, Mongolia, Georgia, Lithuania, Slovakia, the Czech Republic, and Albania.

The Committee understands that Israel's planned withdrawal from the Gaza Strip, and the potential deployment of Egyptian

Border Guards, may result in unforeseen costs to the Multinational Force and Observers [MFO] in the Sinai. The Committee recommends that of the funds provided for Peacekeeping Operations, up to \$10,000,000 may be available for additional costs borne by the MFO related to Israel's withdrawal from the Gaza Strip.

## GENERAL PROVISIONS, THIS CHAPTER

### VOLUNTARY CONTRIBUTION

SEC. 2101. This provision amends Section 307(a) of the Foreign Assistance Act of 1961 by striking "Iraq," from the list of countries for which the United States would otherwise be required to withhold voluntary contributions.

### REPORTING REQUIREMENT

SEC. 2102. This provision requires the President to submit a report to Congress regarding actions taken by the Palestinian Authority to counter terrorism, and provides that up to \$5,000,000 from funds provided for the West Bank and Gaza may be used for an independent audit of Palestinian Authority expenditures and accounting procedures.

### (RESCISSION OF FUNDS)

SEC. 2103. This provision rescinds funds provided in Public Law 108–11.

### DEMOCRACY EXCEPTION

SEC. 2104. This provision exempts democracy and rule of law programs and activities from restrictions contained in section 574 of Division D of Public Law 108–447, relating to the International Criminal Court.

TITLE III—DOMESTIC APPROPRIATIONS FOR THE WAR ON  
TERROR

CHAPTER 1

SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED  
AGENCIES

DEPARTMENT OF JUSTICE

OFFICE OF INSPECTOR GENERAL

2005 appropriation to date .....	\$62,960,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	2,500,000

The Committee recommends \$2,500,000 for the Office of Inspector General [OIG]. The recommendation is \$2,500,000 above the request and the House recommendation.

While the OIG's funding and staff levels have remained level or reduced slightly in recent years, its oversight requirements have increased significantly, in part due to the substantial growth and changes within the Federal Bureau of Investigation [FBI]. Increases included in this Act, for example, will directly impact the OIG's ongoing reviews of the Terrorist Screening Center and the FBI's activities in Iraq. The recommendation therefore ensures the OIG has the resources necessary to continue these and other critical reviews within the FBI and the Department of Justice.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

2005 appropriation to date .....	\$741,941,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	11,935,000

The Committee recommends \$11,935,000 for the United States Marshals Service [USMS]. The recommendation is \$11,935,000 above the request and the House recommendation.

Recent events prove a need for increased judicial security, including outside courthouse facilities, which falls under the jurisdiction of the USMS. The Committee believes the USMS should reevaluate existing policies governing when and whether suspicious threats and inappropriate communications demand judicial protection. The Committee also recommends funding increases to enhance the USMS's ability to assess and respond to such threats, including funding for off-site security enhancements such as home intrusion detection systems. Specifically, the Committee recommends \$2,906,000 for additional Judicial Security Inspectors to survey ju-

dicial residences and other relevant locations outside the Federal courthouse; \$2,456,000 for the Technical Operations Group for surveillance activities and equipment; \$4,883,000 for protective intelligence data gathering; and \$1,690,000 for the Office of Protective Intelligence data analysis. The USMS shall submit a spend plan to the Committees on Appropriations prior to the obligation of any of these funds.

## FEDERAL BUREAU OF INVESTIGATION

### SALARIES AND EXPENSES

2005 appropriation to date .....	\$5,135,506,000
2005 supplemental estimate .....	80,000,000
House allowance .....	78,970,000
Committee recommendation .....	66,512,000

The Committee recommends \$66,512,000 for the Federal Bureau of Investigation [FBI]. The recommendation is \$13,488,000 below the request and \$12,458,000 below the House recommendation.

The Committee does not agree with the FBI's reliance on emergency funding to support the anticipated and ongoing requirements of critical programs, including the FBI's activities in Iraq and the Terrorist Screening Center. The Committee believes the FBI should have included the necessary funding to support these programs in its fiscal year 2005 budget request or through a reprogramming of existing resources from lower priority missions. The Committee directs the FBI to submit such a reprogramming should either of these programs require additional funding before the end of this fiscal year, subject to the notification requirements in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

*Iraq Activities.*—The Committee recommends \$29,062,000 for the FBI's activities in Iraq, including: \$8,002,000 for tactical weapons, ammunition, equipment and outfitting; \$7,000,000 for overtime and hazardous duty pay; and \$14,060,000 for airlift, travel, processing and deployment. The Committee recognizes the FBI's important role in Iraq, which includes pursuing counterterrorism leads by interviewing detainees and exploiting documents, providing force protection to Department of Justice personnel, and, along side the Bureau of Alcohol, Tobacco, Firearms and Explosives, providing diagnostic and render safe procedures on improvised explosive devices.

*Terrorist Screening Center.*—The Committee also recommends \$31,450,000 for the Terrorist Screening Center [TSC], including: \$2,296,000 for office supplies and equipment; \$19,060,000 for information technology requirements; \$4,000,000 for contract staff; \$2,000,000 for training and security; \$1,531,000 for disaster recovery; and \$2,563,000 for connectivity with the Violent Gang and Terrorist Organization File.

A Government Accountability Office report released in April 2003 found that nine Federal agencies maintained 12 separate watch lists that included information about known or suspected terrorists, and that technical and bureaucratic problems hindered the ability to share information between agencies even after the September 11, 2001, terrorist attacks. In response, TSC was established to

consolidate the government's approach to terrorism screening. As such, TSC has consolidated the 12 separate watch lists, and provides operational support for law enforcement, consular offices and other officials as appropriate.

Since its creation, TSC has requested funding in an ad hoc manner without consideration of long-term requirements and funding needs. To some extent, this is understandable because TSC was recently established and its requirements are directly connected to the unknown future missions and needs of other Federal agencies and entities relying on TSC's support. Even so, the Committee believes a long-term plan for TSC is necessary and therefore directs the FBI to submit, no later than September 1, 2005, a report that includes the following: (1) a 5 year staffing and spend plan for TSC; (2) a list of TSC's existing and projected users, their sponsoring agency, and that agency's financial and in-kind contributions to TSC; (3) a comprehensive description and direct cost estimate of the unique needs of these users by agency, fiscal year, project, program and activity; (4) an estimated cost on a by-user basis (including a listing of each user agency); and (5) any additional TSC requirements and the costs associated with those requirements.

In the meantime, TSC should concentrate efforts and resources on developing a permanent workforce, rather than relying on 1 to 3 month personnel rotations, and acquiring a facility that will meet its future space requirements. Therefore, funding requested for travel costs associated with temporary duty staff and to renovate existing space already too small to accommodate existing personnel is not included. However, to address additional space needs, the Committee authorizes the FBI to execute a lease of up to 160,000 square feet of space for TSC within the Washington, D.C. metropolitan area.

*Strategic Technologies and Applications Section.*—In addition, the Committee recommends \$6,000,000 for the Special Technologies and Applications Section [STAS]. STAS has proven its ability to plan, develop and deploy complex computer systems that result in measurable improvements in the FBI's intelligence process. The Committee is aware of a recently developed tool that will significantly expedite and enhance intelligence analysis. This funding shall be used to begin the transition of this most recent technical analysis system from a pilot program to production use, consistent with STAS's rapid prototyping and development methodology.

#### DRUG ENFORCEMENT ADMINISTRATION

##### SALARIES AND EXPENSES

2005 appropriation to date .....	\$1,631,182,000
2005 supplemental estimate .....	7,648,000
House allowance .....	7,648,000
Committee recommendation .....	7,648,000

The Committee recommends \$7,648,000 for the Drug Enforcement Administration [DEA]. The recommendation is equal to the request and to the House recommendation. This funding will support the DEA's counternarcotics efforts to reduce poppy and heroin production in Afghanistan.



BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES  
SALARIES AND EXPENSES

2005 appropriation to date .....	\$878,465,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	5,100,000

The Committee recommends \$5,100,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives [ATF]. The recommendation is \$5,100,000 above the request and the House recommendation.

This funding shall support ATF's on-going activities in the Iraq theater of operations, including assistance to the U.S. military. Within this amount, \$3,200,000 shall be for expenditures in direct support of the U.S. Embassy in Iraq in the areas of explosives enforcement and firearms tracking; \$400,000 shall be for a Combined Explosives Exploitation Cell to provide improvised explosive device [IED] technical support to Department of Defense components in Iraq; and \$1,500,000 for operations to track arson and explosives systems in a centralized database.

CHAPTER 2

SUBCOMMITTEE ON ENERGY AND WATER, AND RELATED AGENCIES

DEPARTMENT OF ENERGY

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

2005 appropriations to date .....	\$6,176,659,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	26,000,000

The Committee recommends \$26,000,000 for the consolidation and transfer of special nuclear material from TA-18 at Los Alamos National Laboratory to the Device Assembly Facility, Nevada and other matters with the weapons program. The administration did not request funding to support the transfer of this material as part of the President's fiscal year 2005 budget, but this represents a necessary expenditure to secure Category I, special nuclear material and ship it out of TA-18 to the Device Assembly Facility in Nevada. The National Nuclear Security Administration is prepared to execute this transfer this fiscal year.

DEFENSE NUCLEAR NONPROLIFERATION

2005 appropriations to date .....	\$1,409,034,000
2005 supplemental estimate .....	110,000,000
House allowance .....	110,000,000
Committee recommendation .....	84,000,000

The Committee recommends \$29,000,000 for the deployment of radiation detection equipment and the training of law enforcement officials in four overseas ports to provide them with the technical means to detect, deter, and interdict illicit trafficking in nuclear and other radioactive material through the Megaports program. While the Committee supports the Megaports initiative, it is recog-

nized that not all of the funding proposed by the administration can be spent in fiscal year 2005. The Committee will address Megaports funding as part of the fiscal year 2006 budget. The Committee also recommends \$55,000,000 to address urgent priorities outside of the former Soviet Union to secure nuclear material from diversion or theft by terrorists or states of concern.

### CHAPTER 3

#### SUBCOMMITTEE ON HOMELAND SECURITY

#### DEPARTMENT OF HOMELAND SECURITY

#### IMMIGRATION AND CUSTOMS ENFORCEMENT

#### SALARIES AND EXPENSES

2005 appropriation to date .....	\$2,438,494,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	276,000,000

The Committee recommends an additional \$276,000,000 for Immigration and Customs Enforcement [ICE] salaries and expenses. The entire amount is designated as an emergency requirement.

ICE, since its creation in March of 2003 within the Department of Homeland Security, has suffered base funding shortfalls. Despite the Committee's efforts to address the shortfall, this situation has continued, denying ICE the ability to carry out its vital immigration and customs investigation and detention and removal functions. The Committee is aware that the situation within ICE is due not only to lack of resources, but also to poor internal financial controls and ill-advised management decisions. Despite this, the Committee believes that the adverse impact of hiring and spending freezes and uncertainty on the operations of this critical agency constitute a serious emergency that must be addressed. The Department needs to rectify this situation and end the cycle of stop-gap solutions. Far too much time has been spent trying to figure out how this situation came about rather than solving the problem to ensure that this agency, which is essential to combating terrorism, is solvent.

The Committee wishes to make it absolutely clear that this is the final aid that will be provided to ICE to shore up its base. It is the responsibility of the Department and ICE to move forward from this point to establish adequate financial controls and to properly manage ICE expenditures within available resource limitations.

Of the \$276,000,000 provided, no less than \$11,000,000 shall be for salaries and benefits to allow for the immediate lifting of the hiring freeze. ICE is directed to begin the process of hiring and training approximately 50 full-time equivalents [FTEs] (200 positions) in the Detention and Removal Operations program, 25 FTEs (100 positions) in the Investigations program, and 4 FTEs (16 positions) in the Office of the Principal Legal Advisor to replace employees lost through attrition this fiscal year. The Committee understands that 79 FTEs is the maximum level of hiring that can be accomplished this fiscal year. The Committee also directs the Federal Law Enforcement Training Center to make space available

for ICE to schedule a minimum of seven training classes for detention officers and investigators in fiscal year 2005. The remainder of the funds provided will allow the lifting of spending controls to permit investment in vehicle fleets, body armor, training, travel, information technology, and other essential functions.

The Committee directs the Department to submit a detailed report no later than 30 days after enactment of this Act to the Senate and House Committees on Appropriations with the on-board level of FTEs for each individual office by location; the number of vacant FTEs; and the new hires planned by week for each office beginning the week after enactment of this Act through September 30, 2005. This report should specify the hiring of FTEs associated with program enhancements for which funds were appropriated by Public Law 108-334. These include Compliance Teams (33 FTEs), Work-site Enforcement (10 FTEs), International Affairs (45 FTEs), Alternatives to Detention (15 FTEs), Institutional Removal Program (70 FTEs), Legal Workload (20 FTEs), and detention beds to support other programs (7 FTEs). An updated report with actual hires is to be submitted to the Committee every 2 weeks thereafter.

The Committee recommends the base realignment of the Detention and Removal Operation Program, as proposed by the Department on March 11, 2005. The following chart shows the distribution by program, project, and activity of the recommended supplemental appropriations and this realignment.

[In thousands of dollars]

	Fiscal year 2005 enacted	Fiscal year 2005 base re-alignment	Fiscal year 2005 supplemental estimate	Fiscal year 2005 revised enacted
Headquarters Management and Administration (non-Detention and Removal Operations):				
Personnel Compensation and Benefits, service and other costs .....	96,202	96,202	24,600	120,802
Headquarters Managed IT Investment .....	120,119	120,119	35,634	155,753
Subtotal, Headquarters Management and Administration .....	216,321	216,321	60,234	276,555
Investigations:				
Operations .....	1,055,345	1,055,345	87,645	1,142,990
Training .....	15,671	15,671	1,000	16,671
Subtotal, Investigations .....	1,071,016	1,071,016	88,645	1,159,661
Intelligence:				
ICE Reporting Center .....	4,882	4,882		4,882
Operations/Operations Center .....	55,130	55,130	405	55,535
Subtotal, Intelligence .....	60,012	60,012	405	60,417
Detention and Removal Operations:				
Custody Management .....	504,221	588,371	115,255	703,626
Case Management .....	192,269	149,975	3,725	153,700
Fugitive Operations .....	35,242	84,487	1,200	85,687
Institutional Removal Program .....	33,719	57,217	295	57,512
Alternatives to Detention .....	14,202	20,802	400	21,202
Transportation and Removal Program .....	311,492	190,293	5,841	196,134
Subtotal, Detention and Removal Operations .....	1,091,145	1,091,145	126,716	1,217,861

[In thousands of dollars]

	Fiscal year 2005 enacted	Fiscal year 2005 base re-alignment	Fiscal year 2005 supplemental estimate	Fiscal year 2005 revised enacted
Total, Salaries and Expenses .....	2,438,494	2,438,494	276,000	2,714,494

The Committee is aware of higher estimates within two fee accounts for ICE and directs that the new estimated fee collections be made available to ICE for fiscal year 2005, as follows:

	Fiscal year 2005 estimate	Fiscal year 2005 revised estimate
Immigration User Fee Account .....	\$90,000,000	\$100,000,000
Breached Bond Detention Fund .....	70,000,000	114,000,000

## UNITED STATES COAST GUARD

### OPERATING EXPENSES

2005 appropriation to date .....	\$5,157,220,000
2005 supplemental estimate .....	111,950,000
House allowance .....	111,950,000
Committee recommendation .....	111,950,000

The Committee recommends an additional \$111,950,000, as requested by the President, for U.S. Coast Guard expenditures in support of Operation Iraqi Freedom and Operation Enduring Freedom. This funding will support active duty and mobilized reserve personnel, including medical, travel, and per diem costs; operations, such as incremental ship operating hours, logistics support, and incremental fuel purchases; and routine depot level maintenance. The entire amount is designated as an emergency requirement.

### ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

2005 appropriation to date .....	\$982,200,000
2005 supplemental estimate .....	49,200,000
House allowance .....	49,200,000
Committee recommendation .....	49,200,000

The Committee recommends an additional \$49,200,000, as requested by the President, for renovation and subsystem replacement of U.S. Coast Guard 110-foot Patrol Boats, six of which are deployed in support of Operation Iraqi Freedom. This funding will help ensure that the condition of the fleet is not degraded by deployments in support of the Department of Defense. The entire amount is designated as an emergency requirement.

## CHAPTER 4

## SUBCOMMITTEE ON THE LEGISLATIVE BRANCH

## CAPITOL POLICE

## SALARIES

2005 appropriation to date .....	\$201,812,000
2005 supplemental estimate .....	36,483,000
House allowance .....	
Committee recommendation .....	10,000,000

The Committee recommends \$10,000,000 for Capitol Police salaries. The amount recommended includes funds for the hiring of up to 50 additional officers to ensure adequate coverage of all existing and new posts. The balance is provided as a contingency in the event of an emergency requirement as determined by the Capitol Police Board, available upon the approval of the Committees on Appropriations.

## EXPENSES

2005 appropriation to date .....	\$28,657,000
2005 supplemental estimate .....	23,044,000
House allowance .....	
Committee recommendation .....	13,300,000

The Committee recommends \$13,300,000 for additional expenses of the Capitol Police for various emergency security requirements.

## ARCHITECT OF THE CAPITOL

## CAPITOL POLICE BUILDINGS AND GROUNDS

2005 appropriation to date .....	\$5,806,000
2005 supplemental estimate <sup>1</sup> .....	
House allowance .....	
Committee recommendation .....	23,000,000

<sup>1</sup> The Capitol Police Board recommended \$23,000,000 for this project on February 7, 2005.

The Committee recommends \$23,000,000 for Capitol Police Buildings and Grounds, for the construction of an off-site delivery facility. The Committee believes this project is a very high priority and expects the Architect to move expeditiously to complete this facility in a timely manner. The Committee notes that this project has been a top priority for USCP since 1999. It has become an urgent requirement owing to construction of the new baseball stadium which will force USCP to relocate this facility within the year.

## TITLE IV—INDIAN OCEAN TSUNAMI RELIEF

### CHAPTER 1

#### SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

#### DEPARTMENT OF COMMERCE

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

##### OPERATIONS, RESEARCH, AND FACILITIES

2005 appropriation to date .....	\$2,786,472,000
2005 supplemental estimate .....	4,830,000
House allowance .....	4,830,000
Committee recommendation .....	7,070,000

The Committee recommends \$7,070,000 to support the expansion and enhancement of the United States' tsunami warning capabilities. The recommendation is \$2,240,000 above the request and \$2,240,000 above the House recommendation.

The recommendation includes: expansion, upgrades, operations and maintenance for the sea level monitoring and tide gauge network; continual operations of National Oceanic and Atmospheric Administration's [NOAA] existing tsunami warning centers; expansion of the Tsunami Ready Community efforts; and \$3,000,000 for the expansion and acceleration of the inundation mapping and modeling efforts for at-risk coastal areas, which includes bathymetric Light Detection and Ranging [LIDAR] mapping. The Committee encourages NOAA to utilize the next generation buoy research and development funds to design a buoy which supports both tsunami detection and the Integrated Coastal and Ocean Observing System.

##### PROCUREMENT, ACQUISITION AND CONSTRUCTION

2005 appropriation to date .....	\$1,039,365,000
2005 supplemental estimate .....	9,670,000
House allowance .....	9,670,000
Committee recommendation .....	10,170,000

The Committee recommends \$10,170,000 to support the acquisition of buoys which detect tsunamis; the expansion of the Pacific Tsunami Warning Center; and the improvement of seismic measurements. The recommendation is \$500,000 above the request and \$500,000 above the House recommendation.

The Committee directs the National Oceanic and Atmospheric Administration [NOAA] to submit a spending plan for these funds no later than May 15, 2005. The Consolidated Appropriations Act, 2005 provided \$50,851,000 to NOAA to lead the effort to develop and deploy a National Integrated Coastal and Ocean Observing

System. The Committee notes that the proposed Deep-ocean Assessment and Reporting of Tsunamis [DART] buoys are not equipped to be integrated into such an observing system. The DART buoys are designed for the single purpose of tsunami detection and are not built to carry the appropriate suite of ocean, climate, and weather sensors to support an Integrated Coastal and Ocean Observing System. The expansion of a single purpose observing system is ill-advised. The Committee strongly encourages NOAA to develop tsunami warning detection devices which support the Integrated Coastal and Ocean Observing System. Furthermore, the Committee notes that the request for a seven-fold increase in buoy production will severely strain space currently allocated for these activities. The Committee believes that this increase will inevitably necessitate an expansion of the buoy production facilities.

## CHAPTER 2

### SUBCOMMITTEE ON DEFENSE

#### DEPARTMENT OF DEFENSE—MILITARY

##### OPERATION AND MAINTENANCE

The Committee fully supports the President's supplemental request to reimburse the military services and the Overseas Humanitarian, Disaster, and Civic Aid account for emergency relief, rehabilitation, and reconstruction aid provided by the military services following the December 2004 Tsunami in South Asia. The men and women of the United States military demonstrated a capability that is unparalleled in the world. Their ability to quickly respond to the disaster with sustained lift and water purification capabilities undoubtedly saved thousands of lives. The Committee commends the men and women in our Armed Forces for their extraordinary efforts, compassion, and dedication to protecting human life.

##### OPERATION AND MAINTENANCE, NAVY

2005 appropriation to date .....	\$29,687,245,000
2005 supplemental estimate .....	124,100,000
House allowance .....	124,100,000
Committee recommendation .....	124,100,000

The Committee recommends \$124,100,000 for Operation and Maintenance, Navy. The recommendation is equal to the estimate.

##### OPERATION AND MAINTENANCE, MARINE CORPS

2005 appropriation to date .....	\$3,629,901,000
2005 supplemental estimate .....	2,800,000
House allowance .....	2,800,000
Committee recommendation .....	2,800,000

The Committee recommends \$2,800,000 for Operation and Maintenance, Marine Corps. The recommendation is equal to the estimate.

## OPERATION AND MAINTENANCE, AIR FORCE

2005 appropriation to date .....	\$28,113,533,000
2005 supplemental estimate .....	30,000,000
House allowance .....	30,000,000
Committee recommendation .....	30,000,000

The Committee recommends \$30,000,000 for Operation and Maintenance, Air Force. The recommendation is equal to the estimate.

## OPERATION AND MAINTENANCE, DEFENSE-WIDE

2005 appropriation to date .....	\$17,449,619,000
2005 supplemental estimate .....	29,150,000
House allowance .....	29,150,000
Committee recommendation .....	29,150,000

The Committee recommends \$29,150,000 for Operation and Maintenance, Defense-Wide. The recommendation is equal to the estimate.

## OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

2005 appropriation to date .....	\$59,000,000
2005 supplemental estimate .....	36,000,000
House allowance .....	36,000,000
Committee recommendation .....	36,000,000

The Committee recommends \$36,000,000 for Overseas Humanitarian, Disaster, and Civic Aid. The recommendation is equal to the estimate.

## OTHER DEPARTMENT OF DEFENSE PROGRAMS

## DEFENSE HEALTH PROGRAM

2005 appropriation to date .....	\$18,171,436,000
2005 supplemental estimate .....	3,600,000
House allowance .....	3,600,000
Committee recommendation .....	3,600,000

The Committee recommends \$3,600,000 for the Defense Health Program. The recommendation is equal to the estimate.

## CHAPTER 3

## SUBCOMMITTEE ON HOMELAND SECURITY

## DEPARTMENT OF HOMELAND SECURITY

## UNITED STATES COAST GUARD

## OPERATING EXPENSES

2005 appropriation to date .....	\$5,157,220,000
2005 supplemental estimate .....	350,000
House allowance .....	350,000
Committee recommendation .....	350,000

The Committee recommends an additional \$350,000, as requested by the President, to fund the incremental costs of U.S. Coast Guard air operations in support of tsunami relief efforts in



Southeast Asia. The entire amount is designated as an emergency requirement.

## CHAPTER 4

### SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES

#### DEPARTMENT OF THE INTERIOR

##### UNITED STATES GEOLOGICAL SURVEY

##### SURVEYS, INVESTIGATIONS, AND RESEARCH

2005 appropriation to date .....	\$936,464,000
2005 supplemental estimate .....	8,100,000
House allowance .....	8,100,000
Committee recommendation .....	8,100,000

The Committee recommends an additional amount of \$8,100,000 for the United States Geological Survey [USGS] to accelerate improvements of its seismic monitoring capabilities and information delivery systems. Activities would include the replacement of outdated detection and notification systems at the National Earthquake Information Center [NEIC] in Golden, CO; expansion of the NEIC's current operations to provide 24/7 coverage; enhancement of the Global Seismic Network to expand its capabilities and report all data in real time; and the development of a joint National Oceanic and Atmospheric Administration-USGS data warning system to provide both tsunami and earthquake information to local emergency managers instantaneously.

## CHAPTER 5

### SUBCOMMITTEE ON STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### OTHER BILATERAL ASSISTANCE

##### TSUNAMI RECOVERY AND RECONSTRUCTION FUND

2005 appropriation to date .....	
2005 supplemental estimate .....	\$701,000,000
House allowance .....	659,000,000
Committee recommendation .....	656,000,000

The Committee provides \$656,000,000 for the Tsunami Recovery and Reconstruction Fund. This amount does not include the \$45,000,000 request for modifying direct loans and loan guarantees for tsunami affected countries.

The Committee notes that, in addition to causing immense human suffering, the tsunami damaged or destroyed large areas of wildlife habitat in Aceh. To help restore these natural areas and encourage the rapid recovery of fishing, employment and tourism, the Committee includes not less than \$5,000,000 for environmental recovery activities to be administered by the U.S. Fish and Wildlife Service.

The Committee is aware that many people are suffering from physical and mental disabilities as a result of injuries and trauma caused by the tsunami. The Committee includes not less than \$12,000,000 for programs to address the needs of people with disabilities.

The Committee recommends \$1,500,000 for trafficking in persons monitoring and prevention programs and activities in tsunami affected countries to be administered by the Office to Monitor and Combat Trafficking in Persons at the Department of State. The Committee encourages the development of models according to which the Office can respond to future large scale disasters.

The Committee is aware that an estimated 200,000 homes in Aceh were destroyed by the tsunami and earthquakes. Rebuilding these structures will require millions of cubic meters of lumber, which, if harvested locally, would destroy more than 250,000 acres of biologically diverse forest. The Committee supports efforts by USAID and others to obtain donations of wood from the United States and elsewhere to rebuild houses in Aceh.

The Committee directs that tsunami relief and reconstruction programs in Aceh and in Sri Lanka adhere to basic principles of equity, transparency and accountability, and that such programs, when practicable, be used to strengthen and support internationally mediated negotiations between the Government of Indonesia and the Free Aceh Movement and between the Government of Sri Lanka and the LTTE. The Committee further directs that funds be made available for independent human rights monitoring and protection in areas of Sri Lanka and Aceh affected by the tsunami, with a special emphasis on the protection of children.

The Committee is aware of the extensive damage caused by the tsunami on schools and the high death toll among teachers, particularly in Aceh and Sri Lanka. The Committee recommends not less than \$3,000,000 for teacher training programs in these affected areas for primary and secondary schooling.

The Committee recognizes the contributions of charitable organizations in providing tsunami relief, including Mercy Ships. The Committee urges USAID to utilize to the fullest extend practicable Mercy Ships and other charitable and nongovernmental organizations in reconstruction efforts.

The Committee believes that relief and reconstruction assistance should be distributed on an equitable basis to all groups affected by the tsunami according to their situation and not their social status. Accordingly, the Committee expects that assistance will be provided to impacted Dalits, Tamils and undocumented Burmese refugees.

## GENERAL PROVISIONS, THIS CHAPTER

### ANNUAL LIMITATION

SEC. 4501. This provision specifies that funds made available, with disaster assistance authorities, in foreign assistance accounts other than the International Disaster and Famine Assistance account to address relief and rehabilitation needs in countries affected by the Indian Ocean tsunami under the "borrowing authority" provision in section 492(b) of the Foreign Assistance Act of

1961, do not count against the \$50,000,000 annual limitation on the use of this authority.

AUTHORIZATION OF FUNDS

SEC. 4502. The recommended waiver is necessary because there is no foreign relations authorization act for fiscal year 2005.

TITLE V—OTHER EMERGENCY APPROPRIATIONS

CHAPTER 1

SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, AND  
RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION  
SERVICE

RESEARCH AND EDUCATION ACTIVITIES

2005 appropriation to date .....	\$655,495,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	3,000,000

The Committee recommends \$3,000,000 to the College of Tropical Agriculture and Human Resources at the University of Hawaii for replacement of research and educational materials lost and recovery of interrupted research resulting from the October 30, 2004 floods.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

2005 appropriation to date .....	\$250,000,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	103,000,000

The Committee recommends \$103,000,000 for the Emergency Watershed Protection Program to repair damages to the waterways and watersheds resulting from recent natural disasters, to remain available until expended.

GENERAL PROVISIONS, THIS CHAPTER

RURAL HOUSING SERVICE

SEC. 5101. To allow the transfer of certain previously appropriated funds between Rural Housing Service programs.

RURAL HOUSING ASSISTANCE GRANTS

SEC. 5102. Directs the Secretary of Agriculture to consider the Village of New Miami (Ohio) to be eligible for loans and grants provided through the Rural Housing Assistance Grants program.

## NATURAL RESOURCES CONSERVATION SERVICE

SEC. 5103. To provide \$15,000,000 to the Natural Resources Conservation Service for flood prevention activities in the Manoa watershed in Hawaii.

## FARM SERVICE AGENCY

SEC. 5104. Provides the Secretary of Agriculture flexibility in administering a grant to Alaska dairy farmers.

## CHAPTER 2

## SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES

## DEPARTMENT OF THE INTERIOR

## DEPARTMENTAL MANAGEMENT

## SALARIES AND EXPENSES

2005 appropriation to date .....	\$95,821,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	3,000,000

The Committee recommends an additional amount of \$3,000,000 for departmental management to support deployment of critical business systems to the bureaus and offices of the Department of the Interior, including the Financial and Business Management System.

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## NATIONAL FOREST SYSTEM

2005 appropriation to date .....	\$1,380,806,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	2,410,000

The Committee recommends an additional amount of \$2,410,000 for national forest system to repair damage to national forest lands damaged by heavy rains, flooding, and landslides.

## CAPITAL IMPROVEMENT AND MAINTENANCE

2005 appropriation to date .....	\$514,701,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	31,980,000

The Committee recommends an additional amount of \$31,980,000 for capital improvement and maintenance to repair damage to national forest lands damaged by heavy rains, flooding, and landslides.

## CHAPTER 3

SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES,  
EDUCATION, AND RELATED AGENCIES

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## OFFICE OF THE SECRETARY

## PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

## (INCLUDING RESCISSIONS OF FUNDS)

2005 appropriation to date .....	\$2,308,287,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	10,000,000

The Committee recommends \$10,000,000 for grants to one or more State or local governments to improve the Nation's capability to produce essential vaccines. This increase is offset by rescinding unobligated balances from Public Health Services Accounts, the Office of the Secretary and the Special Foreign currency within the Department of Health and Human Services.

## RELATED AGENCY

## INSTITUTE OF MUSEUM LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND  
ADMINISTRATION

2005 appropriation to date .....	\$280,564,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation .....	10,000,000

The Committee recommends \$10,000,000 for the Hamilton Library at the University of Hawaii to partially offset the costs of damages to the research and educational materials of the University of Hawaii facilities, including the collections at the regional federal depository library.

## CHAPTER 4

SUBCOMMITTEE ON TRANSPORTATION, TREASURY, THE JUDICIARY,  
HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

## THE JUDICIARY

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL  
SERVICES

## SALARIES AND EXPENSES

## (INCLUDING TRANSFER OF FUNDS)

2005 appropriation to date .....	\$4,125,321,000
2005 supplemental estimate .....	101,800,000
House allowance .....	
Committee recommendation .....	60,000,000

The Committee recommends \$60,000,000 be included in the supplemental appropriations bill for the Judicial Branch. The Judicial Branch requested \$101,800,000 to pay for costs associated with previously unanticipated increases to the amount of judicial case workload. While the Committee understands there will be additional workload costs associated with recently enacted legislation as well as the Supreme Court's recent twin majority opinions in *United States v. Booker* and *United States v. Fanfan*, these costs are difficult to quantify at this time. The Committee believes that \$60,000,000 will be adequate to meet workload needs at this time. Before these funds may be used, the Committee directs the Judiciary to submit a funding plan to the House and Senate Committees on Appropriations that delineates the planned use of these funds.

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### HOUSING PROGRAMS

#### HOUSING FOR PERSONS WITH DISABILITIES

##### (INCLUDING RESCISSION OF FUNDS)

2005 appropriation to date .....	\$238,080,000
2005 supplemental estimate .....	
House allowance .....	
Committee recommendation:	
Appropriation .....	238,080,000
Rescission .....	- 238,080,000

The Committee recommends a technical correction to extend the availability of funds for the Housing for Persons with Disabilities program for 2 years, instead of 1 year as provided in the fiscal year 2005 appropriations Act. These funds could not be obligated within a 1-year period.

### GENERAL PROVISION, THIS CHAPTER

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 5401. Provides \$10,000,000 to the Department of Housing and Urban Development to cover unreimbursed expenses directly related to catastrophic flood damage that occurred in Hawaii on October 30, 2004.

## TITLE VI—GENERAL PROVISIONS AND TECHNICAL CORRECTIONS

### EMERGENCY DESIGNATION LANGUAGE

Throughout the Committee recommendation, language is included that cites section 402 of the conference report on Senate Concurrent Resolution 95 (108th Congress). S. Con. Res. 95 of the 108th Congress is the concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005. The conference report on S. Con. Res. 95 is printed in House Report 108–498, filed in the House of Representatives on May 19, 2004. Section 402 was made applicable to the House of Representatives by House Resolution. 649 (108th Congress) and made applicable to the Senate by section 14007 of Public Law 108-287 (118 Stat. 1014).

### AVAILABILITY OF FUNDS

SEC. 6001. The Committee recommends a provision that limits the availability of the funds provided in this supplemental to the current fiscal year unless expressly provided otherwise.

### TRANSFER AUTHORITY—DEPARTMENT OF JUSTICE

SEC. 6002. The Committee recommends language allowing the Department of Justice to transfer funds, if necessary, to address requirements in the Detention Trustee account. No funding shall be transferred, however, from the Buildings and Facilities, Federal Prison System or the Office of Justice Programs accounts. Any transfer remains subject to the reprogramming notification requirements contained in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act for Fiscal Year 2005.

### SPACE CONSIDERATIONS—FEDERAL BUREAU OF INVESTIGATION

SEC. 6003. The Committee authorizes the Special Technologies and Application Sections to use existing resources to acquire, renovate, and occupy up to 175,000 square feet of additional facility space within its immediate surrounding area.

### TECHNICAL CORRECTIONS—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—FISCAL YEAR 2005

SEC. 6004. The Committee recommends a technical correction to the referenced statement of managers to certain National Oceanic and Atmospheric Administration programs funded under Public Law 108–447.

SEC. 6005. The Committee recommends a technical correction to the referenced statement of managers to certain National Oceanic



and Atmospheric Administration programs funded under Public Law 108–447.

SEC. 6006. The Committee recommends a technical correction to the referenced statement of managers to transfer a shoreline stabilization construction project funded under Public Law 108–447.

#### LOCAL BUDGET AUTHORITY FOR THE DISTRICT OF COLUMBIA

SEC. 6007. The Committee recommends bill language that would allow the District of Columbia to expend up to \$42,000,000 from unexpended general surplus funds resulting from locally generated taxes. The Committee is also recommending bill language which would allow the District to raise and expend its own local funds for a new baseball stadium. This includes the establishment of a ballpark fee and other revenues to cover debt service payments for a revenue bond issuance. The Committee recommends authority to the District of Columbia to expend up to \$140,000,000 from private financing for this new stadium. The Committee recommends bill language that would allow the District of Columbia's Water and Sewer Authority [WASA] to expend funds for a fire hydrant fee. In prior years, this payment was offset against debts owed under the local payment in lieu of taxes and there was no need for appropriations authority to expend funds. Finally, the Committee recommends authority that would allow WASA to expend up to \$2,800,000 for lead abatement.

#### DE SOTO COUNTY, MISSISSIPPI

SEC. 6008. The bill includes language to increase the project cost estimate for the project described in Section 219(f)(30) of (106 Stat. 4835; 106 Stat. 3737; 113 Stat. 334).

SEC. 6009. The bill includes language to allow the Secretary to reimburse the non-Federal sponsor for incurred costs.

#### FORT PECK FISH HATCHERY, MONTANA

SEC. 6010. The bill includes language to increase the project cost estimate for the project described in Section 325(f)(1)(A) of Public Law 106–541 to allow for the expenditure of funds appropriated by Congress for fiscal year 2005.

#### ALI WAI CANAL, HAWAII

SEC. 6011. The bill provides up to \$1,800,000 from within available funds for General Investigations to expand studies where necessitated by severe flooding damage, including the Ali Wai Canal, Manoa, Palolo, and Makiki Streams, Hawaii.

#### INTERCOASTAL WATERWAY, DELAWARE RIVER TO CHESAPEAKE BAY, SR–1 BRIDGE, DELAWARE

SEC. 6012. The bill includes language making technical corrections regarding the SR–1 Bridge in Delaware.

#### OFFSHORE OIL AND GAS FABRICATION PORTS

SEC. 6013. The Committee is aware that Corps of Engineers' guidelines for analyzing national economic development benefits for navigation projects were developed based upon traditional ports

primarily engaged in cargo movement and focus on traffic increases and transportation cost savings. Since these guidelines were developed, the Corps has begun analysis of navigation enlargement projects for the Port of Iberia and the Port of Morgan City, Louisiana. These non-traditional ports are host sites for the fabrication of offshore oil and gas platforms; however, the Corps' guidelines do not expressly address fabrication ports and restrict an accurate assessment of the benefits arising from navigation projects at these ports. Because of existing channel limitations, these fabrication ports are unable to deliver the large offshore structures that are currently needed in the deep waters of the Outer Continental Shelf, and the fabrication contracts for these structures are being lost to foreign ports. The Committee recommends language to ensure an accurate analysis and include the full contract amount of internationally lost fabrication contracts when analyzing navigation projects impacting fabrication ports.

MC CLELLAN KERR NAVIGATION SYSTEM ADVANCED OPERATION AND  
MAINTENANCE

SEC. 6014. The Committee recommends a provision that corrects a citation to a public law.

SILVERY MINNOW OFF-CHANNEL SANCTUARIES, NEW MEXICO

SEC. 6015. The bill includes language to allow the Bureau to expend funds in meeting the terms of the Biological Opinion 2003 for the Biological Opinion for the Rio Grande River.

DESALINATION ACT EXTENSION

SEC. 6016. The bill extends Section 8 of Public Law 104-298 to allow for the expenditure of funds appropriated by Congress.

BUREAU OF RECLAMATION, HUMBOLDT TITLE TRANSFER

SEC. 6017. The bill provides that no costs for the Title Transfer for the Humboldt Project shall be paid by the State of Nevada and Title Transfer costs shall be limited to \$850,000.

OFFICE OF SCIENCE

SEC. 6018. The bill provides funding for Office of Science for continuation of project E-FG0204ER63842-04090945, \$3,000,000 for an health science equipment, \$500,000 for desalination technology program at the University of Nevada-Reno [UNR], and \$500,000 for the oral history of the Negotiated Settlement Project at University of Nevada Reno and to the Fire Sciences Academy in Elko, Nevada, for purposes of capital debt service.

WEAPONS ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

SEC. 6019. The bill continues funding for DOE project E-FC-04-02AL68107 for technology transfer and transfer of funds for Pajarito Plateau Homesteader claims.

## DEFENSE SITE ACCELERATION COMPLETION

SEC. 6020. The bill shifts funding for cleanup of lands transferred from National Nuclear Security Administration to Los Alamos County.

## DEFENSE ENVIRONMENTAL SERVICES (TRANSFER)

SEC. 6021. The bill provides a technical correction to ensure that Defense Environmental Services activities are funded without unduly impacting mission activities and statutory requirements.

## CHERNOBYL RESEARCH AND SERVICE PROJECT

SEC. 6022. The bill provides funding through the Office of Environment Safety and Health to initiate health effects research during the replacement of the Chernobyl Shelter Implementation Plan.

## DEPARTMENT OF ENERGY SMALL BUSINESS CONTRACTS

SEC. 6023. This bill provides language to clarify Department of Energy small business contracting requirements.

## YUCCA MOUNTAIN

SEC. 6024. The Committee recommends a correction relating to the derivation of funds appropriated for Nuclear Waste Disposal from the Nuclear Waste Fund, and to oversight activities be affected units of local government.

## POWER MARKETING ADMINISTRATION

SEC. 6025. The bill provides for a study of wind energy in North Dakota and South Dakota.

## DEPARTMENT OF HOMELAND SECURITY

## REVOLVING FUNDS

SEC. 6026. The Committee includes a provision abolishing the Department of Homeland Security Working Capital Fund. The Committee notes that the Economy Act authority is available to enable administrative services on a fee-for-service basis. The Economy Act is not to be used to fund programs, projects, or activities that have not been presented to the Committee, or for which funding has previously been denied.

The Committee also includes a provision establishing the “Continuity of Government Operations and Emergency Management Revolving Fund” to continue support for activities previously supported by the Federal Emergency Management Agency “Working Capital Fund” prior to March 1, 2003.

## REPROGRAMMING PROVISIONS

SEC. 6027. The Committee includes a provision to require notification of obligation of funds for any information technology project funded by the Office of the Chief Information Officer, or by multiple components of the Department of Homeland Security on a reimbursable basis.

SEC. 6028. Any funds made available to the Department of Homeland Security by this Act shall be subject to the terms and conditions of title V of Public Law 108–334.

BUREAU OF LAND MANAGEMENT—TECHNICAL CORRECTION

SEC. 6029. Makes a technical correction to section 144 of the Interior and Related Agencies Appropriations Act, 2005, regarding the transfer of certain lands in Nevada.

FOREST SERVICE TRANSFER

SEC. 6030. Transfers \$1,500,000 provided to the Forest Service in the Interior and Related Agencies Appropriations Act, 2005, from the Capital Improvement and Maintenance account to the State and Private Forestry account. The Committee expects the Agency to execute this transfer promptly to ensure that important projects are completed as soon as possible.

WEST YELLOWSTONE VISITOR INFORMATION CENTER

SEC. 6031. Clarifies authority for the expenditure of previously appropriated funds for the construction of visitor facilities at Yellowstone National Park.

PESTICIDES TOLERANCE FEES

SEC. 6032. Prohibits the use of funds by the Environmental Protection Agency, or any other Federal Agency, to develop, promulgate, or publish a pesticides tolerance fee rulemaking. The Pesticides Registration Improvement Act of 2003 prohibits the collection of fees prior to September 30, 2008. The Committee believes the promulgation or issuance of a rulemaking on this matter in 2005 represents a poor use of taxpayer dollars.

GULF ISLANDS NATIONAL SEASHORE

SEC. 6033. Provides clarification of a previous land conveyance.

SURFACE MINING CONTROL AND RECLAMATION ACT

SEC. 6034. Extends the authorization to collect reclamation fees under the Surface Mining Control and Reclamation Act of 1977 until September 30, 2005.

REPEAL OF TRANSFER AUTHORITY

SEC. 6035. The Committee recommends repeal of authority contained in sections 101 and 208 of Public Law 108–447 permitting the Departments of Labor and Health and Human Services to transfer not to exceed 1 percent of any discretionary funds between a program, project or activity. The Committee expects these Departments to request budget amendments in the event special circumstances require shifting funds between appropriations accounts.

TECHNICAL CORRECTIONS—FUND FOR THE IMPROVEMENT OF  
EDUCATION—FISCAL YEAR 2005

SEC. 6036. The Committee recommends language making technical corrections to projects funded through the fund for the improvement of education program in fiscal year 2005.

TECHNICAL CORRECTIONS—FUND FOR THE IMPROVEMENT OF  
POSTSECONDARY EDUCATION—FISCAL YEAR 2005

SEC. 6037. The Committee recommends language making technical corrections to projects funded through the fund for the improvement of postsecondary education program in fiscal year 2005.

TECHNICAL CORRECTIONS—FUND FOR THE IMPROVEMENT OF  
EDUCATION—FISCAL YEAR 2004

SEC. 6038. The Committee recommends language making a technical correction to a project funded through the fund for the improvement of education program in fiscal year 2004.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR GRANT  
REVIEWS

SEC. 6039. The Committee recommends a technical correction to bill language for the Corporation for National and Community Service to allow the Corporation to use up to 1 percent of grant funds to defray the cost of conducting grant reviews for Learn and Serve America and Next Generation grants.

COYRIGHT ROYALTY JUDGES

SEC. 6040. The Committee recommends transfer authority of up to \$485,000 from the Library of Congress salaries and expenses account to the Copyright Office salaries and expenses account, exclusively for the purpose of implementing chapter 8 of the Copyright Royalty and Distribution Reform Act of 2004 (Public Law 108–419). The Committee notes that this law was enacted November 30, 2004, after consideration of the fiscal year 2005 Legislative Branch Appropriations legislation, necessitating action in this supplemental appropriations bill. Public Law 108–419 established the Copyright Royalty Judges Program [CRJ], effective May 30, 2005, which will replace the Copyright Arbitration Royalty Panels. The CRJ will set rates and terms for statutory licenses in the Copyright Act and determine the distribution of royalty fees collected by the Copyright Office.

TECHNICAL CORRECTION—DEPARTMENT OF TRANSPORTATION

SEC. 6041. The Committee recommends a section making technical corrections related to funds provided under “Capital Investment Grants” for new starts projects in the Consolidated Appropriations Act, 2005 and to the names and amounts for two projects in New Jersey.

THE JUDICIARY

SEC. 6042. This section clarifies that the use of fees collected for the processing of violations through the Central Violations Bureau

be available as offsetting receipts for certain judicial expenses of the courts.

SEC. 6043. This section corrects a mistake in S. 256, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, as passed by the Senate on March 10, 2005, that would underfund the collection of fees to pay for the cost of bankruptcy judges and trustees.

TECHNICAL CORRECTIONS—GENERAL SERVICES ADMINISTRATION

SEC. 6044. This section corrects a mistake made in the enrolling of the fiscal year 2005 Omnibus Appropriations bill.

SEC. 6045. This section corrects a citation in section 408 of title IV of division H of Public Law 108–477.

TECHNICAL CORRECTION—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 6046. This section revises four Economic Development Initiative grants under the Community Development Fund.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE  
STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports accompanying general appropriations bills identify each recommended amendment which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The following items are not authorized:

TITLE I

Chapter 1, Department of Defense:

Military Personnel, Army  
Military Personnel, Navy  
Military Personnel, Marine Corps  
Military Personnel, Air Force  
Reserve Personnel, Army  
Reserve Personnel, Navy  
Reserve Personnel, Marine Corps  
Reserve Personnel, Air Force  
National Guard Personnel, Army  
National Guard Personnel, Air Force  
Operation and Maintenance, Army  
Operation and Maintenance, Navy  
Operation and Maintenance, Marine Corps  
Operation and Maintenance, Air Force  
Operation and Maintenance, Defense-wide  
Operation and Maintenance, Army Reserve  
Operation and Maintenance, Navy Reserve  
Operation and Maintenance, Marine Corps Reserve  
Operation and Maintenance, Army National Guard  
Afghanistan Security Forces Fund  
Iraqi Security Forces Fund  
Aircraft Procurement, Army  
Missile Procurement, Army  
Procurement of WTCV, Army  
Procurement of Ammunition, Army  
Other Procurement, Army  
Aircraft Procurement, Navy  
Weapons Procurement, Navy  
Procurement of Ammunition, Navy and Marine Corps  
Other Procurement, Navy  
Procurement, Marine Corps  
Aircraft Procurement, Air Force  
Procurement of Ammunition, Air Force  
Other Procurement, Air Force  
Procurement, Defense-wide

Research, Development, Test and Evaluation, Army  
 Research, Development, Test and Evaluation, Navy  
 Research, Development, Test and Evaluation, Air Force  
 Research, Development, Test and Evaluation, Defense-wide  
 Defense Working Capital Funds  
 National Defense Sealift Fund  
 Defense Health Program—O&M  
 Drug Interdiction and Counter-drug Activities  
 Office of the Inspector General  
 Intelligence Community Management Account  
 Section 1101  
 Section 1102

Chapter 2, Military Construction:

Military Construction, Army  
 Military Construction, Navy and Marine Corps  
 Military Construction, Air Force

TITLE IV

Chapter 2, Department of Defense:

Operation and Maintenance, Navy  
 Operation and Maintenance, Marine Corps  
 Operation and Maintenance, Air Force  
 Operation and Maintenance, Defense-wide  
 Overseas Humanitarian, Disaster and Civic Aid  
 Defense Health Program

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE  
 STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on April 6, 2005, the Committee ordered reported favorably H.R. 1268, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, subject to amendment and subject to amendments being fully offset with respect to both discretionary budget authority and outlays unless the spending is designated as an emergency requirement, by a recorded vote of 28–0, a quorum being present. The vote was as follows:

Yeas

Nays

Chairman Cochran  
 Mr. Stevens  
 Mr. Specter  
 Mr. Domenici  
 Mr. Bond  
 Mr. McConnell  
 Mr. Burns  
 Mr. Shelby  
 Mr. Gregg  
 Mr. Bennett  
 Mr. Craig  
 Mrs. Hutchison  
 Mr. DeWine  
 Mr. Brownback  
 Mr. Allard  
 Mr. Byrd



Mr. Inouye  
 Mr. Leahy  
 Mr. Harkin  
 Ms. Mikulski  
 Mr. Reid  
 Mr. Kohl  
 Mrs. Murray  
 Mr. Dorgan  
 Mrs. Feinstein  
 Mr. Durbin  
 Mr. Johnson  
 Ms. Landrieu

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE  
 STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee.”

In compliance with this rule, the following changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italics; and existing law in which no change is proposed is shown in roman.

**TITLE 10, UNITED STATES CODE**

\* \* \* \* \*

**SUBTITLE A—General Military Law**

\* \* \* \* \*

**PART II—PERSONNEL**

\* \* \* \* \*

**CHAPTER 75—DECEASED PERSONNEL**

\* \* \* \* \*

**SUBCHAPTER II—DEATH BENEFITS**

\* \* \* \* \*

**§ 1478. Death gratuity: amount**

(a) The death gratuity payable under sections 1475 through 1477 of this title shall be \$12,000, *except as provided in subsection (c) [(as adjusted under subsection (c))]* *(as adjusted under subsection (d))*. For this purpose:

(1) \* \* \*

\* \* \* \* \*

(b) \* \* \*

(c) *The death gratuity payable under sections 1475 through 1477 of this title is \$100,000 (as adjusted under subsection (d)) in the case of a death resulting from wounds, injuries, or illnesses that are—*

*(1) incurred as described in section 1413a(e)(2) of this title;*

*or*

*(2) incurred in an operation or area designated as a combat operation or a combat zone, respectively, by the Secretary of Defense under section 1967(e)(1)(A) of title 38.*

[(c)] (d) Effective on the date on which rates of basic pay under section 204 of title 37 are increased under section 1009 of that title or any other provision of law, the [amount of the death gratuity in effect under subsection (a)] *amounts of the death gratuities in effect under subsections (a) and (c)* shall be increased by the same overall average percentage of the increase in the rates of basic pay taking effect on that date.

\* \* \* \* \*

## TITLE 15—COMMERCE AND TRADE

\* \* \* \* \*

### CHAPTER 14A—AID TO SMALL BUSINESS

\* \* \* \* \*

#### § 644. Awards or contracts

\* \* \* \* \*

SEC. 15. (a) \* \* \*

\* \* \* \* \*

(g)(1) \* \* \*

\* \* \* \* \*

(2) \* \* \*

(3) *For purposes of this section, the term “prime contract” shall, with respect to the Department of Energy, mean prime contracts awarded by the Department of Energy, and subcontracts awarded by Department of Energy management and operating contractors, management and integration contractors, major facilities management contractors, and contractors that have entered into similar contracts for management of a departmental facility. Contracting goals established for the Department of Energy under this section shall be set at a level not greater than the applicable Government-wide goal.*

\* \* \* \* \*

## TITLE 30—MINERAL LANDS AND MINING

\* \* \* \* \*

## CHAPTER 25—SURFACE MINING CONTROL AND RECLAMATION

\* \* \* \* \*

### SUBCHAPTER IV—ABANDONED MINE RECLAMATIONS

\* \* \* \* \*

#### § 1232. Reclamation fee

##### (a) Payment; rate

All operators of coal mining operations subject to the provisions of this chapter shall pay to the Secretary of the Interior, for deposit in the fund, a reclamation fee of 35 cents per ton of coal produced by surface coal mining and 15 cents per ton of coal produced by underground mining or 10 per centum of the value of the coal at the mine, as determined by the Secretary, whichever is less, except that the reclamation fee for lignite coal shall be at a rate of 2 per centum of the value of the coal at the mine, or 10 cents per ton, whichever is less.

##### (b) Due date

Such fee shall be paid no later than thirty days after the end of each calendar quarter beginning with the first calendar quarter occurring after August 3, 1977, and ending [June 30, 2005,] *September 30, 2005*, after which time the fee shall be established at a rate to continue to provide for the deposit referred to in subsection (h) of this section.

\* \* \* \* \*

## TITLE 38, UNITED STATES CODE

\* \* \* \* \*

### PART II—GENERAL BENEFITS

\* \* \* \* \*

### CHAPTER 19—INSURANCE

\* \* \* \* \*

#### SUBCHAPTER III—SERVICEMEMBERS' GROUP LIFE INSURANCE

\* \* \* \* \*

#### § 1967. Persons insured; amount

##### (a)(1) \* \* \*

\* \* \* \* \*

(2)(A) A member may elect in writing not to be insured under this subchapter.

(B) A member may elect in writing not to insure the member's spouse under this subchapter, *except for insurance provided under paragraph (3)(A)(i)(III).*

(C) *Pursuant to regulations prescribed by the Secretary of Defense, notice of an election of a member not to be insured under this*

*subchapter, or to be insured under this subchapter in an amount less than the maximum amount provided under paragraph (3)(A)(i)(I), shall be provided to the spouse of the member.*

(3)(A) Subject to subparagraphs (B) **and (C)**, (C), and (D), the amount for which a person is insured under this subchapter is as follows:

**[(i) In the case of a member, \$250,000.]**

*(i) In the case of a member—*

*(I) \$400,000 or such lesser amount as the member may elect;*

*(II) in the case of a member covered by subsection (e), the amount provided for or elected by the member under subclause (I) plus the additional amount of insurance provided for the member by subsection (e); or*

*(III) in the case of a member covered by subsection (e) who has made an election under paragraph (2)(A) not to be insured under this subchapter, the amount of insurance provided for the member by subsection (e).*

(C) In no case may the amount of insurance coverage under this subsection of a member's spouse exceed the amount of insurance coverage of the member. (4)(A) An insurable dependent of a member is not insured under this chapter unless the member is insured under this subchapter.

*(D) A member with a spouse may not elect not to be insured under this subchapter, or to be insured under this subchapter in an amount less than the maximum amount provided under subparagraph (A)(i)(I), without the written consent of the spouse.*

\* \* \* \* \*

(B)(i) A member may elect in writing to be insured or to insure the member's spouse in an amount less than the amount provided for under subparagraph (A). The member may not elect to insure the member's child in an amount less than \$10,000. The amount of insurance so elected shall, in the case of a **[member or spouse]** member, be evenly divisible by \$50,000 and, in the case of a member's spouse, be evenly divisible by \$10,000.

*(ii) A member who is married may not, without the written concurrence of the member's spouse—*

*(I) elect not to be insured under this subchapter or to be insured under this subchapter in an amount less than the maximum amount provided for under subparagraph (A)(i); or*

*(II) designate any other person as a beneficiary under this program.*

*(iii) Whenever a member who is not married elects not to be insured under this subchapter or to be insured under this subchapter in an amount less than the maximum amount provided for under subparagraph (A)(i), the Secretary concerned shall provide a notice of such election to any person designated by the member as a beneficiary or designated as the member's next-of-kin for the purpose of emergency notification, as determined under regulations prescribed by the Secretary of Defense.*

(C) In no case may the amount of insurance coverage under this subsection of a member's spouse exceed the amount of insurance

coverage of the member *as applicable to such member under subparagraph (A)(i).*

\* \* \* \* \*

(d) Whenever a member has the opportunity to make an election under subsection (a) not to be insured under this subchapter, or to be insured under this subchapter in an amount less than the maximum amount of ~~【\$250,000】~~ *\$400,000*, and at such other times periodically thereafter as the Secretary concerned considers appropriate, the Secretary concerned shall furnish to the member general information concerning life insurance. Such information shall include—

\* \* \* \* \*

(e)(1) *A member covered by this subsection is any member as follows:*

(A) *Any member who dies as a result of one or more wounds, injuries, or illnesses incurred while serving in an operation or area that the Secretary designates, in writing, as a combat operation or a zone of combat, respectively, for purposes of this subsection.*

(B) *Any member who formerly served in an operation or area so designated and whose death is determined (under regulations prescribed by the Secretary of Defense) to be the direct result of injury or illness incurred or aggravated while so serving.*

(2) *The additional amount of insurance under this subchapter that is provided for a member by this subsection is \$150,000, except that in a case in which the amount provided for or elected by the member under subclause (I) of subsection (a)(3)(A) exceeds \$250,000, the additional amount of insurance under this subchapter that is provided for the member by this subsection shall be reduced to such amount as is necessary to comply with the limitation in paragraph (3).*

(3) *The total amount of insurance payable for a member under this subchapter may not exceed \$400,000.*

(4) *While a member is serving in an operation or area designated as described in paragraph (1), the cost of insurance of the member under this subchapter that is attributable to \$150,000 of insurance coverage shall be contributed as provided in section 1969(b)(2) of this title and may not be deducted or withheld from the member's pay.*

**【(e)】** (f) *The effective date and time for any change in benefits under the Servicemembers' Group Life Insurance Program shall be based on the date and time according to the time zone immediately west of the International Date Line.*

\* \* \* \* \*

## **§ 1969. Deductions; payment; investment; expenses**

(a)(1) \* \* \*

(b)(1) *For each month for which any member is so insured, there shall be contributed from the appropriation made for active duty pay of the uniformed service concerned an amount determined by the Secretary and certified to the Secretary concerned to be the*

cost of Servicemembers' Group Life Insurance which is traceable to the extra hazard of duty in the uniformed services. Effective January 1, 1970, such cost shall be determined by the Secretary on the basis of the excess mortality incurred by members and former members of the uniformed services insured under Servicemembers' Group Life Insurance above what their mortality would have been under peacetime conditions as such mortality is determined by the Secretary using such methods and data as the Secretary shall determine to be reasonable and practicable. The Secretary is authorized to make such adjustments regarding contributions from pay appropriations as may be indicated from actual experience.

(2) *For each month for which a member insured under this subchapter is serving in an operation or area designated as described by paragraph (1)(A) of section 1967(e) of this title, there shall be contributed from the appropriation made for active duty pay of the uniformed service concerned an amount determined by the Secretary and certified to the Secretary concerned to be the cost of Servicemembers' Group Life Insurance which is traceable to the cost of providing insurance for the member under section 1967 of this title in the amount of \$150,000.*

\* \* \* \* \*

#### **§ 1970. Beneficiaries; payment of insurance**

(a) \* \* \*

\* \* \* \* \*

(i) \* \* \*

(j) *A member with a spouse may not modify the beneficiary or beneficiaries designated by the member under subsection (a) without the written consent of the spouse.*

\* \* \* \* \*

#### **§ 1977. Veterans' Group Life Insurance**

(a)(1) Veterans' Group Life Insurance shall be issued in the amounts specified in section 1967(a) of this title. In the case of any individual, the amount of Veterans' Group Life Insurance may not exceed the amount of Servicemembers' Group Life Insurance coverage continued in force after the expiration of the period of duty or travel under section 1967(b) or 1968(a) of this title. No person may carry a combined amount of Servicemembers' Group Life Insurance and Veterans' Group Life Insurance in excess of **[\$250,000]** \$400,000 at any one time. *Any additional amount of insurance provided a member under section 1967(e) of this title may not be treated as an amount for which Veterans' Group Life Insurance shall be issued under this section.*

(2) If any person insured under Veterans' Group Life Insurance again becomes insured under Servicemembers' Group Life Insurance but dies before terminating or converting such person's Veterans' Group Insurance, Veterans' Group Life Insurance shall be payable only if such person is insured for less than **[\$250,000]** \$400,000 under Servicemembers' Group Life Insurance, and then only in an amount which, when added to the amount of

Servicemembers' Group Life Insurance payable, does not exceed  
~~[\$250,000]~~ \$400,000.

\* \* \* \* \*

## FOREIGN ASSISTANCE ACT OF 1961

SEC. 307. WITHHOLDING OF UNITED STATES PROPORTIONATE SHARE FOR CERTAIN PROGRAMS OF INTERNATIONAL ORGANIZATIONS.—(a) Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this chapter shall be available for the United States proportionate share for programs for Burma, ~~[Iraq,]~~ North Korea, Syria, Libya, Iran, Cuba, or the Palestine Liberation Organization or for projects whose purpose is to provide benefits to the Palestine Liberation Organization or entities associated with it or at the discretion of the President, Communist countries listed in section 620(f) of this Act.

\* \* \* \* \*

## WATER RESOURCES DEVELOPMENT ACT OF 1992

\* \* \* \* \*

## TITLE II—GENERALLY APPLICABLE PROVISIONS

\* \* \* \* \*

### SEC. 219. ENVIRONMENTAL INFRASTRUCTURE.

\* \* \* \* \*

(f) ADDITIONAL ASSISTANCE.—The Secretary may provide assistance under subsection (a) and assistance for construction for the following:

\* \* \* \* \*

(30) DESOTO COUNTY, MISSISSIPPI.—~~[\$20,000,000]~~  
 \$55,000,000 for a wastewater ~~[treatment]~~ *infrastructure*  
 project in the county of DeSoto, Mississippi.

\* \* \* \* \*

## WATER DESALINATION ACT OF 1996 (PUBLIC LAW 104–298)

### SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) SECTION 3.—There are authorized to be appropriated to carry out section 3 of this Act \$5,000,000 per year for fiscal years 1997 through ~~[2004]~~ 2009. Of these amounts, up to \$1,000,000 in each fiscal year may be awarded to institutions of higher education, including United States-Mexico binational research foundations and interuniversity research programs established by the two countries, for research grants without any cost-sharing requirement.

(b) SECTION 4.—There are authorized to be appropriated to carry out section 4 of this Act \$25,000,000 for fiscal years 1997 through ~~2004~~ 2009.

\* \* \* \* \*

## WATER RESOURCES DEVELOPMENT ACT OF 2000 (PUBLIC LAW 106–541)

### TITLE III—PROJECT-RELATED PROVISIONS

\* \* \* \* \*

#### SEC. 325. FORT PECK FISH HATCHERY, MONTANA.

\* \* \* \* \*

(a) \* \* \*

\* \* \* \* \*

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated— (A) ~~20,000,000~~ \$25,000,000 to carry out this section (other than subsection (e)(2)(B)); and

\* \* \* \* \*

## INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004 (PUBLIC LAW 108–458)

#### SEC. 1096. TRANSITIONAL AUTHORITIES.

(a) \* \* \*

(b) TRANSFER OF PERSONNEL.—In addition to any other authorities available under law for such purposes, ~~in the fiscal year after the effective date of this Act~~ *in the fiscal years 2005 and 2006*, the Director of National Intelligence—

(1) is authorized within the Office of the Director of National Intelligence ~~500 new personnel billets~~ *the total of 500 new personnel positions*; and

\* \* \* \* \*

## RONALD W. REAGAN NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

#### SEC. 1201. COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) FISCAL YEAR 2005 AUTHORITY.—During fiscal year 2005, from funds made available to the Department of Defense for operation and maintenance pursuant to title XV, not to exceed ~~500,000,000~~ \$854,000,000 may be used to provide funds—

(1) \* \* \*

\* \* \* \* \*

## DEPARTMENTS OF DEFENSE APPROPRIATIONS ACT, 2004 (PUBLIC LAW 108–199)

### DIVISION H—MISCELLANEOUS APPROPRIATIONS AND OFFSETS

\* \* \* \* \*



SEC. 101. \* \* \*

\* \* \* \* \*

SEC. 115. Of the amounts provided in Public Laws 107–117, 107–248, and 108–87 under the heading “National Defense Sealift Fund” for construction of additional sealift capacity, \$40,000,000 shall be made available [for the construction of a Port of Philadelphia marine cargo terminal for high-speed military sealift and other military purposes.], *notwithstanding section 2218(c)(1) of title 10, United States Code, for a grant to Philadelphia Regional Port Authority, to be used solely for the purpose of construction, by and for a Philadelphia-based company established to operate high-speed, advanced-design vessels for the transport of high-value, time-sensitive cargoes in the foreign commerce of the United States, of a marine cargo terminal and IT network for high-speed commercial vessels that is capable of supporting military sealift requirements.*

\* \* \* \* \*

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005 (PUBLIC LAW 108–287)

\* \* \* \* \*

### TITLE II

#### OPERATION AND MAINTENANCE

\* \* \* \* \*

#### OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$17,449,619,000: *Provided*, That not more than \$25,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code, and of which not to exceed ~~[\$32,000,000]~~ \$43,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That notwithstanding any other provision of law, of the funds provided in this Act for Civil Military programs under this heading, \$500,000 shall be available for a grant for Outdoor Odyssey, Roaring Run, Pennsylvania, to support the Youth Development and Leadership program and Department of Defense STARBASE program: *Provided further*, That of the funds made available under this heading, \$2,550,000 shall be available only for a Washington-based internship and immersion program to allow U.S. Asian-American Pacific Islander undergraduate college and university students from economically disadvantaged backgrounds to participate in academic and educational programs in the Department of Defense and related Federal defense agencies: *Provided further*, That notwithstanding any other provision of law, the Office

of Economic Adjustment of the Department of Defense may make grants and supplement other Federal funds using funds made available by this Act under this heading in accordance with the guidance provided in the Joint Explanatory Statement of the Committee of the Conference for the Conference Report to accompany H.R. 4613 and these projects shall hereafter be considered to be authorized by law: *Provided further*, That of the funds provided under this heading that are available for commercial imagery purchases, \$500,000 shall be used by the National Geospatial-Intelligence Agency to pay for imagery and high-resolution terrain data collected in 2003 in support of the California wildfires: *Provided further*, That of the funds provided under this heading not less than \$27,000,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That \$4,000,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

\* \* \* \* \*

## TITLE VIII

### GENERAL PROVISIONS

\* \* \* \* \*

#### (TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed ~~【\$3,500,000,000】~~ \$5,685,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally ap-

appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section must be made prior to June 30, 2005: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

\* \* \* \* \*

(INCLUDING TRANSFER OF FUNDS)

SEC. 8090. (a) \* \* \*

(b) Of the amounts appropriated in this Act under the heading, “Operation and Maintenance, Army”, ~~[\$185,000,000]~~ \$210,000,000 shall remain available until expended: \* \* \*

\* \* \* \* \*

# **DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2005 (PUBLIC LAW 108–334)**

\* \* \* \* \*

## **TITLE V—GENERAL PROVISIONS**

\* \* \* \* \*

SEC. 503. (a) \* \* \*

\* \* \* \* \*

[(d) Notifications pursuant to subsections (a), (b) and (c) of this subsection shall not be made later than June 30, except in extraordinary circumstances which imminently threaten the safety of human life or the protection of property.]

(d) *None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for any information technology project that: (1) is funded by the “Office of the Chief Information Officer”; or (2) is funded by multiple components through the use of reimbursable agreements; unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation of funds.*

(e) *Notifications of reprogrammings, transfers, and obligations pursuant to subsections (a), (b), (c) and (d) shall not be made later than June 30, 2005, except in extraordinary circumstances which*

*imminently threaten the safety of human life or the protection of property.*

\* \* \* \* \*

**DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2005  
(PUBLIC LAW 108-335)**

\* \* \* \* \*

**TITLE III—GENERAL PROVISIONS**

\* \* \* \* \*

SEC. 331. The amount appropriated by this Act may be increased by no more than **[\$15,000,000]** *\$42,000,000, to remain available until expended*, from funds identified in the comprehensive annual financial report as the District's fiscal year 2004 unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) \* \* \*

\* \* \* \* \*

**[(5) The amounts may be obligated and expended only if approved by the Committees on Appropriations of the House of Representatives and Senate in advance of any obligation or expenditure.]**

*(5) The amounts may be obligated or expended only if the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate in writing 30 days in advance of any obligation or expenditure.*

\* \* \* \* \*

SEC. 348. *The amount appropriated by this Act may be increased by an additional amount of \$206,736,000 (including \$49,927,000 from local funds and \$156,809,000 from other funds) to be transferred by the Mayor of the District of Columbia to the various headings under this Act as follows:*

*(1) \$174,927,000 (including \$34,927,000 from local funds and \$140,000,000 from other funds) shall be transferred under the heading "Government Direction and Support": Provided, That of the funds, \$33,000,000 from local funds shall remain available until expended: Provided further, That of the funds, \$140,000,000 from other funds shall remain available until expended and shall only be available in conjunction with revenue from a private or alternative financing proposal approved pursuant to section 106 of DC Act 15-717, the "Ballpark Omnibus Financing and Revenue Act of 2004" approved by the District of Columbia, December 29, 2004, and*

*(2) \$15,000,000 from local funds shall be transferred under the heading "Repayment of Loans and Interest", and*

*(3) \$14,000,000 from other funds shall be transferred under the heading "Sports and Entertainment Commission", and*

*(4) \$2,809,000 from other funds shall be transferred under the heading "Water and Sewer Authority".*

\* \* \* \* \*

**CONSOLIDATED APPROPRIATIONS ACT, 2005 (PUBLIC  
LAW 108-447)**

\* \* \* \* \*

**DIVISION B—DEPARTMENTS OF COMMERCE, JUSTICE, AND  
STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005**

\* \* \* \* \*

**TITLE III—THE JUDICIARY**

**GENERAL PROVISIONS—THE JUDICIARY**

\* \* \* \* \*

SEC. 308. For fiscal year 2005 and hereafter, such fees as shall be collected for the processing of violations through the Central Violations Bureau cases as prescribed by the Judicial Conference of the United States [shall be deposited to the “Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses” appropriation to be used for salaries and other expenses] *shall be deposited as offsetting receipts to the fund established under 28 U.S.C. section 1931 and shall remain available to the Judiciary until expended to reimburse any appropriation for the amount paid out of such appropriation for expenses of the Courts of Appeals, District Courts, and Other Judicial Services and the Administrative Office of the United States Courts.*

\* \* \* \* \*

**DIVISION C—ENERGY AND WATER DEVELOPMENT  
APPROPRIATIONS ACT, 2005**

**TITLE I**

**DEPARTMENT OF DEFENSE—CIVIL**

**DEPARTMENT OF THE ARMY**

**CORPS OF ENGINEERS—CIVIL**

\* \* \* \* \*

**OPERATION AND MAINTENANCE**

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; for the benefit of federally listed species to address the effects of civil works projects owned or operated by the United States Army Corps of Engineers; for providing security for infrastructure owned and operated by, or on behalf of, the United States Army Corps of Engineers, including administrative buildings and facilities, laboratories, and the Washington Aqueduct; for the maintenance of harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; and for surveys and charting of northern and northwestern lakes and connecting waters, clear-

ing and straightening channels, and removal of obstructions to navigation, \$1,959,101,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of operation and maintenance costs for coastal harbors and channels shall be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662 may be derived from that fund; of which such sums as become available from the special account for the United States Army Corps of Engineers established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-6a(i)), may be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available under section 217 of the Water Resources Development Act of 1996, Public Law 104-303, shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which fees have been collected: *Provided*, That utilizing funds appropriated herein, for the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, the Secretary of the Army, acting through the Chief of Engineers, is directed to reimburse the State of Delaware for normal operation and maintenance costs incurred by the State of Delaware for the SR1 Bridge from station 58+00 to station 293+00 between [October 1, 2003, and September 30, 2004] *October 1, 2004, and September 30, 2005: Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to rehabilitate the existing dredged material disposal site for the project for navigation, Bodega Bay Harbor, California, and to continue maintenance dredging of the Federal channel: *Provided further*, That the Secretary shall make suitable material excavated from the Bodega Bay Harbor, California, disposal site as part of the rehabilitation effort available to the non-Federal sponsor, at no cost to the Federal Government, for use by the non-Federal sponsor in the development of public facilities: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake, at full Federal expense, a detailed evaluation of the Albuquerque levees for purposes of determining structural integrity, impacts of vegetative growth, and performance under current hydrological conditions: *Provided further*, That using \$175,000 provided herein, the Secretary of the Army, acting through the Chief of Engineers is authorized to remove the sunken vessel *State of Pennsylvania* from the Christina River in Delaware: *Provided further*, That the Corps of Engineers shall not allocate any funds to deposit dredged material along the Laguna Madre portion of the Gulf Intracoastal Waterway except at the placement areas specified in the Dredged Material Management Plan in section 2.11 of the Final Environmental Impact Statement for Maintenance Dredging of the Gulf Intracoastal Waterway, Laguna Madre, Texas, Nueces, Kleberg, Kenedy, Willacy, and Cameron Counties, Texas, prepared by the Corps of Engineers dated September 2003: *Provided further*, That nothing in the above proviso shall prevent the Corps of Engineers from performing necessary maintenance operations along the Gulf Intracoastal Waterway if the following conditions are met: if the Corps proposes to use any placement areas that are not currently

specified in the Dredged Material Management Plan and failure to use such alternative placement areas will result in the closure of any segment of the Gulf Intracoastal Waterway, then such proposal shall be analyzed in an Environmental Impact Statement (EIS) and comply with all other applicable requirements of the National Environmental Policy Act, 42 U.S.C. 4321 et seq., and all other applicable State and Federal laws, including the Clean Water Act, 33 U.S.C. 1251 et seq., the Endangered Species Act, 16 U.S.C. 1531 et seq., and the Coastal Zone Management Act, 16 U.S.C. 1451 et seq.: *Provided further*, That, of the funds made available, \$7,000,000 is to be used to perform work authorized in section 136 of [Public Law 108–357] *Public Law 108–137*.

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### TITLE III

#### DEPARTMENT OF ENERGY

##### ENERGY PROGRAMS

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##### SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed four passenger motor vehicles for replacement only, including not to exceed one ambulance, \$3,628,902,000: *Provided*, That \$2,000,000 is provided within available funds to continue funding for project #DE-FG0204ER63842–04090945 and \$3,000,000 for the University of Texas Southwestern Medical Center, University of Texas at Dallas Metroplex Comprehensive Imaging Center: *Provided further*, That within funds made available herein \$500,000 is provided for the desalination plant technology program at the University of Nevada-Reno (UNR) and \$500,000 for the Oral History of the Negotiated Settlement project at UNR: *Provided further*, That \$4,000,000 is to be provided from within available funds to the Fire Sciences Academy in Elko, Nevada, for purposes of capital debt service, to remain available until expended.

##### NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, \$346,000,000, to be derived from the Nuclear Waste Fund and to remain available until expended: *Provided*, That of the funds made available in this Act for Nuclear Waste Disposal, \$2,000,000 shall be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the Nu-

clear Waste Policy Act of 1982, Public Law 97-425, as amended: *Provided further*, That \$8,000,000 shall be provided to affected units of local governments, as defined in Public Law 97-425, [to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the Act] *to participate in licensing activities and other appropriate activities pursuant to that Act: Provided further*, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: *Provided further*, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: *Provided further*, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97-425 and this Act: *Provided further*, That failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: *Provided further*, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

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## ATOMIC ENERGY DEFENSE ACTIVITIES

### NATIONAL NUCLEAR SECURITY ADMINISTRATION

#### WEAPONS ACTIVITIES

##### (INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 19 passenger motor vehicles, for replacement only, including not to exceed two buses; \$6,226,471,000, together with \$300,000,000 to be derived by transfer from the Department of Defense, to remain available until expended: *Provided*, That the Secretary of Defense shall reduce proportionately each program, project, and activity funded by appropriations in titles I through VI of the Department of Defense Appropriations Act, 2005



(Public Law 108–287) to fund this transfer: *Provided further*, That \$91,100,000 is authorized to be appropriated for Project 01–D–108, Microsystems and engineering sciences applications (MESA), Sandia National Laboratories, Albuquerque, New Mexico: *Provided further*, That \$40,000,000 is authorized to be appropriated for Project 04–D–125, chemistry and metallurgy facility replacement project, Los Alamos Laboratory, Los Alamos, New Mexico: *Provided further*, That \$1,500,000 is authorized to be appropriated for Project 04–D–103, Project engineering and design (PED), various locations: *Provided further*, That \$3,000,000 shall be used to continue funding of project #DE–FC04–02AL68107, the Technology Ventures Corporation: *Provided further*, That notwithstanding the provisions of section 302 of Public Law 102–377 and section 4705 of Public Law 107–314, as amended, the Department may transfer up to \$10,000,000 from the Weapons Activities appropriation for purposes of carrying out section 3147 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005, Public Law 108–375: *Provided further*, That a plant or construction project for which amounts are made available under this heading but not exclusive to the Atomic Energy Defense Weapons Activities account, with a current estimated cost of less than \$10,000,000 is considered for purposes of section 3622 of Public Law 107–314 as a plant project for which the approved total estimated cost does not exceed the minor construction threshold and for purposes of section 3623 of Public Law 107–314 as a construction project with a current estimated cost of less than the minor construction threshold.

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## ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

### DEFENSE SITE ACCELERATION COMPLETION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense site acceleration completion activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$6,096,429,000, to remain available until expended: *Provided*, That \$4,000,000 is to be provided from within available funds for the cleanup of lands transferred from NNSA to Los Alamos County or Los Alamos School District.

### DEFENSE ENVIRONMENTAL SERVICES

For Department of Energy expenses necessary for defense-related environmental services activities that indirectly support the accelerated cleanup and closure mission at environmental management sites, including the purchase, construction, and acquisition of plant and capital equipment and other necessary expenses, and the purchase of not to exceed three ambulances for replacement only, \$937,976,000, to remain available until expended: *Provided*, That to the extent activities to be funded within the “Defense Environmental Services” cannot be funded without unduly impacting mis-

*sion activities and statutory requirements, up to \$30,000,000 from "Defense Site Acceleration Completion" may be used for these activities.*

#### OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$692,691,000, to remain available until expended: *Provided, That \$5,000,000 is to be provided from within available funds to initiate the Chernobyl Research and Service Project to support radiation effects during the Chernobyl Shelter Implementation Plan within the Office of Environment Safety and Health.*

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#### POWER MARKETING ADMINISTRATIONS

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#### CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed \$1,500; \$173,100,000, to remain available until expended, of which \$167,236,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided, That of the amount herein appropriated, \$10,000,000 shall be available until expended on a non-reimbursable basis to the Western Area Power Administration to design, construct, operate and maintain transmission facilities and services for the Animas-LaPlata Project as authorized by section 301(b)(10) of Public Law 106-554: Provided further, That of the amount herein appropriated, \$6,200,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That of the amount herein appropriated, \$6,000,000 shall be available until expended on a non-reimbursable basis to the Western Area Power Administration for Topock-Davis-Mead Transmission Line Upgrades: Provided further, That notwithstanding the provision of 31 U.S.C. 3302, up to \$227,600,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That of the amount herein appropriated, \$500,000 is provided on a non-*

*reimbursable basis from within available funds for a transmission study on the placement of 500 megawatts of wind energy in North Dakota and South Dakota.*

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# DIVISION E—DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

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## TITLE I—DEPARTMENT OF THE INTERIOR

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### GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

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SEC. 144. (a) SHORT TITLE.—This section may be cited as the “Foundation for Nevada’s Veterans Land Transfer Act of 2004”.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION, BUREAU OF LAND MANAGEMENT LAND, CLARK COUNTY, NEVADA.—

(1) IN GENERAL.—Administrative jurisdiction over the land described in paragraph (2) is transferred from the Secretary of the Interior to the Secretary of Veterans Affairs.

(2) DESCRIPTION OF LAND.—The parcel of land referred to in paragraph (1) is the approximately 150 acres of Bureau of Land Management land in Clark County, Nevada, as generally depicted on the map entitled “Veterans Administration Conveyance” and dated [September 24, 2004] *November 12, 2004*.

(3) USE OF LAND.—The parcel of land described in paragraph (2) shall be used by the Secretary of Veterans Affairs for the construction and operation of medical and related facilities, as determined to be appropriate by the Secretary of Veterans Affairs.

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# DIVISION F—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

## TITLE I—DEPARTMENT OF LABOR

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### GENERAL PROVISIONS

[SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.]

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## TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

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## GENERAL PROVISIONS

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## 【(TRANSFER OF FUNDS)

【SEC. 208. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: *Provided*, That a program, project, or activity may be increased by up to an additional 2 percent subject to approval by the House and Senate Committees on Appropriations: *Provided further*, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.】

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## DIVISION H—TRANSPORTATION, TREASURY, INDEPENDENT AGENCIES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2005

## TITLE I

## DEPARTMENT OF TRANSPORTATION

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## FEDERAL TRANSIT ADMINISTRATION

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## CAPITAL INVESTMENT GRANTS

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, \$417,353,000, to remain available until expended: *Provided*, That no more than \$3,338,825,000 of budget authority shall be available for these purposes: *Provided further*, That there shall be available for fixed guideway modernization, \$1,214,400,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, \$675,000,000, which shall include \$50,000,000 made available under 5309(m)(3)(C) of this title, plus \$50,000,000 transferred from “Federal Transit Administration, Formula Grants”; and there shall be available for new fixed guideway systems \$1,449,425,000, with 【\$3,591,548】 \$1,362,683 in unobligated balances made available in Public Law 106–346, and 【\$22,554,144】 \$12,998,815 in unobligated balances made available in Public Law 107–87, to be available as follows:

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## TITLE IV

## INDEPENDENT AGENCIES

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## GENERAL SERVICES ADMINISTRATION

## REAL PROPERTY ACTIVITIES

## FEDERAL BUILDINGS FUND

## LIMITATIONS ON AVAILABILITY OF REVENUE

## (INCLUDING TRANSFER OF FUNDS)

To carry out the purposes of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592), the revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of \$7,217,043,000, of which: (1) \$708,542,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:

## New Construction:

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## New Mexico:

Las Cruces, United States Courthouse, **[\$60,000,000]**  
**\$60,600,000.**

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## GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

## (INCLUDING RECISSION OF FUNDS)

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SEC. 408. **[Section 572(a)(2)(ii)]** *Section 572(a)(2)(A)(ii)* of title 40, United States Code, is amended by inserting the following be-

fore the period: “, highest and best use of property studies, utilization of property studies, deed compliance inspection, and the expenses incurred in a relocation”.

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# DIVISION I—DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005

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## TITLE III—INDEPENDENT AGENCIES

\* \* \* \* \*

### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

#### NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (the “Corporation”) in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (the “Act”) (42 U.S.C. 12501 et seq.), \$545,884,000, to remain available until September 30, 2006: *Provided*, That not more than \$290,000,000 of the amount provided under this heading shall be available for grants under the National Service Trust Program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities of the AmeriCorps program), including grants to organizations operating projects under the AmeriCorps Education Awards Program (without regard to the requirements of sections 121(d) and (e), section 131(e), section 132, and sections 140(a), (d), and (e) of the Act): *Provided further*, That not less than \$144,000,000 of the amount provided under this heading, to remain available without fiscal year limitation, shall be transferred to the National Service Trust for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601), of which up to \$3,900,000 shall be available to support national service scholarships for high school students performing community service, and of which \$13,000,000 shall be held in reserve as defined in Public Law 108–45: *Provided further*, That in addition to amounts otherwise provided to the National Service Trust under the second proviso, the Corporation may transfer funds from the amount provided under the first proviso, to the National Service Trust authorized under subtitle D of title I of the Act (42 U.S.C. 12601) upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to Congress: *Provided further*, That of the amount provided under this heading for grants under the National Service Trust program authorized under subtitle C of title I of the Act, not more than \$55,000,000 may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)): *Provided further*, That not more than \$13,334,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42

U.S.C. 12853 et seq.), of which \$4,000,000 shall be available for challenge grants to non-profit organizations: *Provided further*, That notwithstanding subtitle H of title I of the Act (42 U.S.C. 12853), none of the funds provided under the previous proviso shall be used to support salaries and related expenses (including travel) attributable to Corporation employees: *Provided further*, That to the maximum extent feasible, funds appropriated under subtitle C of title I of the Act shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: *Provided further*, That \$25,500,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): *Provided further*, That \$43,000,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): *Provided further*, That \$3,550,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639): *Provided further*, That \$10,000,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.), of which not more than \$2,500,000 may be used to support an endowment fund, the corpus of which shall remain intact and the interest income from which shall be used to support activities described in title III of the Act, provided that the Foundation may invest the corpus and income in federally insured bank savings accounts or comparable interest bearing accounts, certificates of deposit, money market funds, mutual funds, obligations of the United States, and other market instruments and securities but not in real estate investments: *Provided further*, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12571(b)): *Provided further*, That \$4,500,000 of the funds made available under this heading shall be made available to America's Promise—The Alliance for Youth, Inc.: *Provided further*, That to the maximum extent practicable, the Corporation shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, and shall reduce the total Federal costs per participant in all programs: *Provided further*, *That the Corporation may use up to 1 percent of program grant funds made available under this heading to defray its costs of conducting grant application reviews, including the use of outside peer reviewers.*

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## BUDGETARY IMPACT

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, requires that the report accompanying a bill providing new budget authority contain a statement detailing how that authority compares with the reports submitted under section 302 of the act for the most recently agreed to concurrent resolution on the budget for the fiscal year. All funds provided in this bill are either offset or are emergency requirements.

### FIVE-YEAR PROJECTION OF OUTLAYS

In compliance with section 308(a)(1)(C) of the Congressional Budget Act of 1974 (Public Law 93–344), as amended, the following table contains 5-year projections associated with the budget authority provided in the accompanying bill:

[In millions]	
Budget authority: Fiscal year 2005 .....	\$80,582
Outlays:	
Fiscal year 2005 .....	32,790
Fiscal year 2006 .....	29,958
Fiscal year 2007 .....	12,704
Fiscal year 2008 .....	3,727
Fiscal year 2009 and future years .....	2,029

Note: The above table includes discretionary appropriations.

### ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

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

[In millions]	
New budget authority .....	\$43
Fiscal year 2005 outlays .....	25



## COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL

[In thousands of dollars]

Doc. No.		Supplemental estimate	House allowance	Committee recommendation	Committee recommendation compared with (+ or -)	
					Supplemental estimate	House allowance
	EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR IRAQ, AFGHANISTAN, TSUNAMI, 2005					
	TITLE I—DEFENSE-RELATED APPROPRIATIONS					
	CHAPTER 1					
	DEPARTMENT OF DEFENSE					
	Military Personnel					
109-9	Military Personnel, Army (emergency) .....	13,298,942	11,779,642	13,609,308	+ 310,366	+ 1,829,666
109-9	Military Personnel, Navy (emergency) .....	524,980	534,080	535,108	+ 10,128	+ 1,028
109-9	Military Personnel, Marine Corps (emergency) .....	1,246,126	1,251,726	1,358,053	+ 111,927	+ 106,327
109-9	Military Personnel, Air Force (emergency) .....	1,316,572	1,473,472	1,684,943	+ 368,371	+ 211,471
109-9	Reserve Personnel, Army (emergency) .....	39,627	40,327	39,627	.....	- 700
109-9	Reserve Personnel, Navy (emergency) .....	9,411	11,111	9,411	.....	- 1,700
109-9	Reserve Personnel, Marine Corps (emergency) .....	4,015	4,115	4,015	.....	- 100
109-9	Reserve Personnel, Air Force (emergency) .....	130	130	130	.....	.....
109-9	National Guard Personnel, Army (emergency) .....	429,200	430,300	291,100	- 138,100	- 139,200
109-9	National Guard Personnel, Air Force (emergency) .....	91	91	91	.....	.....
	Subtotal, Military personnel .....	16,869,094	15,524,994	17,531,786	+ 662,692	+ 2,006,792
	Operation and Maintenance					
109-9	Operation and Maintenance, Army (emergency) .....	17,267,304	17,366,004	16,767,304	- 500,000	- 598,700
109-9	Operation and Maintenance, Navy (emergency) .....	3,423,501	3,030,801	3,430,801	+ 7,300	+ 400,000
109-9	Operation and Maintenance, Marine Corps (emergency) .....	970,464	982,464	970,464	.....	- 12,000
109-9	Operation and Maintenance, Air Force (emergency) .....	5,601,510	5,769,450	5,528,574	- 72,936	- 240,876
109-9	Operation and Maintenance, Defense-Wide (emergency) .....	3,521,327	3,061,300	3,308,392	- 212,935	+ 247,092
109-9	Operation and Maintenance, Army Reserve (emergency) .....	8,154	8,154	21,354	+ 13,200	+ 13,200
109-9	Operation and Maintenance, Navy Reserve (emergency) .....	75,164	75,164	75,164	.....	.....
109-9	Operation and Maintenance, Marine Corps Reserve (emergency) .....	24,920	24,920	24,920	.....	.....
109-9	Operation and Maintenance, Army National Guard (emergency) .....	188,779	188,779	326,879	+ 138,100	+ 138,100
109-9	Overseas Humanitarian, Disaster, and Civic Aid (emergency) .....	10,000	10,000	.....	- 10,000	- 10,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued**  
(In thousands of dollars)

Doc. No.		Supplemental estimate	House allowance	Committee recommendation	Committee recommendation compared with (+ or -)	
					Supplemental estimate	House allowance
109-9	Afghanistan Security Forces Fund (emergency) .....	1,285,000	1,285,000	1,285,000	.....	.....
109-9	Iraq Security Forces Fund (emergency) .....	5,700,000	5,700,000	5,700,000	.....	.....
	Subtotal, Operation and maintenance .....	38,076,123	37,502,036	37,438,852	- 637,271	- 63,184
	Procurement					
109-9	Aircraft Procurement, Army (emergency) .....	458,677	458,677	458,677	.....	.....
109-9	Missile Procurement, Army (emergency) .....	294,036	340,536	280,250	- 13,786	- 60,286
109-9	Procurement of Weapons and Tracked Combat Vehicles, Army (emergency) .....	2,425,207	2,678,747	2,406,447	- 18,760	- 272,300
109-9	Procurement of Ammunition, Army (emergency) .....	475,000	532,800	475,000	.....	- 57,800
109-9	Other Procurement, Army (emergency) .....	5,316,405	6,549,905	5,322,905	+ 6,500	- 1,227,000
—	By Transfer (Emergency) .....	.....	(85,000)	.....	.....	(- 85,000)
109-9	Aircraft Procurement, Navy (emergency) .....	200,295	200,295	200,295	.....	.....
109-9	Weapons Procurement, Navy (emergency) .....	71,600	71,600	66,000	- 5,600	- 5,600
109-9	Procurement of Ammunition, Navy and Marine Corps (emergency) .....	133,635	141,735	133,635	.....	- 8,100
109-9	Other Procurement, Navy (emergency) .....	85,672	78,372	78,397	- 7,275	+ 25
109-9	Procurement, Marine Corps (emergency) .....	2,974,045	3,588,495	2,929,045	- 45,000	- 659,450
109-9	Aircraft Procurement, Air Force (emergency) .....	269,241	279,241	269,309	+ 68	- 9,932
109-9	Procurement of Ammunition, Air Force (emergency) .....	6,998	6,998	6,998	.....	.....
109-9	Other Procurement, Air Force (emergency) .....	2,834,328	2,658,527	2,653,760	- 180,568	- 4,767
109-9	Procurement, Defense-Wide (emergency) .....	591,327	646,327	591,327	.....	- 55,000
	Subtotal, Procurement .....	16,136,466	18,232,255	15,872,045	- 264,421	- 2,360,210
	Research, Development, Test and Evaluation					
109-9	Research, Development, Test and Evaluation, Army (emergency) .....	25,170	25,170	37,170	+ 12,000	+ 12,000
109-9	Research, Development, Test and Evaluation, Navy (emergency) .....	179,051	202,051	179,051	.....	- 23,000
109-9	Research, Development, Test and Evaluation, Air Force (emergency) .....	102,540	121,500	132,540	+ 30,000	+ 11,040
109-9	Research, Development, Test and Evaluation, Defense-Wide (emergency) .....	153,561	159,600	203,561	+ 50,000	+ 43,961
	Subtotal, RDT&E .....	460,322	508,321	552,322	+ 92,000	+ 44,001

109-9	Revolving And Management Funds	1,311,300	1,411,300	1,311,300	.....	— 100,000
109-9	Defense Working Capital Funds (emergency) .....	32,400	32,400	32,400	.....	.....
	National Defense Sealift Fund (emergency) .....					
	Subtotal, Revolving and management funds .....	1,343,700	1,443,700	1,343,700	.....	— 100,000
	Other Department of Defense Programs					
109-9	Defense Health Program (emergency) .....	175,550	.....	225,550	+ 50,000	+ 225,550
109-9	Drug Interdiction and Counter-Drug Activities, Defense (emergency) .....	257,000	257,000	227,000	— 30,000	— 30,000
109-9	Office of the Inspector General (emergency) .....	148	148	148	.....	.....
	Subtotal, Other DOD programs .....	432,698	257,148	452,698	+ 20,000	+ 195,550
	Related Agency					
109-9	Intelligence Community Management Account (emergency) .....	250,300	250,300	89,300	— 161,000	— 161,000
	General Provisions					
109-9	Sec. 1102. Additional transfer authority (emergency) .....	(2,500,000)	(2,000,000)	(2,185,000)	(— 315,000)	(+ 185,000)
109-9	Sec. 1101. New transfer authority (emergency) .....	(5,000,000)	(2,000,000)	(2,000,000)	(— 3,000,000)	.....
109-9	Defense Cooperation Account (emergency) .....	12,000	12,000	.....	— 12,000	— 12,000
	Total, Chapter 1 .....	73,580,703	73,730,754	73,280,703	— 300,000	— 450,051
	Emergency appropriations .....	73,580,703	73,730,754	73,280,703	— 300,000	— 450,051
	(By transfer emergency) .....	.....	(85,000)	.....	.....	(— 85,000)
	CHAPTER 2					
	DEPARTMENT OF DEFENSE					
109-9	Military Construction, Army (emergency) .....	990,100	930,100	897,191	— 92,909	— 32,909
109-9	Military Construction, Navy and Marine Corps (emergency) .....	107,380	92,720	107,380	.....	+ 14,660
109-9	Military Construction, Air Force (emergency) .....	301,520	301,386	140,983	— 160,537	— 160,403
—	Military Personnel, Army (emergency) .....	.....	1,542,100	.....	.....	— 1,542,100
—	Operation and Maintenance, Army (emergency) .....	.....	66,300	.....	.....	— 66,300
—	Defense Health Program (emergency) .....	.....	175,550	.....	.....	— 175,550
	Total, Chapter 2 .....	1,399,000	3,108,156	1,145,554	— 253,446	— 1,962,602
	Total, Title I .....	74,979,703	76,838,910	74,426,257	— 553,446	— 2,412,653
	Emergency appropriations .....	74,979,703	76,838,910	74,426,257	— 553,446	— 2,412,653



109-9	Total, Chapter 2 .....	2,212,500	1,925,300	2,037,000	- 175,500	+ 111,700
	<b>BILATERAL ECONOMIC ASSISTANCE</b>					
	<b>FUNDS APPROPRIATED TO THE PRESIDENT</b>					
	United States Agency For International Development					
109-9	International Disaster and Famine Assistance (emergency) .....	44,000	94,000	44,000	.....	- 50,000
109-9	Transition Initiatives (emergency) .....	63,000	.....	63,000	.....	+ 63,000
109-9	Operating Expenses of the USAID (emergency) .....	24,400	.....	24,400	.....	+ 24,400
—	Operating Expenses of the USAID .....	.....	24,400	.....	.....	- 24,400
109-9	Operating Expenses of the USAID Office of Inspector General (emergency) .....	2,500	.....	2,500	.....	+ 2,500
—	Operating Expenses of the USAID Office of Inspector General .....	.....	2,500	.....	.....	- 2,500
	<b>Subtotal, USAID .....</b>	<b>133,900</b>	<b>120,900</b>	<b>133,900</b>	<b>.....</b>	<b>+ 13,000</b>
	Other Bilateral Economic Assistance					
109-9	Economic Support Fund (emergency) .....	1,631,300	376,500	1,631,300	.....	+ 1,254,800
—	Economic Support Fund .....	.....	681,700	.....	.....	- 681,700
109-9	Overseas Private Investment Corporation (by transfer emergency) .....	.....	.....	(10,000)	(+ 10,000)	(+ 10,000)
—	Assistance for the Independent States of the Former Soviet Union (emergency) .....	60,000	.....	70,000	+ 10,000	+ 70,000
	Assistance for the Independent States of the Former Soviet Union .....	.....	33,700	.....	.....	- 33,700
	<b>Subtotal, Other bilateral assistance .....</b>	<b>1,691,300</b>	<b>1,091,900</b>	<b>1,701,300</b>	<b>+ 10,000</b>	<b>+ 609,400</b>
	<b>DEPARTMENT OF STATE</b>					
109-9	International Narcotics Control and Law Enforcement (emergency) .....	660,000	594,000	660,000	.....	+ 66,000
109-9	Migration and Refugee Assistance (emergency) .....	53,400	103,400	108,400	+ 55,000	+ 5,000
109-9	Nonproliferation, Anti-Terrorism, Demining and Related Programs (emergency) .....	32,100	17,100	32,100	.....	+ 15,000
	<b>Subtotal, Department of State .....</b>	<b>745,500</b>	<b>714,500</b>	<b>800,500</b>	<b>+ 55,000</b>	<b>+ 86,000</b>
	<b>FUNDS APPROPRIATED TO THE PRESIDENT OTHER BILATERAL ASSISTANCE</b>					
109-9	Global War On Terror Partners Fund (emergency) .....	200,000	.....	40,000	- 160,000	+ 40,000
	<b>MILITARY ASSISTANCE</b>					
	<b>FUNDS APPROPRIATED TO THE PRESIDENT</b>					
109-9	Foreign Military Financing Program (emergency) .....	250,000	.....	250,000	.....	+ 250,000
—	Foreign Military Financing Program .....	.....	250,000	.....	.....	- 250,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued  
[In thousands of dollars]

Doc. No.		Supplemental estimate	House allowance	Committee recommendation	Committee recommendation compared with (+ or -)	
					Supplemental estimate	House allowance
109-9	Peacekeeping Operations (emergency) .....	210,000	10,000	210,000	.....	+ 200,000
	Subtotal, Military assistance .....	460,000	260,000	460,000	.....	+ 200,000
	General Provision .....					
—	Sec. 2103. Rescission of unexpended balances (rescission) .....		- 1,000,000	- 1,000,000	- 1,000,000	.....
	Total, Chapter 2 .....	5,593,200	3,262,600	4,322,700	- 1,270,500	+ 1,060,100
	Total, Title II .....	5,593,200	3,262,600	4,322,700	- 1,270,500	+ 1,060,100
	Appropriations .....		992,300	.....	.....	- 992,300
	Emergency appropriations .....	5,593,200	3,270,300	5,322,700	- 270,500	+ 2,052,400
	Rescissions .....		- 1,000,000	- 1,000,000	- 1,000,000	.....
	By transfer (emergency) .....			(10,000)	(+ 10,000)	(+ 10,000)
	TITLE III—DOMESTIC APPROPRIATIONS FOR THE WAR ON TERROR .....					
	CHAPTER 1 .....					
	DEPARTMENT OF JUSTICE .....					
	General Administration .....			2,500	+ 2,500	+ 2,500
	Office of Inspector General (emergency) .....					
	United States Marshals Service .....					
	Salaries and expenses (emergency) .....			11,935	+ 11,935	+ 11,935
	Federal Bureau Of Investigation .....					
109-9	Salaries and expenses (emergency) .....	80,000	78,970	66,512	- 13,488	- 12,458
	Drug Enforcement Administration .....					
109-9	Salaries and expenses (emergency) .....	7,648	7,648	7,648	.....	.....



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued  
[In thousands of dollars]

Doc. No.		Supplemental estimate	House allowance	Committee recommendation	Committee recommendation compared with (+ or -)	
					Supplemental estimate	House allowance
—	Architect of the Capitol					
	Capitol Police buildings and grounds (emergency) .....			23,000	+ 23,000	+ 23,000
	Total, Chapter 4 .....	59,527		46,300	— 13,227	+ 46,300
	Total, Title III .....	418,325	357,768	687,145	+ 268,820	+ 329,377
	Appropriations .....	59,527			— 59,527	
109-9	Emergency appropriations .....	358,798	357,768	687,145	+ 328,347	+ 329,377
	TITLE IV—INDIAN OCEAN TSUNAMI RELIEF					
	CHAPTER 1					
	DEPARTMENT OF COMMERCE					
	National Oceanic And Atmospheric Administration					
109-9	Operations, Research, and Facilities (emergency) .....	4,830	4,830	7,070	+ 2,240	+ 2,240
	Procurement, Acquisition and Construction (emergency) .....	9,670	9,670	10,170	+ 500	+ 500
	Total, Chapter 1 .....	14,500	14,500	17,240	+ 2,740	+ 2,740
	CHAPTER 2					
	DEPARTMENT OF DEFENSE					
109-9	Operation And Maintenance					
	Operation and Maintenance, Navy (emergency) .....	124,100	124,100	124,100		
	Operation and Maintenance, Marine Corps (emergency) .....	2,800	2,800	2,800		
	Operation and Maintenance, Air Force (emergency) .....	30,000	30,000	30,000		
	Operation and Maintenance, Defense-Wide (emergency) .....	29,150	29,150	29,150		
109-9	Overseas Humanitarian, Disaster, and Civic Aid (emergency) .....	36,000	36,000	36,000		



109-9	Subtotal, Operation and Maintenance .....	222,050	222,050	222,050	.....	.....
	Other Department of Defense Programs .....					
	Defense Health Program (emergency) .....	3,600	.....	3,600	.....	+ 3,600
	Total, Chapter 2 .....	225,650	222,050	225,650	.....	+ 3,600
	CHAPTER 2a					
	DEPARTMENT OF DEFENSE					
	Defense Health Program (emergency) .....	.....	3,600	.....	.....	- 3,600
	CHAPTER 3					
	DEPARTMENT OF HOMELAND SECURITY					
	United States Coast Guard .....	350	350	350	.....	.....
109-9	Operating Expenses (emergency) .....	350	350	350	.....	.....
	CHAPTER 4					
	DEPARTMENT OF THE INTERIOR					
	United States Geological Survey .....	8,100	8,100	8,100	.....	.....
109-9	Surveys, Investigations, and Research (emergency) .....	8,100	8,100	8,100	.....	.....
	CHAPTER 5					
	FUNDS APPROPRIATED TO THE PRESIDENT					
	Other Bilateral Assistance .....	701,000	659,000	656,000	- 45,000	- 3,000
109-9	Tsunami Recovery and Reconstruction Fund (emergency) .....	949,600	907,600	907,340	- 42,260	- 260
	Total, Title IV .....					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued  
[In thousands of dollars]

Doc. No.		Supplemental estimate	House allowance	Committee recommendation	Committee recommendation compared with (+ or -)	
					Supplemental estimate	House allowance
	TITLE V—OTHER EMERGENCY APPROPRIATIONS					
	CHAPTER 1					
	DEPARTMENT OF AGRICULTURE					
	Cooperative State Research, Education, and Extension Service					
—	Research and education activities (emergency) .....			3,000	+ 3,000	+ 3,000
	Natural Resources Conservation Service					
—	Emergency watershed protection program (emergency) .....			103,000	+ 103,000	+ 103,000
	General Provision					
—	Sec. 5102. Watershed protection program (emergency) .....			15,000	+ 15,000	+ 15,000
	Subtotal, Natural Resource conservation Service .....			118,000	+ 118,000	+ 118,000
	Total, Chapter 1 .....			121,000	+ 121,000	+ 121,000
	CHAPTER 2					
	DEPARTMENT OF THE INTERIOR					
	Departmental Management					
—	Salaries and expenses (emergency) .....			3,000	+ 3,000	+ 3,000
	DEPARTMENT OF AGRICULTURE					
	Forest Service					
—	National forest service (emergency) .....			2,410	+ 2,410	+ 2,410
—	Capital improvement and maintenance (emergency) .....			31,980	+ 31,980	+ 31,980

Subtotal, Forest Service .....	.....	.....	34,390	+ 34,390	+ 34,390
Total, Chapter 2 .....	.....	.....	37,390	+ 37,390	+ 37,390
<b>CHAPTER 3</b>					
<b>DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>					
Health Resources and Services Administration					
Health resources and services (rescission) .....	.....	.....	- 2,000	- 2,000	- 2,000
Office of the Secretary					
Office of the Inspector General (rescission) .....	.....	.....	- 700	- 700	- 700
Public Health and Social Services Emergency fund (emergency) .....	.....	.....	10,000	+ 10,000	+ 10,000
Assistant Secretary for Health (rescission) .....	.....	.....	- 7,300	- 7,300	- 7,300
Subtotal, Office of the Secretary .....	.....	.....	2,000	+ 2,000	+ 2,000
Total, Department of Health and Human Services .....	.....	.....	.....	.....	.....
<b>RELATED AGENCY</b>					
Institute of Museum and Library Services (emergency) .....	.....	.....	10,000	+ 10,000	+ 10,000
<b>CHAPTER 4</b>					
<b>THE JUDICIARY</b>					
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses .....	101,800	.....	.....	- 101,800	.....
(Emergency) .....	.....	.....	60,000	+ 60,000	+ 60,000
Subtotal, Courts of Appeals, district Courts, and Other Judicial Services .....	101,800	.....	60,000	- 41,800	+ 60,000
<b>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b>					
Housing Programs					
Housing For Persons With Disabilities .....	.....	.....	238,080	+ 238,080	+ 238,080
Rescission .....	.....	.....	- 238,080	- 238,080	- 238,080
Subtotal, Housing programs .....	.....	.....	.....	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

[In thousands of dollars]

Doc. No.		Supplemental estimate	House allowance	Committee recommendation	Committee recommendation compared with (+ or -)	
					Supplemental estimate	House allowance
—	General Provision					
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
	Sec. 5401. Emergency assistance (emergency) .....			10,000	+ 10,000	+ 10,000
	Total, Chapter 4 .....	101,800		70,000	- 31,800	+ 70,000
	Total, Title V .....	101,800		238,390	+ 136,590	+ 238,390
	Appropriations .....	101,800		238,080	+ 136,280	+ 238,080
	Emergency appropriations .....			248,390	+ 248,390	+ 248,390
	Rescissions .....			- 248,080	- 248,080	- 248,080
	TITLE VI—GENERAL PROVISIONS AND TECHNICAL CORRECTIONS					
	DEPARTMENT OF ENERGY					
—	National Nuclear Security Administration					
	Sec. 6019. Office of the Administrator (by transfer) .....			(10,000)	(+ 10,000)	(+ 10,000)
	Sec. 6021. Defense environmental services (by transfer) .....			(30,000)	(+ 30,000)	(+ 30,000)
—	DEPARTMENT OF AGRICULTURE					
	Forest Service					
	Sec. 6030. State and private forestry (by transfer) .....			(1,500)	(+ 1,500)	(+ 1,500)
	Total, Title VI .....					
	By transfer .....			(41,500)	(+ 41,500)	(+ 41,500)
	Grand total .....	82,042,628	81,366,878	80,581,832	- 1,460,796	- 785,046
	Appropriations .....	161,327	992,300	238,080	+ 76,753	- 754,220
	Emergency appropriations .....	81,881,301	81,374,578	81,591,832	- 289,469	+ 217,254
	Rescissions .....		- 1,000,000	- 1,248,080	- 1,248,080	- 248,080

	Transfer authority (emergency) .....	(7,500,000)	(4,000,000)	(4,185,000)	(- 3,315,000)	(+ 185,000)
	By transfer .....	.....	.....	(41,500)	(+ 41,500)	(+ 41,500)
	By transfer (emergency) .....	.....	(85,000)	(10,000)	(+ 10,000)	(- 75,000)

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