

Calendar No. 83

110TH CONGRESS
1ST SESSION**S. 965****[Report No. 110-37]**

Making emergency supplemental appropriations for the fiscal year ending
September 30, 2007, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2007

Mr. BYRD, from the Committee on Appropriations, reported the following
original bill, which was read twice and placed on the calendar

A BILL

Making emergency supplemental appropriations for the fiscal
year ending September 30, 2007, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2007, and for other pur-
6 poses, namely:

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

8 For an additional amount for “Public Law 480 Title
9 II Grants”, during the current fiscal year, not otherwise
10 recoverable, and unrecovered prior years’ costs, including
11 interest thereon, under the Agricultural Trade Develop-
12 ment and Assistance Act of 1954, for commodities sup-
13 plied in connection with dispositions abroad under title II
14 of said Act, \$475,000,000, to remain available until ex-
15 pended.

16 GENERAL PROVISION—THIS CHAPTER

17 SEC. 1101. There is hereby appropriated
18 \$82,000,000 to reimburse the Commodity Credit Corpora-
19 tion for the release of eligible commodities under section
20 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act
21 (7 U.S.C. 1736f–1): *Provided*, That any such funds made
22 available to reimburse the Commodity Credit Corporation
23 shall only be used to replenish the Bill Emerson Humani-
24 tarian Trust.

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CHAPTER 2

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for “Office of the Inspector General”, \$500,000, to remain available until September 30, 2008.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for “Salaries and Expenses, General Legal Activities”, \$4,093,000, to remain available until September 30, 2008.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for “Salaries and Expenses, United States Attorneys”, \$5,000,000, to remain available until September 30, 2008.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES, UNITED STATES MARSHALS

SERVICE

For an additional amount for “Salaries and Expenses, United States Marshals Service”, \$25,000,000, to remain available until September 30, 2008.

1 NATIONAL SECURITY DIVISION

2 SALARIES AND EXPENSES

3 For an additional amount for “Salaries and Ex-
4 penses,” \$1,736,000, to remain available until September
5 30, 2008.

6 FEDERAL BUREAU OF INVESTIGATION

7 SALARIES AND EXPENSES

8 For an additional amount for “Salaries and Ex-
9 penses”, \$348,260,000, of which \$338,260,000 is to re-
10 main available until September 30, 2008 and \$10,000,000
11 is to remain available until expended to implement correc-
12 tive actions in response to the findings and recommenda-
13 tions in the Department of Justice Office of Inspector
14 General report entitled, “A Review of the Federal Bureau
15 of Investigation’s Use of National Security Letters”.

16 DRUG ENFORCEMENT ADMINISTRATION

17 SALARIES AND EXPENSES

18 For an additional amount for “Salaries and Ex-
19 penses”, \$25,100,000, to remain available until September
20 30, 2008.

1 BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND
2 EXPLOSIVES

3 SALARIES AND EXPENSES

4 For an additional amount for “Salaries and Ex-
5 penses”, \$4,000,000, to remain available until September
6 30, 2008.

7 FEDERAL PRISON SYSTEM

8 SALARIES AND EXPENSES

9 For an additional amount for “Salaries and Ex-
10 penses”, \$17,000,000, to remain available until September
11 30, 2008.

12 CHAPTER 3

13 DEPARTMENT OF DEFENSE—MILITARY

14 MILITARY PERSONNEL

15 MILITARY PERSONNEL, ARMY

16 For an additional amount for “Military Personnel,
17 Army”, \$8,870,270,000.

18 MILITARY PERSONNEL, NAVY

19 For an additional amount for “Military Personnel,
20 Navy”, \$1,100,410,000.

21 MILITARY PERSONNEL, MARINE CORPS

22 For an additional amount for “Military Personnel,
23 Marine Corps”, \$1,495,827,000.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force”, \$1,218,587,000.

4 RESERVE PERSONNEL, ARMY

5 For an additional amount for “Reserve Personnel,
6 Army”, \$147,244,000.

7 RESERVE PERSONNEL, NAVY

8 For an additional amount for “Reserve Personnel,
9 Navy”, \$77,523,000.

10 RESERVE PERSONNEL, AIR FORCE

11 For an additional amount for “Reserve Personnel,
12 Air Force”, \$9,073,000.

13 NATIONAL GUARD PERSONNEL, ARMY

14 For an additional amount for “National Guard Per-
15 sonnel, Army”, \$474,978,000.

16 NATIONAL GUARD PERSONNEL, AIR FORCE

17 For an additional amount for “National Guard Per-
18 sonnel, Air Force”, \$41,533,000.

19 OPERATION AND MAINTENANCE

20 OPERATION AND MAINTENANCE, ARMY

21 For an additional amount for “Operation and Main-
22 tenance, Army”, \$20,373,379,000.

1 OPERATION AND MAINTENANCE, NAVY

2 (INCLUDING TRANSFER OF FUNDS)

3 For an additional amount for “Operation and Main-
4 tenance, Navy”, \$4,865,003,000, of which \$120,293,000
5 shall be transferred to Coast Guard, “Operating Ex-
6 penses”, for reimbursement for activities in support of ac-
7 tivities requested by the Navy.

8 OPERATION AND MAINTENANCE, MARINE CORPS

9 For an additional amount for “Operation and Main-
10 tenance, Marine Corps”, \$1,101,594,000.

11 OPERATION AND MAINTENANCE, AIR FORCE

12 For an additional amount for “Operation and Main-
13 tenance, Air Force”, \$6,685,881,000.

14 OPERATION AND MAINTENANCE, DEFENSE-WIDE

15 For an additional amount for “Operation and Main-
16 tenance, Defense-Wide”, \$2,790,669,000, of which—

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

21 (2) not to exceed \$200,000,000, to remain
22 available until expended, may be used for payments
23 to reimburse Pakistan, Jordan, and other key co-
24 operating nations, for logistical, military, and other
25 support provided to United States military oper-

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

16 OPERATION AND MAINTENANCE, ARMY RESERVE

17 For an additional amount for “Operation and Main-
 18 tenance, Army Reserve”, \$74,049,000.

19 OPERATION AND MAINTENANCE, NAVY RESERVE

20 For an additional amount for “Operation and Main-
 21 tenance, Navy Reserve”, \$111,066,000.

22 OPERATION AND MAINTENANCE, MARINE CORPS

23 RESERVE

24 For an additional amount for “Operation and Main-
 25 tenance, Marine Corps Reserve”, \$13,591,000.

1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For an additional amount for “Operation and Main-
3 tenance, Air Force Reserve”, \$10,160,000.

4 OPERATION AND MAINTENANCE, ARMY NATIONAL
5 GUARD

6 For an additional amount for “Operation and Main-
7 tenance, Army National Guard”, \$83,569,000.

8 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

9 For an additional amount for “Operation and Main-
10 tenance, Air National Guard”, \$38,429,000.

11 AFGHANISTAN SECURITY FORCES FUND

12 For an additional amount for “Afghanistan Security
13 Forces Fund”, \$5,906,400,000, to remain available until
14 September 30, 2008.

15 IRAQ SECURITY FORCES FUND

16 For an additional amount for “Iraq Security Forces
17 Fund”, \$3,842,300,000, to remain available until Sep-
18 tember 30, 2008.

19 IRAQ FREEDOM FUND

20 (INCLUDING TRANSFER OF FUNDS)

21 For an additional amount for “Iraq Freedom Fund”,
22 \$455,600,000, to remain available for transfer until Sep-
23 tember 30, 2008.

1 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

2 For an additional amount for “Joint Improvised Ex-
3 plosive Device Defeat Fund”, \$2,432,800,000, to remain
4 available until September 30, 2009.

5 PROCUREMENT

6 AIRCRAFT PROCUREMENT, ARMY

7 For an additional amount for “Aircraft Procurement,
8 Army”, \$619,750,000, to remain available until Sep-
9 tember 30, 2009.

10 MISSILE PROCUREMENT, ARMY

11 For an additional amount for “Missile Procurement,
12 Army”, \$111,473,000, to remain available until Sep-
13 tember 30, 2009.

14 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

15 VEHICLES, ARMY

16 For an additional amount for “Procurement of Weap-
17 ons and Tracked Combat Vehicles, Army”,
18 \$3,400,315,000, to remain available until September 30,
19 2009.

20 PROCUREMENT OF AMMUNITION, ARMY

21 For an additional amount for “Procurement of Am-
22 munition, Army”, \$681,500,000, to remain available until
23 September 30, 2009.

1 OTHER PROCUREMENT, ARMY

2 For an additional amount for “Other Procurement,
3 Army”, \$10,589,272,000, to remain available until Sep-
4 tember 30, 2009.

5 AIRCRAFT PROCUREMENT, NAVY

6 For an additional amount for “Aircraft Procurement,
7 Navy”, \$963,903,000, to remain available until September
8 30, 2009.

9 WEAPONS PROCUREMENT, NAVY

10 For an additional amount for “Weapons Procure-
11 ment, Navy”, \$163,813,000, to remain available until
12 September 30, 2009.

13 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
14 CORPS

15 For an additional amount for “Procurement of Am-
16 munition, Navy and Marine Corps”, \$159,833,000, to re-
17 main available until September 30, 2009.

18 OTHER PROCUREMENT, NAVY

19 For an additional amount for “Other Procurement,
20 Navy”, \$722,506,000, to remain available until September
21 30, 2009.

22 PROCUREMENT, MARINE CORPS

23 For an additional amount for “Procurement, Marine
24 Corps”, \$1,703,389,000, to remain available until Sep-
25 tember 30, 2009.

1 AIRCRAFT PROCUREMENT, AIR FORCE

2 For an additional amount for “Aircraft Procurement,
3 Air Force”, \$1,431,756,000, to remain available until
4 September 30, 2009.

5 MISSILE PROCUREMENT, AIR FORCE

6 For an additional amount for “Missile Procurement,
7 Air Force”, \$78,900,000, to remain available until Sep-
8 tember 30, 2009.

9 PROCUREMENT OF AMMUNITION, AIR FORCE

10 For an additional amount for “Procurement of Am-
11 munition, Air Force”, \$6,000,000, to remain available
12 until September 30, 2009.

13 OTHER PROCUREMENT, AIR FORCE

14 For an additional amount for “Other Procurement,
15 Air Force”, \$1,972,131,000, to remain available until
16 September 30, 2009.

17 PROCUREMENT, DEFENSE-WIDE

18 For an additional amount for “Procurement, De-
19 fense-Wide”, \$903,092,000, to remain available until Sep-
20 tember 30, 2009.

21 NATIONAL GUARD AND RESERVE EQUIPMENT

22 For an additional amount for “National Guard and
23 Reserve Equipment”, \$1,000,000,000, to remain available
24 until September 30, 2009.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 ARMY

For an additional amount for “Research, Develop-
ment, Test and Evaluation, Army”, \$125,576,000, to re-
main available until September 30, 2008.

8 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
9 NAVY

For an additional amount for “Research, Develop-
ment, Test and Evaluation, Navy”, \$308,212,000, to re-
main available until September 30, 2008.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 AIR FORCE

For an additional amount for “Research, Develop-
ment, Test and Evaluation, Air Force”, \$233,869,000, to
remain available until September 30, 2008.

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
19 DEFENSE-WIDE

20 For an additional amount for “Research, Develop-
21 ment, Test and Evaluation, Defense-Wide”,
22 \$522,804,000, to remain available until September 30,
23 2008.

1 REVOLVING AND MANAGEMENT FUNDS

2 NATIONAL DEFENSE SEALIFT FUND

3 For an additional amount for “National Defense Sea-
4 lift Fund”, \$5,000,000.

5 DEFENSE WORKING CAPITAL FUNDS

6 For an additional amount for “Defense Working
7 Capital Funds”, \$1,315,526,000.

8 OTHER DEPARTMENT OF DEFENSE PROGRAMS

9 DEFENSE HEALTH PROGRAM

10 For an additional amount for “Defense Health Pro-
11 gram”, \$2,466,847,000; of which \$2,277,147,000 shall be
12 for operation and maintenance; of which \$118,000,000, to
13 remain available for obligation until September 30, 2009,
14 shall be for Procurement; and of which \$71,700,000, to
15 remain available for obligation until September 30, 2008,
16 shall be for Research, development, test and evaluation.

17 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

18 DEFENSE

19 (INCLUDING TRANSFER OF FUNDS)

20 For an additional amount for “Drug Interdiction and
21 Counter-Drug Activities, Defense”, \$254,665,000, to re-
22 main available until expended: *Provided*, That these funds
23 may be used only for such activities related to Afghanistan
24 and Central Asia: *Provided further*, That the Secretary of
25 Defense may transfer such funds only to appropriations

1 for military personnel; operation and maintenance; pro-
 2 curement; and research, development, test and evaluation:
 3 *Provided further*, That the funds transferred shall be
 4 merged with and be available for the same purposes and
 5 for the same time period as the appropriation to which
 6 transferred: *Provided further*, That the transfer authority
 7 provided in this paragraph is in addition to any other
 8 transfer authority available to the Department of Defense:
 9 *Provided further*, That upon a determination that all or
 10 part of the funds transferred from this appropriation are
 11 not necessary for the purposes provided herein, such
 12 amounts may be transferred back to this appropriation.

13 RELATED AGENCY

14 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

15 For an additional amount for “Intelligence Commu-
 16 nity Management Account”, \$71,726,000.

17 GENERAL PROVISIONS—THIS CHAPTER

18 SEC. 1301. Appropriations provided in this chapter
 19 are available for obligation until September 30, 2007, un-
 20 less otherwise provided in this chapter.

21 (TRANSFER OF FUNDS)

22 SEC. 1302. Upon his determination that such action
 23 is necessary in the national interest, the Secretary of De-
 24 fense may transfer between appropriations up to
 25 \$3,500,000,000 of the funds made available to the De-
 26 partment of Defense in this title: *Provided*, That the Sec-

1 retary shall notify the Congress promptly of each transfer
2 made pursuant to the authority in this section: *Provided*
3 *further*, That the authority provided in this section is in
4 addition to any other transfer authority available to the
5 Department of Defense and is subject to the same terms
6 and conditions as the authority provided in section 8005
7 of the Department of Defense Appropriations Act, 2007
8 (Public Law 109–289; 120 Stat. 1257), except for the
9 fourth proviso: *Provided further*, That funds previously
10 transferred to the “Joint Improvised Explosive Device De-
11 feat Fund” and the “Iraq Security Forces Fund” under
12 the authority of section 8005 of Public Law 109–289 and
13 transferred back to their source appropriations accounts
14 shall not be taken into account for purposes of the limita-
15 tion on the amount of funds that may be transferred
16 under section 8005.

17 SEC. 1303. Funds appropriated in this chapter, or
18 made available by the transfer of funds in or pursuant
19 to this chapter, for intelligence activities are deemed to
20 be specifically authorized by the Congress for purposes of
21 section 504(a)(1) of the National Security Act of 1947
22 (50 U.S.C. 414(a)(1)).

23 SEC. 1304. None of the funds provided in this chap-
24 ter may be used to finance programs or activities denied
25 by Congress in fiscal years 2006 or 2007 appropriations

1 to the Department of Defense or to initiate a procurement
2 or research, development, test and evaluation new start
3 program without prior written notification to the congres-
4 sional defense committees.

5 SEC. 1305. During fiscal year 2007, the Secretary
6 of Defense may transfer not to exceed \$6,300,000 of the
7 amounts in or credited to the Defense Cooperation Ac-
8 count, pursuant to 10 U.S.C. 2608, to such appropriations
9 or funds of the Department of Defense as he shall deter-
10 mine for use consistent with the purposes for which such
11 funds were contributed and accepted: *Provided*, That such
12 amounts shall be available for the same time period as
13 the appropriation to which transferred: *Provided further*,
14 That the Secretary shall report to the Congress all trans-
15 fers made pursuant to this authority.

16 SEC. 1306. (a) AUTHORITY TO PROVIDE SUPPORT.—
17 Of the amount appropriated by this title under the head-
18 ing, “Drug Interdiction and Counter-Drug Activities, De-
19 fense”, not to exceed \$60,000,000 may be used for sup-
20 port for counter-drug activities of the Governments of Af-
21 ghanistan, Kazakhstan, and Pakistan: *Provided*, That
22 such support shall be in addition to support provided for
23 the counter-drug activities of such Governments under any
24 other provision of the law.

25 (b) TYPES OF SUPPORT.—

1 (1) Except as specified in subsection (b)(2) of
2 this section, the support that may be provided under
3 the authority in this section shall be limited to the
4 types of support specified in section 1033(c)(1) of
5 the National Defense Authorization Act for Fiscal
6 Year 1998 (Public Law 105–85, as amended by
7 Public Laws 106–398, 108–136, and 109–364) and
8 conditions on the provision of support as contained
9 in section 1033 shall apply for fiscal year 2007.

10 (2) The Secretary of Defense may transfer ve-
11 hicles, aircraft, and detection, interception, moni-
12 toring and testing equipment to said Governments
13 for counter-drug activities.

14 SEC. 1307. (a) From funds made available for oper-
15 ations and maintenance in this title to the Department
16 of Defense, not to exceed \$456,400,000 may be used, not-
17 withstanding any other provision of law, to fund the Com-
18 mander’s Emergency Response Program, for the purpose
19 of enabling military commanders in Iraq and Afghanistan
20 to respond to urgent humanitarian relief and reconstruc-
21 tion requirements within their areas of responsibility by
22 carrying out programs that will immediately assist the
23 Iraqi and Afghan people.

24 (b) QUARTERLY REPORTS.—Not later than 15 days
25 after the end of each fiscal year quarter, the Secretary

1 of Defense shall submit to the congressional defense com-
2 mittees a report regarding the source of funds and the
3 allocation and use of funds during that quarter that were
4 made available pursuant to the authority provided in this
5 section or under any other provision of law for the pur-
6 poses of the programs under subsection (a).

7 SEC. 1308. During fiscal year 2007, supervision and
8 administration costs associated with projects carried out
9 with funds appropriated to “Afghanistan Security Forces
10 Fund” or “Iraq Security Forces Fund” in this chapter
11 may be obligated at the time a construction contract is
12 awarded: *Provided*, That for the purpose of this section,
13 supervision and administration costs include all in-house
14 Government costs.

15 SEC. 1309. Section 1005(c)(2) of the National De-
16 fense Authorization Act, Fiscal Year 2007 (Public Law
17 109–364) is amended by striking “\$310,277,000” and in-
18 serting “\$376,446,000”.

19 SEC. 1310. None of the funds appropriated or other-
20 wise made available by this or any other Act shall be obli-
21 gated or expended by the United States Government for
22 a purpose as follows:

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

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

3 SEC. 1311. None of the funds made available in this
4 Act may be used in contravention of the following laws
5 enacted or regulations promulgated to implement the
6 United Nations Convention Against Torture and Other
7 Cruel, Inhuman or Degrading Treatment or Punishment
8 (done at New York on December 10, 1984):

9 (1) Section 2340A of title 18, United States
10 Code;

11 (2) Section 2242 of the Foreign Affairs Reform
12 and Restructuring Act of 1998 (division G of Public
13 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
14 note) and regulations prescribed thereto, including
15 regulations under part 208 of title 8, Code of Fed-
16 eral Regulations, and part 95 of title 22, Code of
17 Federal Regulations; and

18 (3) Sections 1002 and 1003 of the Department
19 of Defense, Emergency Supplemental Appropriations
20 to Address Hurricanes in the Gulf of Mexico, and
21 Pandemic Influenza Act, 2006 (Public Law 109–
22 148).

23 SEC. 1312. Section 9007 of Public Law 109–289 is
24 amended by striking “20” and inserting “287”.

1 SEC. 1313. INSPECTION OF MILITARY MEDICAL
2 TREATMENT FACILITIES, MILITARY QUARTERS HOUSING
3 MEDICAL HOLD PERSONNEL, AND MILITARY QUARTERS
4 HOUSING MEDICAL HOLDOVER PERSONNEL. (a) PERI-
5 ODIC INSPECTION REQUIRED.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this Act, and an-
8 nually thereafter, the Secretary of Defense shall in-
9 spect each facility of the Department of Defense as
10 follows:

11 (A) Each military medical treatment facil-
12 ity.

13 (B) Each military quarters housing med-
14 ical hold personnel.

15 (C) Each military quarters housing med-
16 ical holdover personnel.

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

23 (b) ACCEPTABLE STANDARDS.—For purposes of this
24 section, acceptable standards for the operation and main-
25 tenance of military medical treatment facilities, military

1 quarters housing medical hold personnel, or military quar-
2 ters housing medical holdover personnel are each of the
3 following:

4 (1) Generally accepted standards for the ac-
5 creditation of non-military medical facilities, or for
6 facilities used to quarter individuals with medical
7 conditions that may require medical supervision, as
8 applicable, in the United States.

9 (2) Standards under the Americans with Dis-
10 abilities Act of 1990 (42 U.S.C. 12101 et seq.).

11 (c) ADDITIONAL INSPECTIONS ON IDENTIFIED DEFICI-
12 ENCIENCIES.—

13 (1) IN GENERAL.—In the event a deficiency is
14 identified pursuant to subsection (a) at a facility or
15 quarters described in paragraph (1) of that sub-
16 section—

17 (A) the commander of such facility or
18 quarters, as applicable, shall submit to the Sec-
19 retary a detailed plan to correct the deficiency;
20 and

21 (B) the Secretary shall reinspect such fa-
22 cility or quarters, as applicable, not less often
23 than once every 180 days until the deficiency is
24 corrected.

1 (2) CONSTRUCTION WITH OTHER INSPEC-
2 TIONS.—An inspection of a facility or quarters
3 under this subsection is in addition to any inspection
4 of such facility or quarters under subsection (a).

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

10 (e) REPORT ON STANDARDS.—In the event no stand-
11 ards for the maintenance and operation of military med-
12 ical treatment facilities, military quarters housing medical
13 hold personnel, or military quarters housing medical hold-
14 over personnel exist as of the date of the enactment of
15 this Act, or such standards as do exist do not meet accept-
16 able standards for the maintenance and operation of such
17 facilities or quarters, as the case may be, the Secretary
18 shall, not later than 30 days after that date, submit to
19 Congress a report setting forth the plan of the Secretary
20 to ensure—

21 (1) the adoption by the Department of stand-
22 ards for the maintenance and operation of military
23 medical facilities, military quarters housing medical
24 hold personnel, or military quarters housing medical
25 holdover personnel, as applicable, that meet—

1 (A) acceptable standards for the mainte-
2 nance and operation of such facilities or quar-
3 ters, as the case may be; and

4 (B) standards under the Americans with
5 Disabilities Act of 1990; and

6 (2) the comprehensive implementation of the
7 standards adopted under paragraph (1) at the ear-
8 liest date practicable.

9 SEC. 1314. From funds made available for the “Iraq
10 Security Forces Fund” for fiscal year 2007, up to
11 \$155,500,000 may be used, notwithstanding any other
12 provision of law, to provide assistance, with the concur-
13 rence of the Secretary of State, to the Government of Iraq
14 to support the disarmament, demobilization, and re-
15 integration of militias and illegal armed groups.

16 SEC. 1315. REVISION OF UNITED STATES POLICY ON
17 IRAQ. (a) FINDINGS.—Congress makes the following find-
18 ings:

19 (1) Congress and the American people will con-
20 tinue to support and protect the members of the
21 United States Armed Forces who are serving or
22 have served bravely and honorably in Iraq.

23 (2) The circumstances referred to in the Au-
24 thorization for Use of Military Force Against Iraq

1 Resolution of 2002 (Public Law 107–243) have
2 changed substantially.

3 (3) United States troops should not be policing
4 a civil war, and the current conflict in Iraq requires
5 principally a political solution.

6 (4) United States policy on Iraq must change
7 to emphasize the need for a political solution by
8 Iraqi leaders in order to maximize the chances of
9 success and to more effectively fight the war on ter-
10 ror.

11 (b) PROMPT COMMENCEMENT OF PHASED REDE-
12 PLOYMENT OF UNITED STATES FORCES FROM IRAQ.—

13 (1) TRANSITION OF MISSION.—The President
14 shall promptly transition the mission of United
15 States forces in Iraq to the limited purposes set
16 forth in paragraph (2).

17 (2) COMMENCEMENT OF PHASED REDEPLOY-
18 MENT FROM IRAQ.—The President shall commence
19 the phased redeployment of United States forces
20 from Iraq not later than 120 days after the date of
21 the enactment of this Act, with the goal of rede-
22 deploying, by March 31, 2008, all United States com-
23 bat forces from Iraq except for a limited number
24 that are essential for the following purposes:

1 (A) Protecting United States and coalition
2 personnel and infrastructure.

3 (B) Training and equipping Iraqi forces.

4 (C) Conducting targeted counter-terrorism
5 operations.

6 (3) COMPREHENSIVE STRATEGY.—Paragraph
7 (2) shall be implemented as part of a comprehensive
8 diplomatic, political, and economic strategy that in-
9 cludes sustained engagement with Iraq’s neighbors
10 and the international community for the purpose of
11 working collectively to bring stability to Iraq.

12 (4) REPORTS REQUIRED.—Not later than 60
13 days after the date of the enactment of this Act, and
14 every 90 days thereafter, the President shall submit
15 to Congress a report on the progress made in
16 transitioning the mission of the United States forces
17 in Iraq and implementing the phased redeployment
18 of United States forces from Iraq as required under
19 this subsection, as well as a classified campaign plan
20 for Iraq, including strategic and operational bench-
21 marks and projected redeployment dates of United
22 States forces from Iraq.

23 (c) BENCHMARKS FOR THE GOVERNMENT OF
24 IRAQ.—

1 (1) SENSE OF CONGRESS.—It is the sense of
2 Congress that—

3 (A) achieving success in Iraq is dependent
4 on the Government of Iraq meeting specific
5 benchmarks, as reflected in previous commit-
6 ments made by the Government of Iraq, includ-
7 ing—

8 (i) deploying trained and ready Iraqi
9 security forces in Baghdad;

10 (ii) strengthening the authority of
11 Iraqi commanders to make tactical and
12 operational decisions without political
13 intervention;

14 (iii) disarming militias and ensuring
15 that Iraqi security forces are accountable
16 only to the central government and loyal to
17 the constitution of Iraq;

18 (iv) enacting and implementing legis-
19 lation to ensure that the energy resources
20 of Iraq benefit all Iraqi citizens in an equi-
21 table manner;

22 (v) enacting and implementing legisla-
23 tion that equitably reforms the de-
24 Ba'athification process in Iraq;

1 (vi) ensuring a fair process for
 2 amending the constitution of Iraq so as to
 3 protect minority rights; and

4 (vii) enacting and implementing rules
 5 to equitably protect the rights of minority
 6 political parties in the Iraqi Parliament;
 7 and

8 (B) each benchmark set forth in subpara-
 9 graph (A) should be completed expeditiously
 10 and pursuant to a schedule established by the
 11 Government of Iraq.

12 (2) REPORT.—Not later than 30 days after the
 13 date of the enactment of this Act, and every 60 days
 14 thereafter, the Commander, Multi-National Forces-
 15 Iraq shall submit to Congress a report describing
 16 and assessing in detail the current progress being
 17 made by the Government of Iraq in meeting the
 18 benchmarks set forth in paragraph (1)(A).

19 CHAPTER 4

20 DEPARTMENT OF ENERGY

21 ATOMIC ENERGY DEFENSE ACTIVITIES

22 NATIONAL NUCLEAR SECURITY ADMINISTRATION

23 DEFENSE NUCLEAR NONPROLIFERATION

24 For an additional amount for “Defense Nuclear Non-
 25 proliferation”, \$63,000,000.

1 CHAPTER 5
2 DEPARTMENT OF HOMELAND SECURITY
3 UNITED STATES CUSTOMS AND BORDER PROTECTION
4 SALARIES AND EXPENSES

5 For an additional amount for “Salaries and Ex-
6 penses”, \$140,000,000, to remain available until Sep-
7 tember 30, 2008.

8 AIR AND MARINE INTERDICTION, OPERATIONS,
9 MAINTENANCE, AND PROCUREMENT

10 For an additional amount for “Air and Marine Inter-
11 diction, Operations, Maintenance, and Procurement”, for
12 air and marine operations on the Northern Border and
13 the Great Lakes, including the final Northern Border air
14 wing, \$75,000,000, to remain available until September
15 30, 2008.

16 IMMIGRATION AND CUSTOMS ENFORCEMENT
17 SALARIES AND EXPENSES

18 For an additional amount for “Salaries and Ex-
19 penses”, \$20,000,000, to remain available until September
20 30, 2008.

21 TRANSPORTATION SECURITY ADMINISTRATION
22 AVIATION SECURITY

23 For an additional amount for “Aviation Security”,
24 \$660,000,000; of which \$600,000,000 shall be for pro-
25 curement and installation of checked baggage explosives
26 detection systems, to remain available until expended; and

1 \$60,000,000 shall be for air cargo security, to remain
2 available until September 30, 2008.

3 FEDERAL AIR MARSHALS

4 For an additional amount for “Federal Air Mar-
5 shals”, \$15,000,000, to remain available until September
6 30, 2008.

7 PREPAREDNESS

8 MANAGEMENT AND ADMINISTRATION

9 For an additional amount for “Office of the Chief
10 Medical Officer” for nuclear preparedness and other ac-
11 tivities, \$18,000,000, to remain available until September
12 30, 2008.

13 INFRASTRUCTURE PROTECTION AND INFORMATION

14 SECURITY

15 For an additional amount for “Infrastructure Protec-
16 tion and Information Security” for chemical site security
17 activities, \$18,000,000, to remain available until Sep-
18 tember 30, 2008.

19 FEDERAL EMERGENCY MANAGEMENT AGENCY

20 ADMINISTRATIVE AND REGIONAL OPERATIONS

21 For an additional amount for “Administrative and
22 Regional Operations” for necessary expenses related to
23 title V of the Homeland Security Act of 2002 (6 U.S.C.
24 101 et seq. (as amended by section 611 of the Post-
25 Katrina Emergency Management Reform Act of 2006 (6
26 U.S.C. 701 note; Public Law 109–295))), \$20,000,000,

1 to remain available until September 30, 2008: *Provided*,
 2 That none of the funds available under this heading may
 3 be obligated until the Committees on Appropriations of the
 4 Senate and the House of Representatives receive and ap-
 5 prove a plan for expenditure.

6 STATE AND LOCAL PROGRAMS

7 For an additional amount for “State and Local Pro-
 8 grams”, \$850,000,000; of which \$190,000,000 shall be for
 9 port security pursuant to section 70107(l) of title 46
 10 United States Code; \$625,000,000 shall be for intercity
 11 rail passenger transportation, freight rail, and transit se-
 12 curity grants; and \$35,000,000 shall be for regional
 13 grants and technical assistance to high risk urban areas
 14 for catastrophic event planning and preparedness: *Pro-*
 15 *vided*, That none of the funds made available under this
 16 heading may be obligated for such regional grants and
 17 technical assistance until the Committees on Appropria-
 18 tions of the Senate and the House of Representatives re-
 19 ceive and approve a plan for expenditure: *Provided further*,
 20 That funds for such regional grants and technical assist-
 21 ance shall remain available until September 30, 2008.

22 EMERGENCY MANAGEMENT PERFORMANCE GRANTS

23 For an additional amount for “Emergency Manage-
 24 ment Performance Grants” for necessary expenses related
 25 to the Nationwide Plan Review, \$100,000,000.

17 SCIENCE AND TECHNOLOGY
18 RESEARCH, DEVELOPMENT, ACQUISITION, AND
19 OPERATIONS

S 965 PCS

1 DOMESTIC NUCLEAR DETECTION OFFICE

2 RESEARCH, DEVELOPMENT, AND OPERATIONS

3 For an additional amount for “Research, Develop-
4 ment, and Operations” for non-container, rail, aviation
5 and intermodal radiation detection activities,
6 \$39,000,000, to remain available until expended.

7 GENERAL PROVISIONS—THIS CHAPTER

8 SEC. 1501. None of the funds provided in this Act,
9 or Public Law 109–295, shall be available to carry out
10 section 872 of Public Law 107–296.

11 SEC. 1502. Section 550 of the Department of Home-
12 land Security Appropriations Act, 2007 (6 U.S.C. 121
13 note) is amended by adding at the end the following:

14 “(h) This section shall not preclude or deny any right
15 of any State or political subdivision thereof to adopt or
16 enforce any regulation, requirement, or standard of per-
17 formance with respect to chemical facility security that is
18 more stringent than a regulation, requirement, or stand-
19 ard of performance issued under this section, or otherwise
20 impair any right or jurisdiction of any State with respect
21 to chemical facilities within that State, unless there is an
22 actual conflict between this section and the law of that
23 State.”.

CHAPTER 6

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, \$1,261,390,000, to remain available until September 30, 2008: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, \$280,300,000 shall not be obligated or expended until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for the permanent basing of U.S. military personnel in Iraq.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$347,890,000, to remain available until September 30, 2008: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force”, \$34,700,000, to remain available until September 30, 2008: *Provided*, That such funds may be obli-

1 gated and expended to carry out planning and design and
 2 military construction projects not otherwise authorized by
 3 law.

4 CHAPTER 7

5 DEPARTMENT OF STATE AND RELATED 6 AGENCY

7 DEPARTMENT OF STATE

8 ADMINISTRATION OF FOREIGN AFFAIRS

9 DIPLOMATIC AND CONSULAR PROGRAMS

10 For an additional amount for “Diplomatic and Con-
 11 sular Programs”, \$815,796,000, to remain available until
 12 September 30, 2008, of which \$70,000,000 for World
 13 Wide Security Upgrades is available until expended: *Pro-*
 14 *vided*, That of the funds appropriated under this heading,
 15 not more than \$20,000,000 shall be made available for
 16 public diplomacy programs: *Provided further*, That prior
 17 to the obligation of funds pursuant to the previous proviso,
 18 the Secretary of State shall submit a report to the Com-
 19 mittees on Appropriations describing a comprehensive
 20 public diplomacy strategy, with goals and expected results,
 21 for fiscal years 2007 and 2008: *Provided further*, That
 22 within 15 days of enactment of this Act, the Office of
 23 Management and Budget shall apportion \$15,000,000
 24 from amounts appropriated or otherwise made available
 25 by chapter 8 of title II of division B of Public Law 109–

1 148 under the heading “Emergencies in the Diplomatic
2 and Consular Service” for emergency evacuations: *Pro-*
3 *vided further*, That of the amount made available under
4 this heading for Iraq, not to exceed \$20,000,000 may be
5 transferred to, and merged with, funds in the “Emer-
6 gencies in the Diplomatic and Consular Service” appro-
7 priations account, to be available only for emergency evac-
8 uations and terrorism rewards.

9 OFFICE OF INSPECTOR GENERAL

10 For an additional amount for “Office of Inspector
11 General”, \$36,500,000, to remain available until Decem-
12 ber 31, 2008: *Provided*, That of the funds appropriated
13 under this heading, not less than \$1,500,000 shall be
14 made available for activities related to oversight of assist-
15 ance furnished for Iraq and Afghanistan with funds ap-
16 propriated in this Act and in prior appropriations Acts:
17 *Provided further*, That \$35,000,000 of these funds shall
18 be transferred to the Special Inspector General for Iraq
19 Reconstruction for reconstruction oversight.

20 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

21 For an additional amount for “Educational and Cul-
22 tural Exchange Programs”, \$25,000,000, to remain avail-
23 able until expended.

1 INTERNATIONAL ORGANIZATIONS

2 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

3 For an additional amount for “Contributions to
4 International Organizations”, \$59,000,000, to remain
5 available until September 30, 2008.

6 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

7 ACTIVITIES

8 For an additional amount for “Contributions for
9 International Peacekeeping Activities”, \$200,000,000, to
10 remain available until September 30, 2008.

11 RELATED AGENCY

12 BROADCASTING BOARD OF GOVERNORS

13 INTERNATIONAL BROADCASTING OPERATIONS

14 For an additional amount for “International Broad-
15 casting Operations” for activities related to broadcasting
16 to the Middle East, \$10,000,000, to remain available until
17 September 30, 2008.

18 FOREIGN OPERATIONS

19 BILATERAL ECONOMIC ASSISTANCE

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 UNITED STATES AGENCY FOR INTERNATIONAL

22 DEVELOPMENT

23 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

24 For an additional amount for “Child Survival and
25 Health Programs Fund”, \$161,000,000, to remain avail-
26 able until September 30, 2008: *Provided*, That notwith-

1 standing any other provision of law, funds made available
 2 under the heading “Millennium Challenge Corporation”
 3 and “Global HIV/AIDS Initiative” in prior Acts making
 4 appropriations for foreign operations, export financing
 5 and related programs may be made available to combat
 6 the avian influenza, subject to the regular notification pro-
 7 cedures of the Committees on Appropriations.

8 INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

9 For an additional amount for “International Disaster
 10 and Famine Assistance”, \$187,000,000, to remain avail-
 11 able until expended: *Provided*, That of the funds appro-
 12 priated under this heading, not less than \$65,000,000
 13 shall be made available for assistance for internally dis-
 14 placed persons in Iraq, not less than \$18,000,000 shall
 15 be made available for emergency shelter, fuel and other
 16 assistance for internally displaced persons in Afghanistan,
 17 not less than \$10,000,000 shall be made available for as-
 18 sistance for northern Uganda, not less than \$10,000,000
 19 shall be made available for assistance for eastern Demo-
 20 cratic Republic of the Congo, and not less than
 21 \$10,000,000 shall be made available for assistance for
 22 Chad.

23 OPERATING EXPENSES OF THE UNITED STATES AGENCY

24 FOR INTERNATIONAL DEVELOPMENT

25 For an additional amount for “Operating Expenses
 26 of the United States Agency for International Develop-

1 ment”, \$5,700,000, to remain available until September
2 30, 2008.

3 OPERATING EXPENSES OF THE UNITED STATES AGENCY
4 FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-
5 SPECTOR GENERAL

6 For an additional amount for “Operating Expenses
7 of the United States Agency for International Develop-
8 ment Office of Inspector General”, \$4,000,000, to remain
9 available until September 30, 2008: *Provided*, That of the
10 funds appropriated under this heading, not less than
11 \$3,000,000 shall be made available for activities related
12 to oversight of assistance furnished for Iraq with funds
13 appropriated in this Act and in prior appropriations Acts,
14 and not less than \$1,000,000 shall be made available for
15 activities related to oversight of assistance furnished for
16 Afghanistan with funds appropriated in this Act and in
17 prior appropriations Acts.

18 OTHER BILATERAL ECONOMIC ASSISTANCE
19 ECONOMIC SUPPORT FUND

20 For an additional amount for “Economic Support
21 Fund”, \$2,602,200,000, to remain available until Sep-
22 tember 30, 2008: *Provided*, That of the funds appro-
23 priated under this heading that are available for assistance
24 for Iraq, not less than \$100,000,000 shall be made avail-
25 able to the United States Agency for International Devel-
26 opment for continued support for its Community Action

1 Program in Iraq, of which not less than \$5,000,000 shall
2 be made available for the fund established by section 2108
3 of Public Law 109–13: *Provided further*, That of the funds
4 appropriated under this heading that are available for as-
5 sistance for Afghanistan, not less than \$10,000,000 shall
6 be made available to the United States Agency for Inter-
7 national Development for continued support for its Afghan
8 Civilian Assistance Program: *Provided further*, That of the
9 funds appropriated under this heading, not less than
10 \$6,000,000 shall be made available for assistance for elec-
11 tions, reintegration of ex-combatants, and other assistance
12 to support the peace process in Nepal: *Provided further*,
13 That of the funds appropriated under this heading, not
14 less than \$3,200,000 shall be made available, notwith-
15 standing any other provision of law, for assistance for
16 Vietnam for environmental remediation of dioxin storage
17 sites and to support health programs in communities near
18 those sites: *Provided further*, That funds made available
19 pursuant to the previous proviso should be matched, to
20 the maximum extent possible, with contributions from
21 other governments, multilateral organizations, and private
22 sources: *Provided further*, That of the funds made avail-
23 able under this heading, not less than \$6,000,000 shall
24 be made available for typhoon reconstruction assistance
25 for the Philippines: *Provided further*, That of the funds

1 made available under this heading, not less than
 2 \$110,000,000 shall be made available for assistance for
 3 Pakistan, of which not less than \$5,000,000 shall be made
 4 available for political party development and election mon-
 5 itoring activities: *Provided further*, That of the funds ap-
 6 propriated under this heading, not less than \$2,000,000
 7 shall be made available to support the peace process in
 8 northern Uganda: *Provided further*, That of the funds
 9 made available under the heading “Economic Support
 10 Fund” in Public Law 109–234 for Iraq to promote democ-
 11 racy, rule of law and reconciliation, \$2,000,000 should be
 12 made available for the United States Institute of Peace
 13 for programs and activities in Afghanistan to remain
 14 available until September 30, 2008.

15 DEPARTMENT OF STATE

16 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC 17 STATES

18 For an additional amount for “Assistance for East-
 19 ern Europe and the Baltic States”, \$214,000,000, to re-
 20 main available until September 30, 2008, for assistance
 21 for Kosovo.

22 DEMOCRACY FUND

23 For an additional amount for “Democracy Fund”,
 24 \$465,000,000, to remain available until September 30,
 25 2008: *Provided*, That of the funds appropriated under this

1 heading, not less than \$385,000,000 shall be made avail-
 2 able for the Human Rights and Democracy Fund of the
 3 Bureau of Democracy, Human Rights and Labor, Depart-
 4 ment of State, for democracy, human rights, and rule of
 5 law programs in Iraq: *Provided further*, That prior to the
 6 initial obligation of funds made available under this head-
 7 ing for Iraq for the Political Participation Fund or the
 8 National Institutions Fund, the Secretary of State shall
 9 submit a report to the Committees on Appropriations de-
 10 scribing a comprehensive, long-term strategy, with goals
 11 and expected results, for strengthening and advancing de-
 12 mocracy in Iraq: *Provided further*, That of the funds ap-
 13 propriated under this heading, not less than \$5,000,000
 14 shall be made available for media and reconciliation pro-
 15 grams in Somalia.

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

19 For an additional amount for “International Nar-
 20 cotics Control and Law Enforcement”, \$210,000,000, to
 21 remain available until September 30, 2008.

22 Of the amounts made available for procurement of
 23 a maritime patrol aircraft for the Colombian Navy under
 24 this heading in Public Law 109–234, \$13,000,000 are re-
 25 scinded.

1 MIGRATION AND REFUGEE ASSISTANCE

2 For an additional amount for “Migration and Ref-
 3 ugee Assistance”, \$143,000,000, to remain available until
 4 September 30, 2008: *Provided*, That of the funds appro-
 5 priated under this heading, not less than \$65,000,000
 6 shall be made available for assistance for Iraqi refugees
 7 including not less than \$5,000,000 to rescue Iraqi schol-
 8 ars, and not less than \$18,000,000 shall be made available
 9 for assistance for Afghan refugees.

10 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
 11 ASSISTANCE FUND

12 For an additional amount for “United States Emer-
 13 gency Refugee and Migration Assistance Fund”,
 14 \$55,000,000, to remain available until expended.

15 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
 16 RELATED PROGRAMS

17 For an additional amount for “Nonproliferation,
 18 Anti-Terrorism, Demining and Related Programs”,
 19 \$27,500,000, to remain available until September 30,
 20 2008.

1 DEPARTMENT OF THE TREASURY

2 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

3 PROGRAM

4 For an additional amount for “International Affairs
5 Technical Assistance”, \$2,750,000, to remain available
6 until September 30, 2008.

7 MILITARY ASSISTANCE

8 FUNDS APPROPRIATED TO THE PRESIDENT

9 FOREIGN MILITARY FINANCING PROGRAM

10 For an additional amount for “Foreign Military Fi-
11 nancing Program”, \$220,000,000, to remain available
12 until September 30, 2008, for assistance for Lebanon.

13 PEACEKEEPING OPERATIONS

14 (INCLUDING TRANSFER OF FUNDS)

15 For an additional amount for “Peacekeeping Oper-
16 ations”, \$323,000,000, to remain available until Sep-
17 tember 30, 2008, of which up to \$128,000,000 may be
18 transferred, subject to the regular notification procedures
19 of the Committees on Appropriations, to “Contributions
20 to International Peacekeeping Activities”, to be made
21 available, notwithstanding any other provision of law, for
22 assessed costs of United Nations Peacekeeping Missions:
23 *Provided*, That of the funds appropriated under this head-
24 ing, not less than \$45,000,000 shall be made available,
25 notwithstanding section 660 of the Foreign Assistance Act

1 of 1961, for assistance for Liberia for security sector re-
 2 form.

3 GENERAL PROVISIONS—THIS CHAPTER

4 AUTHORIZATION OF FUNDS

5 SEC. 1701. Funds appropriated by this title may be
 6 obligated and expended notwithstanding section 10 of
 7 Public Law 91–672 (22 U.S.C. 2412), section 15 of the
 8 State Department Basic Authorities Act of 1956 (22
 9 U.S.C. 2680), section 313 of the Foreign Relations Au-
 10 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
 11 6212), and section 504(a)(1) of the National Security Act
 12 of 1947 (50 U.S.C. 414(a)(1)).

13 EXTENSION OF AVAILABILITY OF FUNDS

14 SEC. 1702. Section 1302(a) of Public Law 109–234
 15 is amended by striking “one additional year” and inserting
 16 in lieu thereof “two additional years”.

17 EXTENSION OF OVERSIGHT AUTHORITY

18 SEC. 1703. Section 3001(o)(1)(B) of the Emergency
 19 Supplemental Appropriations Act for Defense and for the
 20 Reconstruction of Iraq and Afghanistan, 2004 (Public
 21 Law 108–106; 117 Stat. 1238; 5 U.S.C. App., note to sec-
 22 tion 8G of Public Law 95–452), as amended by section
 23 1054(b) of the John Warner National Defense Authoriza-
 24 tion Act for Fiscal Year 2007 (Public Law 109–364; 120
 25 Stat. 2397) and section 2 of the Iraq Reconstruction Ac-
 26 countability Act of 2006 (Public Law 109–440), is amend-

1 ed by inserting “or fiscal year 2007” after “fiscal year
2 2006”.

3 DEBT RESTRUCTURING

4 SEC. 1704. Amounts appropriated for fiscal year
5 2007 for “Bilateral Economic Assistance—Department of
6 the Treasury—Debt Restructuring” may be used to assist
7 Liberia in retiring its debt arrearages to the International
8 Monetary Fund, the International Bank for Reconstruc-
9 tion and Development, and the African Development
10 Bank.

11 JORDAN

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 1705. Of the funds appropriated by this Act for
14 assistance for Iraq under the heading “Economic Support
15 Fund” that are available to support Provincial Recon-
16 struction Team activities, up to \$100,000,000 may be
17 transferred to, and merged with, funds appropriated by
18 this Act under the headings “Foreign Military Financing
19 Program” and “Nonproliferation, Anti-terrorism,
20 Demining and Related Programs” for assistance for Jor-
21 dan: *Provided*, That funds transferred pursuant to this
22 section shall be subject to the regular notification proce-
23 dures of the Committees on Appropriations.

24 LEBANON

25 SEC. 1706. Prior to the initial obligation of funds
26 made available in this Act for assistance for Lebanon

1 under the headings “Foreign Military Financing Pro-
 2 gram” and “Nonproliferation, Anti-terrorism, Demining
 3 and Related Programs”, the Secretary of State shall cer-
 4 tify to the Committees on Appropriations that all prac-
 5 ticable efforts have been made to ensure that such assist-
 6 ance is not provided to or through any individual, or pri-
 7 vate or government entity, that advocates, plans, sponsors,
 8 engages in, or has engaged in, terrorist activity: *Provided*,
 9 That this section shall be effective notwithstanding section
 10 534(a) of Public Law 109–102, which is made applicable
 11 to funds appropriated for fiscal year 2007 by the Con-
 12 tinuing Appropriations Resolution, 2007, as amended.

13 HUMAN RIGHTS AND DEMOCRACY FUND

14 SEC. 1707. The Assistant Secretary of State for De-
 15 mocracy, Human Rights and Labor shall be responsible
 16 for all policy, funding, and programming decisions regard-
 17 ing funds made available under this Act and prior Acts
 18 making appropriations for foreign operations, export fi-
 19 nancing and related programs for the Human Rights and
 20 Democracy Fund of the Bureau of Democracy, Human
 21 Rights and Labor.

22 INSPECTOR GENERAL OVERSIGHT OF IRAQ AND

23 AFGHANISTAN

24 SEC. 1708. (a) IN GENERAL.—Subject to paragraph
 25 (2), the Inspector General of the Department of State and
 26 the Broadcasting Board of Governors (referred to in this

1 section as the “Inspector General”) may use personal
2 services contracts to engage citizens of the United States
3 to facilitate and support the Office of the Inspector Gen-
4 eral’s oversight of programs and operations related to Iraq
5 and Afghanistan. Individuals engaged by contract to per-
6 form such services shall not, by virtue of such contract,
7 be considered to be employees of the United States Gov-
8 ernment for purposes of any law administered by the Of-
9 fice of Personnel Management. The Secretary of State
10 may determine the applicability to such individuals of any
11 law administered by the Secretary concerning the perform-
12 ance of such services by such individuals.

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

15 (1) The Inspector General determines that ex-
16 isting personnel resources are insufficient.

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

22 (3) Not more than 20 individuals may be em-
23 ployed at any time as personal services contractors
24 under the program.

1 (c) TERMINATION OF AUTHORITY.—The authority to
 2 award personal services contracts under this section shall
 3 terminate on December 31, 2008. A contract entered into
 4 prior to the termination date under this paragraph may
 5 remain in effect until not later than December 31, 2009.

6 (d) OTHER AUTHORITIES NOT AFFECTED.—The au-
 7 thority under this section is in addition to any other au-
 8 thority of the Inspector General to hire personal services
 9 contractors.

10 FUNDING TABLES

11 SEC. 1709. (a) Funds provided in this Act for the
 12 following accounts shall be made available for programs
 13 and countries in the amounts contained in the respective
 14 tables included in the report accompanying this Act:

15 “Diplomatic and Consular Programs”.

16 “Educational and Cultural Exchange Pro-
 17 grams”.

18 “International Disaster and Famine Assist-
 19 ance”.

20 “Economic Support Fund”.

21 “Assistance for Eastern Europe and Baltic
 22 States”.

23 “Democracy Fund”.

24 “Migration and Refugee Assistance”.

25 “Nonproliferation, Anti-Terrorism, Demining
 26 and Related Programs”.

1 “Peacekeeping Operations”.

2 (b) Any proposed increases or decreases to the
3 amounts contained in the tables in the accompanying re-
4 port shall be subject to the regular notification procedures
5 of the Committees on Appropriations and section 634A
6 of the Foreign Assistance Act of 1961.

7 BENCHMARKS FOR CERTAIN RECONSTRUCTION

8 ASSISTANCE FOR IRAQ

9 SEC. 1710. (a) BENCHMARKS.—Notwithstanding any
10 other provision of law, fifty percent of the funds appro-
11 priated by this Act for assistance for Iraq under the head-
12 ings “Economic Support Fund” and “International Nar-
13 cotics and Law Enforcement” shall be withheld from obli-
14 gation until the President certifies to the Committees on
15 Appropriations and Foreign Relations of the Senate and
16 the Committees on Appropriations and Foreign Affairs of
17 the House of Representatives that the Government of Iraq
18 has—

19 (1) enacted a broadly accepted hydro-carbon
20 law that equitably shares oil revenues among all
21 Iraqis;

22 (2) adopted legislation necessary for the con-
23 duct of provincial and local elections, taken steps to
24 implement such legislation, and set a schedule to
25 conduct provincial and local elections;

1 (3) reformed current laws governing the de-
2 Baathification process to allow for more equitable
3 treatment of individuals affected by such laws;

4 (4) amended the Constitution of Iraq consistent
5 with the principles contained in Article 137 of such
6 constitution; and

7 (5) allocated and begun expenditure of
8 \$10,000,000,000 in Iraqi revenues for reconstruc-
9 tion projects, including delivery of essential services,
10 on an equitable basis.

11 (b) EXEMPTIONS.—The requirement to withhold
12 funds from obligation pursuant to subsection (a) shall not
13 apply with respect to funds made available under the
14 heading “Economic Support Fund” that are administered
15 by the United States Agency for International Develop-
16 ment for continued support for the Community Action
17 Program, assistance for civilian victims of the military op-
18 erations, and the Community Stabilization Program in
19 Iraq, or for programs and activities to promote democracy,
20 governance, human rights, and rule of law.

21 (c) REPORT.—At the time the President certifies to
22 the Committees on Appropriations and Foreign Relations
23 of the Senate and the Committees on Appropriations and
24 Foreign Affairs of the House of Representatives that the
25 Government of Iraq has met the benchmarks described in

1 subsection (a), the President shall submit to such Commit-
2 tees a report that contains a detailed description of the
3 specific actions that the Government of Iraq has taken to
4 meet each of the benchmarks referenced in the certifi-
5 cation.

6 RELIEF FOR IRAQI, HMONG AND OTHER REFUGEES WHO
7 DO NOT POSE A THREAT TO THE UNITED STATES

8 SEC. 1711. (a) AMENDMENT TO AUTHORITY TO DE-
9 TERMINE THE BAR TO ADMISSION INAPPLICABLE.—Sec-
10 tion 212(d)(3)(B)(i) of the Immigration and Nationality
11 Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as
12 follows: “The Secretary of State, after consultation with
13 the Attorney General and the Secretary of Homeland Se-
14 curity, or the Secretary of Homeland Security, after con-
15 sultation with the Secretary of State and the Attorney
16 General, may determine in such Secretary’s sole
17 unreviewable discretion that subsection (a)(3)(B) shall not
18 apply with respect to an alien within the scope of that
19 subsection, or that subsection (a)(3)(B)(vi)(III) shall not
20 apply to a group. Such a determination shall neither prej-
21 udice the ability of the United States Government to com-
22 mence criminal or civil proceedings involving a beneficiary
23 of such a determination or any other person, nor create
24 any substantive or procedural right or benefit for a bene-
25 ficiary of such a determination or any other person. Not-
26 withstanding any other provision of law (statutory or non-

1 statutory), including but not limited to section 2241 of
 2 title 28, or any other habeas corpus provision, and sections
 3 1361 and 1651 of such title, no court shall have jurisdic-
 4 tion to review such a determination or revocation except
 5 in a proceeding for review of a final order of removal pur-
 6 suant to section 242 and only to the extent provided in
 7 section 242(a)(2)(D). The Secretary of State may not ex-
 8 ercise the discretion provided in this clause with respect
 9 to an alien at any time during which the alien is the sub-
 10 ject of pending removal proceedings under section 1229a
 11 of title 8.”.

12 (b) AUTOMATIC RELIEF FOR THE HMONG AND
 13 OTHER GROUPS THAT DO NOT POSE A THREAT TO THE
 14 UNITED STATES.—Section 212(a)(3)(B) of the Immigra-
 15 tion and Nationality Act (8 U.S.C. 1182(a)(3)(B)) is
 16 amended—

17 (1) in clause (vi) in the matter preceding sec-
 18 tion (I), by striking “As” and inserting “Except as
 19 provided in clause (vii), as”; and

20 (2) by adding at the end the following new
 21 clause:

22 “(vii) Notwithstanding clause (vi), for
 23 purposes of this section the Hmong, the
 24 Montagnards, the Karen National Union/
 25 Karen Liberation Army (KNU/KNLA), the

1 Chin National Front/Chin National Army
 2 (CNF/CNA), the Chin National League for
 3 Democracy (CNLD), the Kayan New Land
 4 Party (KNLP), the Arakan Liberation
 5 Party (ALP), the Mustangs, the Alzados,
 6 and the Karenni National Progressive
 7 Party shall not be considered to be a ter-
 8 rorist organization on the basis of any act
 9 or event occurring before the date of enact-
 10 ment of this section. Nothing in this sub-
 11 section may be construed to alter or limit
 12 the authority of the Secretary of State and
 13 Secretary of Homeland Security to exercise
 14 their discretionary authority pursuant to
 15 212(d)(3)(B)(i) (8 U.S.C.
 16 1182(d)(3)(B)(i)).”.

17 (c) DURESS EXCEPTION.—Section
 18 212(a)(3)(B)(iv)(VI) of the Immigration and Nationality
 19 Act (8 U.S.C. 1182(a)(3)(B)(iv)(VI)) is amended by add-
 20 ing “other than an act carried out under duress” after
 21 “act” and before “that the actor knows”.

22 (d) TECHNICAL CORRECTION.—Section
 23 212(a)(3)(B)(ii) of the Immigration and Nationality Act
 24 (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking “Sub-
 25 clause (VII)” and inserting “Subclause (IX)”.

1 (e) REGULATIONS.—Section 212(d)(3)(B) of the Im-
2 migration and Nationality Act (8 U.S.C. 1182(d)(3)(B))
3 is amended by adding the following subsection:

4 “(iii) Not later than 180 days after
5 the date of enactment of this Act, the Sec-
6 retary of the Department of Homeland Se-
7 curity and Secretary of State shall each
8 publish in the Federal Register regulations
9 establishing the process by which the eligi-
10 bility of a refugee, asylum seeker, or indi-
11 vidual seeking to adjust his immigration
12 status is considered eligible for any of the
13 exceptions authorized by clause (i), includ-
14 ing a timeline for issuing a determina-
15 tion.”.

16 (f) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on the date of enactment of
18 this section, and these amendments and sections
19 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and
20 Nationality Act (8 U.S.C. 1182(a)(3)(B) and
21 1182(d)(3)(B)), as amended by these sections, shall apply
22 to—

23 (1) removal proceedings instituted before, on, or
24 after the date of enactment of this section; and

1 (2) acts and conditions constituting a ground
2 for inadmissibility, excludability, deportation, or re-
3 moval occurring or existing before, on, or after such
4 date.

5 SPENDING PLAN AND NOTIFICATION PROCEDURES

6 SEC. 1712. Not later than 45 days after enactment
7 of this Act the Secretary of State shall submit to the Com-
8 mittees on Appropriations a report detailing planned ex-
9 penditures for funds appropriated under the headings in
10 this chapter, except for funds appropriated under the
11 headings “International Disaster and Famine Assist-
12 ance”, “Office of the United States Agency for Inter-
13 national Development Inspector General”, and “Office of
14 the Inspector General”: *Provided*, That funds appro-
15 priated under the headings in this chapter, except for
16 funds appropriated under the headings named in this sec-
17 tion, shall be subject to the regular notification procedures
18 of the Committees on Appropriations.

1 TITLE II
2 KATRINA RECOVERY, VETERANS' CARE AND
3 FOR OTHER PURPOSES

4 CHAPTER 1
5 GENERAL PROVISION—THIS CHAPTER
6 EMERGENCY FORESTRY CONSERVATION RESERVE
7 PROGRAM

8 SEC. 2101. Section 1231(k)(2) of the Food Security
9 Act of 1985 (16 U.S.C. 3831(k)(2)) is amended by strik-
10 ing “During calendar year 2006, the” and inserting
11 “The”.

12 CHAPTER 2
13 DEPARTMENT OF JUSTICE
14 OFFICE OF JUSTICE PROGRAMS
15 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE
16 For an additional amount for “State and Local Law
17 Enforcement Assistance”, for discretionary grants author-
18 ized by subpart 2 of part E, of title I of the Omnibus
19 Crime Control and Safe Streets Act of 1968, notwith-
20 standing the provisions of section 511 of said Act,
21 \$170,000,000, to remain available until September 30,
22 2008: *Provided*, That of the amount made available under
23 this heading, \$70,000,000 shall be for local law enforce-
24 ment initiatives in the gulf coast region related to the
25 aftermath of Hurricanes Katrina and Rita, of which no

1 less than \$55,000,000 shall be for the State of Louisiana:
 2 *Provided further*, That of the amount made available
 3 under this heading, \$100,000,000 shall be for reimbursing
 4 State and local law enforcement entities for security and
 5 related costs, including overtime, associated with the 2008
 6 Presidential Candidate Nominating Conventions, of which
 7 \$50,000,000 shall be for the city of Denver, Colorado and
 8 \$50,000,000 shall be for the city of St. Paul, Minnesota:
 9 *Provided further*, That the Department of Justice shall re-
 10 port to the Committees on Appropriations of the House
 11 and the Senate on a quarterly basis on the expenditure
 12 of the funds provided in the previous proviso.

13 DEPARTMENT OF COMMERCE

14 NATIONAL OCEANIC AND ATMOSPHERIC

15 ADMINISTRATION

16 OPERATIONS, RESEARCH, AND FACILITIES

17 For an additional amount for “Operations, Research,
 18 and Facilities”, for necessary expenses related to fisheries
 19 disasters, \$165,900,000, to remain available until Sep-
 20 tember 30, 2008: *Provided*, That of the amount provided
 21 under this heading, the National Marine Fisheries Service
 22 shall cause \$60,400,000 to be distributed among eligible
 23 recipients of assistance for the commercial fishery failure
 24 designated under section 312(a) of the Magnuson-Stevens
 25 Fishery Conservation and Management Act (16 U.S.C.

1 1861a(a)) and declared by the Secretary of Commerce on
 2 August 10, 2006: *Provided further*, That of the amount
 3 provided under this heading, \$105,500,000 shall be for
 4 necessary expenses related to the consequences of Hurri-
 5 canes Katrina and Rita on shrimp and fishing industries.

6 PROCUREMENT, ACQUISITION, AND CONSTRUCTION

7 For an additional amount for “Procurement, Acquisi-
 8 tion and Construction”, for necessary expenses related to
 9 disaster response and preparedness of the Gulf of Mexico
 10 coast, \$6,000,000, to remain available until September 30,
 11 2008.

12 FISHERIES DISASTER MITIGATION FUND

13 For an additional amount for a “Fisheries Disaster
 14 Mitigation Fund”, \$50,000,000, to remain available until
 15 expended for use in mitigating the effects of commercial
 16 fisheries failures and fishery resource disasters as deter-
 17 mined under the Magnuson Stevens Act (16 U.S.C. 1801
 18 et seq.) or the Interjurisdictional Fisheries Act (16 U.S.C.
 19 4101 et seq.): *Provided*, That the Secretary of Commerce
 20 shall obligate funds provided under this heading according
 21 to the Magnuson Stevens Conservation Act, as amended,
 22 the Interjurisdictional Fisheries Act, as amended, or other
 23 Acts as the Secretary determines to be appropriate.

24 GENERAL PROVISION—THIS CHAPTER

25 SEC. 2201. Up to \$48,000,000 of amounts made
 26 available to the National Aeronautics and Space Adminis-

1 tration in Public Law 109–148 and Public Law 109–234
 2 for emergency hurricane and other natural disaster-re-
 3 lated expenses may be used to reimburse hurricane-related
 4 costs incurred by NASA in fiscal year 2005.

5 CHAPTER 3

6 DEPARTMENT OF DEFENSE—CIVIL

7 DEPARTMENT OF THE ARMY

8 CORPS OF ENGINEERS—CIVIL

9 CONSTRUCTION

10 For an additional amount for “Construction” for nec-
 11 essary expenses related to the consequences of Hurricane
 12 Katrina and other hurricanes of the 2005 season,
 13 \$150,000,000, to remain available until expended, which
 14 may be used to continue construction of projects related
 15 to interior drainage for the greater New Orleans metro-
 16 politan area.

17 OPERATION AND MAINTENANCE

18 For an additional amount for “Operation and Main-
 19 tenance” to dredge navigation channels related to the con-
 20 sequences of Hurricane Katrina and other hurricanes of
 21 the 2005 season, \$3,000,000, to remain available until ex-
 22 pended.

23 FLOOD CONTROL AND COASTAL EMERGENCIES

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

1 expenses relating to the consequences of Hurricanes
2 Katrina and Rita and for other purposes, \$1,557,700,000,
3 to remain available until expended: *Provided*, That
4 \$1,300,000,000 of the amount provided may be used by
5 the Secretary of the Army to carry out projects and meas-
6 ures to provide the level of protection necessary to achieve
7 the certification required for the 100-year level of flood
8 protection in accordance with the national flood insurance
9 program under the base flood elevations in existence at
10 the time of construction of the enhancements for the West
11 Bank and Vicinity and Lake Ponchartrain and Vicinity,
12 Louisiana, projects, as described under the heading
13 “Flood Control and Coastal Emergencies”, in chapter 3
14 of Public Law 109–148: *Provided further*, That
15 \$150,000,000 of the amount provided may be used to sup-
16 port emergency operations, repairs and other activities in
17 response to flood, drought and earthquake emergencies as
18 authorized by law: *Provided further*, That \$107,700,000
19 of the amount provided may be used to implement the
20 projects for hurricane storm damage reduction, flood dam-
21 age reduction, and ecosystem restoration within Hancock,
22 Harrison, and Jackson Counties, Mississippi substantially
23 in accordance with the Report of the Chief of Engineers
24 dated December 31, 2006, and entitled “Mississippi,
25 Coastal Improvements Program Interim Report, Hancock,

1 Harrison, and Jackson Counties, Mississippi”: *Provided*
 2 *further*, That projects authorized for implementation
 3 under this Chief’s report shall be carried out at full Fed-
 4 eral expense, except that the non-Federal interests shall
 5 be responsible for providing any lands, easements, rights-
 6 of-way, disposal areas, and relocations required for con-
 7 struction of the project and for all costs associated with
 8 operation and maintenance of the project: *Provided fur-*
 9 *ther*, That any project using funds appropriated under this
 10 heading shall be initiated only after non-Federal interests
 11 have entered into binding agreements with the Secretary
 12 requiring the non-Federal interests to pay 100 percent of
 13 the operation, maintenance, repair, replacement, and reha-
 14 bilitation costs of the project and to hold and save the
 15 United States free from damages due to the construction
 16 or operation and maintenance of the project, except for
 17 damages due to the fault or negligence of the United
 18 States or its contractors.

19 DEPARTMENT OF INTERIOR

20 BUREAU OF RECLAMATION

21 WATER AND RELATED RESOURCES

22 For an additional amount for “Water and Related
 23 Resources”, \$18,000,000, to remain available until ex-
 24 pended for drought assistance: *Provided*, That drought as-
 25 sistance may be provided under the Reclamation States

1 Drought Emergency Act or other applicable Reclamation
2 authorities to assist drought plagued areas of the West.

3 GENERAL PROVISIONS—THIS CHAPTER

4 SEC. 2301. The Secretary is authorized and directed
5 to reimburse local governments for expenses they have in-
6 curred in storm-proofing pumping stations, constructing
7 safe houses for operators, and other interim flood control
8 measures in and around the New Orleans metropolitan
9 area, provided the Secretary determines those elements of
10 work and related expenses to be integral to the overall
11 plan to ensure operability of the stations during hurri-
12 canes, storms and high water events and the flood control
13 plan for the area.

14 SEC. 2302. The limitation concerning total project
15 costs in section 902 of the Water Resources Development
16 Act of 1986, as amended (33 U.S.C. 2280), shall not
17 apply during fiscal year 2008 to any water resources
18 project for which funds were made available during fiscal
19 year 2007.

20 SEC. 2303. (a) The Secretary of the Army is author-
21 ized and directed to utilize funds remaining available for
22 obligation from the amounts appropriated in chapter 3 of
23 Public Law 109–234 under the heading “Flood Control
24 and Coastal Emergencies” for projects in the greater New
25 Orleans metropolitan area to prosecute these projects in

1 a manner which promotes the goal of continuing work at
 2 an optimal pace, while maximizing, to the greatest extent
 3 practicable, levels of protection to reduce the risk of storm
 4 damage to people and property.

5 (b) The expenditure of funds as provided in sub-
 6 section (a) may be made without regard to individual
 7 amounts or purposes specified in chapter 3 of Public Law
 8 109–234.

9 (c) Any reallocation of funds that are necessary to
 10 accomplish the goal established in subsection (a) are au-
 11 thorized. Reallocation of funds in excess of \$250,000,000
 12 or 50 percent, whichever is less, of the individual amounts
 13 specified in chapter 3 of Public Law 109–234 require noti-
 14 fications of the House and Senate Committees on Appro-
 15 priation.

16 CHAPTER 4

17 SMALL BUSINESS ADMINISTRATION

18 DISASTER LOANS PROGRAM ACCOUNT

19 (INCLUDING TRANSFER OF FUNDS)

20 For an additional amount for “Disaster Loans Pro-
 21 gram Account” for administrative expenses to carry out
 22 the disaster loan program, \$25,069,000, to remain avail-
 23 able until expended, which may be transferred to and
 24 merged with “Small Business Administration, Salaries
 25 and Expenses”.

1 GENERAL PROVISIONS—THIS CHAPTER

2 SEC. 2401. ECONOMIC INJURY DISASTER LOANS. (a)

3 DEFINITIONS.—In this section—

4 (1) the term “Administrator” means the Ad-
5 ministrator of the Small Business Administration;

6 (2) the term “covered small business concern”
7 means a small business concern—

8 (A) that is located in any area in Lou-
9 isiana or Mississippi for which the President de-
10 clared a major disaster because of Hurricane
11 Katrina of 2005 or Hurricane Rita of 2005;

12 (B) that has not more than 50 full-time
13 employees; and

14 (C) that—

15 (i)(I) suffered a substantial economic
16 injury as a result of Hurricane Katrina of
17 2005 or Hurricane Rita of 2005, because
18 of a reduction in travel or tourism to the
19 area described in subparagraph (A); and

20 (II) demonstrates that, during the 1-
21 year period ending on August 28, 2005,
22 not less than 45 percent of the revenue of
23 that small business concern resulted from
24 tourism or travel related sales; or

1 (ii)(I) suffered a substantial economic
2 injury as a result of Hurricane Katrina of
3 2005 or Hurricane Rita of 2005; and

4 (II) operates in a parish or county for
5 which the population on the date of enact-
6 ment of this Act, as determined by the Ad-
7 ministrator, is not greater than 75 percent
8 of the population of that parish or county
9 before August 28, 2005, based on the most
10 recent United States population estimate
11 available before August 28, 2005;

12 (3) the term “major disaster” has the meaning
13 given that term in section 102 of the Robert T.
14 Stafford Disaster Relief and Emergency Assistance
15 Act (42 U.S.C. 5122); and

16 (4) the term “small business concern” has the
17 meaning given that term in section 3 of the Small
18 Business Act (15 U.S.C. 632).

19 (b) APPROPRIATION.—

20 (1) IN GENERAL.—There are appropriated, out
21 of any money in the Treasury not otherwise appro-
22 priated, \$25,000,000 to the Administrator, which,
23 except as provided in paragraph (2) or (3), shall be
24 used for loans under section 7(b)(2) of the Small

1 Business Act (15 U.S.C. 636(b)(2)) to covered small
2 business concerns.

3 (2) ADMINISTRATIVE EXPENSES.—Of the
4 amounts made available under paragraph (1), not
5 more than \$8,750,000 may be transferred to and
6 merged with “Salaries and Expenses” to carry out
7 the disaster loan program of the Small Business Ad-
8 ministration.

9 (3) OTHER USES OF FUNDS.—The Adminis-
10 trator may use amounts made available under para-
11 graph (1) for other purposes authorized for amounts
12 in the “Disaster Loans Program Account” or trans-
13 fer such amounts to and merge such amounts with
14 “Salaries and Expenses”, if—

15 (A) such amounts are—

16 (i) not obligated on the later of 5
17 months after the date of enactment of this
18 Act and August 29, 2007; or

19 (ii) necessary to provide assistance in
20 the event of a major disaster; and

21 (B) not later than 5 days before any such
22 use or transfer of amounts, the Administrator
23 provides written notification of such use or
24 transfer to the Committee on Appropriations of

1 the Senate and the Committee on Appropria-
2 tions of the House of Representatives.

3 SEC. 2402. OTHER PROGRAMS. (a) HUBZONES.—
4 Section 3(p) of the Small Business Act (15 U.S.C. 632(p))
5 is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (D), by striking “or”;

8 (B) in subparagraph (E), by striking the
9 period at the end and inserting “; or”; and

10 (C) by adding at the end the following:

11 “(F) an area in which the President has
12 declared a major disaster (as that term is de-
13 fined in section 102 of the Robert T. Stafford
14 Disaster Relief and Emergency Assistance Act
15 (42 U.S.C. 5122)) as a result of Hurricane
16 Katrina of August 2005 or Hurricane Rita of
17 September 2005, during the time period de-
18 scribed in paragraph (8).”; and

19 (2) by adding at the end the following:

20 “(8) TIME PERIOD.—The time period for the
21 purposes of paragraph (1)(F)—

22 “(A) shall be the 2-year period beginning
23 on the later of the date of enactment of this
24 paragraph and August 29, 2007; and

1 “(B) may, at the discretion of the Admin-
 2 istrator, be extended to be the 3-year period be-
 3 ginning on the later of the date of enactment
 4 of this paragraph and August 29, 2007.”.

5 (b) RELIEF FROM TEST PROGRAM.—Section 711(d)
 6 of the Small Business Competitive Demonstration Pro-
 7 gram Act of 1988 (15 U.S.C. 644 note) is amended—

8 (1) by striking “The Program” and inserting
 9 the following:

10 “(1) IN GENERAL.—Except as provided in para-
 11 graph (2), the Program”; and

12 (2) by adding at the end the following:

13 “(2) EXCEPTION.—

14 “(A) IN GENERAL.—The Program shall
 15 not apply to any contract related to relief or re-
 16 construction from Hurricane Katrina of 2005
 17 or Hurricane Rita of 2005 during the time pe-
 18 riod described in subparagraph (B).

19 “(B) TIME PERIOD.—The time period for
 20 the purposes of subparagraph (A)—

21 “(i) shall be the 2-year period begin-
 22 ning on the later of the date of enactment
 23 of this paragraph and August 29, 2007;
 24 and

“(ii) may, at the discretion of the Administrator, be extended to be the 3-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007.”.

CHAPTER 5

DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For an additional amount for “Disaster Relief” for necessary expenses under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$4,310,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2501. (a) IN GENERAL.—Notwithstanding any other provision of law, including any agreement, the Federal share of assistance, including direct Federal assistance, provided for the States of Louisiana, Mississippi, Alabama, and Texas in connection with Hurricanes Katrina and Rita under sections 403, 406, 407, and 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173, and 5174) shall be 100 percent of the eligible costs under such sections.

(b) APPLICABILITY.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 the Federal share provided by subsection (a) shall
3 apply to disaster assistance applied for before the
4 date of enactment of this Act.

5 (2) LIMITATION.—In the case of disaster assist-
6 ance provided under sections 403, 406, and 407 of
7 the Robert T. Stafford Disaster Relief and Emer-
8 gency Assistance Act, the Federal share provided by
9 subsection (a) shall be limited to assistance provided
10 for projects for which applications have been pre-
11 pared for the Federal Emergency Management
12 Agency before the date of enactment of this Act.

13 SEC. 2502. (a) Section 2(a) of the Community Dis-
14 aster Loan Act of 2005 (Public Law 109–88; 119 Stat.
15 2061) is amended by striking “: *Provided further*, That
16 notwithstanding section 417(c)(1) of the Stafford Act,
17 such loans may not be canceled”.

18 (b) Chapter 4 of title II of the Emergency Supple-
19 mental Appropriations Act for Defense, the Global War
20 on Terror, and Hurricane Recovery, 2006 (Public Law
21 109–234; 120 Stat. 471) is amended under the heading
22 “Disaster Assistance Direct Loan Program Account”
23 under the heading “Federal Emergency Management
24 Agency” under the heading “Department of Homeland
25 Security”, by striking “*Provided further*, That notwith-

1 standing section 417(c)(1) of such Act, such loans may
 2 not be canceled:”.

3 SEC. 2503. Section 2401 of the Emergency Supple-
 4 mental Appropriations Act for Defense, the Global War
 5 on Terror, and Hurricane Recovery, 2006 (Public Law
 6 109–234; 120 Stat. 460) is amended by striking “12
 7 months” and inserting “24 months”.

8 CHAPTER 6

9 DEPARTMENT OF THE INTERIOR

10 BUREAU OF LAND MANAGEMENT

11 WILDLAND FIRE MANAGEMENT

12 (INCLUDING TRANSFER OF FUNDS)

13 For an additional amount for “Wildland Fire Man-
 14 agement”, \$100,000,000, to remain available until ex-
 15 pended, for urgent wildland fire suppression activities:
 16 *Provided*, That such funds shall only become available if
 17 funds previously provided for wildland fire suppression will
 18 be exhausted imminently and the Secretary of the Interior
 19 notifies the House and Senate Committees on Appropria-
 20 tions in writing of the need for these additional funds: *Pro-*
 21 *vided further*, That such funds are also available for repay-
 22 ment to other appropriations accounts from which funds
 23 were transferred for wildfire suppression.

1 UNITED STATES FISH AND WILDLIFE SERVICE
2 RESOURCE MANAGEMENT

3 For an additional amount for “Resource Manage-
4 ment” for the detection of highly pathogenic avian influ-
5 enza in wild birds, including the investigation of morbidity
6 and mortality events, targeted surveillance in live wild
7 birds, and targeted surveillance in hunter-taken birds,
8 \$7,398,000, to remain available until September 30, 2008.

9 NATIONAL PARK SERVICE

10 OPERATION OF THE NATIONAL PARK SYSTEM

11 For an additional amount for “Operation of the Na-
12 tional Park System” for the detection of highly pathogenic
13 avian influenza in wild birds, including the investigation
14 of morbidity and mortality events, \$525,000, to remain
15 available until September 30, 2008.

16 HISTORIC PRESERVATION FUND

17 For an additional amount for the “Historic Preserva-
18 tion Fund” for necessary expenses related to the con-
19 sequences of Hurricane Katrina and other hurricanes of
20 the 2005 season, \$15,000,000, to remain available until
21 September 30, 2008: *Provided*, That the funds provided
22 under this heading shall be provided to the State Historic
23 Preservation Officer, after consultation with the National
24 Park Service, for grants for disaster relief in areas of Lou-
25 isiana impacted by Hurricanes Katrina or Rita: *Provided*
26 *further*, That grants shall be for the preservation, sta-

1 bilization, rehabilitation, and repair of historic properties
 2 listed in or eligible for the National Register of Historic
 3 Places, for planning and technical assistance: *Provided*
 4 *further*, That grants shall only be available for areas that
 5 the President determines to be a major disaster under sec-
 6 tion 102(2) of the Robert T. Stafford Disaster Relief and
 7 Emergency Assistance Act (42 U.S.C. 5122(2)) due to
 8 Hurricanes Katrina or Rita: *Provided further*, That indi-
 9 vidual grants shall not be subject to a non-Federal match-
 10 ing requirement: *Provided further*, That no more than 5
 11 percent of funds provided under this heading for disaster
 12 relief grants may be used for administrative expenses.

13 UNITED STATES GEOLOGICAL SURVEY

14 SURVEYS, INVESTIGATIONS, AND RESEARCH

15 For an additional amount for “Surveys, Investiga-
 16 tions, and Research” for the detection of highly patho-
 17 genic avian influenza in wild birds, including the investiga-
 18 tion of morbidity and mortality events, targeted surveil-
 19 lance in live wild birds, and targeted surveillance in
 20 hunter-taken birds, \$5,270,000, to remain available until
 21 September 30, 2008.

1 DEPARTMENT OF AGRICULTURE

2 FOREST SERVICE

3 NATIONAL FOREST SYSTEM

4 For an additional amount for “National Forest Sys-
5 tem” for the implementation of a nationwide initiative to
6 increase protection of national forest lands from foreign
7 drug-trafficking organizations, including funding for addi-
8 tional law enforcement personnel, training, equipment and
9 cooperative agreements, \$12,000,000, to remain available
10 until expended.

11 WILDLAND FIRE MANAGEMENT

12 (INCLUDING TRANSFER OF FUNDS)

13 For an additional amount for “Wildland Fire Man-
14 agement”, \$400,000,000, to remain available until ex-
15 pended, for urgent wildland fire suppression activities:
16 *Provided*, That such funds shall only become available if
17 funds provided previously for wildland fire suppression will
18 be exhausted imminently and the Secretary of Agriculture
19 notifies the House and Senate Committees on Appropria-
20 tions in writing of the need for these additional funds: *Pro-*
21 *vided further*, That such funds are also available for repay-
22 ment to other appropriation accounts from which funds
23 were transferred for wildfire suppression.

24 GENERAL PROVISIONS—THIS CHAPTER

25 SEC. 2601. (a) For fiscal year 2007, payments shall
26 be made from any revenues, fees, penalties, or miscella-

1 neous receipts described in sections 102(b)(3) and
2 103(b)(2) of the Secure Rural Schools and Community
3 Self-Determination Act of 2000 (Public Law 106–393; 16
4 U.S.C. 500 note), not to exceed \$100,000,000, and the
5 payments shall be made, to the maximum extent prac-
6 ticable, in the same amounts, for the same purposes, and
7 in the same manner as were made to States and counties
8 in 2006 under that Act.

9 (b) There is appropriated \$425,000,000 to be used
10 to cover any shortfall for payments made under this sec-
11 tion.

12 (c) Titles II and III of Public Law 106–393 are
13 amended, effective September 30, 2006, by striking
14 “2006” and “2007” each place they appear and inserting
15 “2007” and “2008”, respectively.

16 SEC. 2602. Disaster relief funds from Public Law
17 109–234, 120 Stat. 418, 461, (June 30, 2006), chapter
18 5, “National Park Service—Historic Preservation Fund,”
19 for necessary expenses related to the consequences of Hur-
20 ricane Katrina and other hurricanes of the 2005 season,
21 may be used to reconstruct destroyed properties that at
22 the time of destruction were listed in the National Register
23 of Historic Places and are otherwise qualified to receive
24 these funds: *Provided*, That the State Historic Preserva-
25 tion Officer certifies that, for the community where that

1 destroyed property was located, that the property is iconic
 2 to or essential to illustrating that community's historic
 3 identity, that no other property in that community with
 4 the same associative historic value has survived, and that
 5 sufficient historical documentation exists to ensure an ac-
 6 curate reproduction.

7 CHAPTER 7

8 DEPARTMENT OF HEALTH AND HUMAN 9 SERVICES

10 CENTERS FOR DISEASE CONTROL AND PREVENTION

11 DISEASE CONTROL, RESEARCH AND TRAINING

12 For an additional amount for “Department of Health
 13 and Human Services, Centers for Disease Control and
 14 Prevention, Disease Control, Research and Training”, to
 15 carry out section 501 of the Federal Mine Safety and
 16 Health Act of 1977 and section 6 of the Mine Improve-
 17 ment and New Emergency Response Act of 2006,
 18 \$13,000,000 for research to develop mine safety tech-
 19 nology, including necessary repairs and improvements to
 20 leased laboratories: *Provided*, That progress reports on
 21 technology development shall be submitted to the House
 22 and Senate Committees on Appropriations and the Com-
 23 mittee on Health, Education, Labor and Pensions of the
 24 Senate and the Committee on Education and Labor of the
 25 House of Representatives on a quarterly basis: *Provided*

1 *further*, That the amount provided under this heading
 2 shall remain available until September 30, 2008.

3 ADMINISTRATION FOR CHILDREN AND FAMILIES

4 LOW-INCOME HOME ENERGY ASSISTANCE

5 For an additional amount for “Low-Income Home
 6 Energy Assistance” under section 2604(a) through (d) of
 7 the Low-Income Home Energy Assistance Act of 1981 (42
 8 U.S.C. 8623(a) through (d)), \$320,000,000.

9 For an additional amount for “Low-Income Home
 10 Energy Assistance” under section 2604(e) of the Low-In-
 11 come Home Energy Assistance Act of 1981 (42 U.S.C.
 12 8623(e)), \$320,000,000.

13 OFFICE OF THE SECRETARY

14 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

15 FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For an additional amount for “Public Health and So-
 18 cial Services Emergency Fund” to prepare for and re-
 19 spond to an influenza pandemic, \$820,000,000, to remain
 20 available until expended: *Provided*, That this amount shall
 21 be for activities including the development and purchase
 22 of vaccine, antivirals, necessary medical supplies,
 23 diagnostics, and other surveillance tools: *Provided further*,
 24 That products purchased with these funds may, at the dis-
 25 cretion of the Secretary of Health and Human Services,
 26 be deposited in the Strategic National Stockpile: *Provided*

1 *further*, That notwithstanding section 496(b) of the Public
 2 Health Service Act, funds may be used for the construc-
 3 tion or renovation of privately owned facilities for the pro-
 4 duction of pandemic vaccine and other biologicals, where
 5 the Secretary finds such a contract necessary to secure
 6 sufficient supplies of such vaccines or biologicals: *Provided*
 7 *further*, That funds appropriated herein may be trans-
 8 ferred to other appropriation accounts of the Department
 9 of Health and Human Services, as determined by the Sec-
 10 retary to be appropriate, to be used for the purposes speci-
 11 fied in this sentence.

12 COVERED COUNTERMEASURE PROCESS FUND

13 For carrying out section 319F–4 of the Public Health
 14 Service Act (42 U.S.C. 247d–6e) to compensate individ-
 15 uals for injuries caused by H5N1 vaccine, in accordance
 16 with the declaration regarding avian influenza viruses
 17 issued by the Secretary of Health and Human Services
 18 on January 26, 2007, pursuant to section 319F–3(b) of
 19 such Act (42 U.S.C. 247d–6d(b)), \$50,000,000, to remain
 20 available until expended.

21 DEPARTMENT OF EDUCATION

22 HIGHER EDUCATION

23 For an additional amount under part B of title VII
 24 of the Higher Education Act of 1965 (“HEA”) for institu-
 25 tions of higher education (as defined in section 102 of that
 26 Act) that are located in an area in which a major disaster

1 was declared in accordance with section 401 of the Robert
 2 T. Stafford Disaster Relief and Emergency Assistance Act
 3 related to hurricanes in the Gulf of Mexico in calendar
 4 year 2005, \$30,000,000: *Provided*, That such funds shall
 5 be available to the Secretary of Education only for pay-
 6 ments to help defray the expenses (which may include lost
 7 revenue, reimbursement for expenses already incurred,
 8 and construction) incurred by such institutions of higher
 9 education that were forced to close, relocate or signifi-
 10 cantly curtail their activities as a result of damage directly
 11 caused by such hurricanes and for payments to enable
 12 such institutions to provide grants to students who attend
 13 such institutions for academic years beginning on or after
 14 July 1, 2006: *Provided further*, That such payments shall
 15 be made in accordance with criteria established by the Sec-
 16 retary and made publicly available without regard to sec-
 17 tion 437 of the General Education Provisions Act, section
 18 553 of title 5, United States Code, or part B of title VII
 19 of the HEA.

20 GENERAL PROVISIONS—THIS CHAPTER

21 SEC. 2701. Section 105(b) of title IV of division B
 22 of Public Law 109–148 is amended by adding at the end
 23 the following new sentence: “With respect to the program
 24 authorized by section 102 of this Act, the waiver authority

1 in subsection (a) of this section shall be available until
2 the end of fiscal year 2008.”

3 (INCLUDING RESCISSION)

4 SEC. 2702. (a) From unexpended balances of the
5 amounts made available in the 2001 Emergency Supple-
6 mental Appropriations Act for Recovery from and Re-
7 sponse to Terrorist Attacks on the United States (Public
8 Law 107–38) for the Employment Training Administra-
9 tion, Training and Employment Services under the De-
10 partment of Labor, \$3,589,000 are rescinded.

11 (b) For an additional amount for the Centers for Dis-
12 ease Control and Prevention for carrying out activities
13 under section 5011(b) of the Emergency Supplemental
14 Appropriations Act to Address Hurricanes in the Gulf of
15 Mexico and Pandemic Influenza, 2006 (Public Law 109–
16 148), \$3,589,000.

17 SEC. 2703. Notwithstanding section 2002(c) of the
18 Social Security Act (42 U.S.C. 1397a(c)), funds made
19 available under the heading “Social Services Block Grant”
20 in division B of Public Law 109–148 shall be available
21 for expenditure by the States through the end of fiscal
22 year 2008.

23 SEC. 2704. ELIMINATION OF REMAINDER OF SCHIP
24 FUNDING SHORTFALLS FOR FISCAL YEAR 2007. (a)
25 ELIMINATION OF REMAINDER OF FUNDING SHORTFALLS,
26 TIERED MATCH, AND OTHER LIMITATION ON EXPENDI-

1 TURES.—Section 2104(h) of the Social Security Act (42
 2 U.S.C. 1397dd(h)), as added by section 201(a) of the Na-
 3 tional Institutes of Health Reform Act of 2006 (Public
 4 Law 109–482), is amended—

5 (1) in the heading for paragraph (2), by strik-
 6 ing “REMAINDER OF REDUCTION” and inserting
 7 “PART”; and

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

10 “(4) ADDITIONAL AMOUNTS TO ELIMINATE RE-
 11 MAINDER OF FISCAL YEAR 2007 FUNDING SHORT-
 12 FALLS.—

13 “(A) IN GENERAL.—The Secretary shall
 14 allot to each remaining shortfall State described
 15 in subparagraph (B) such amount as the Sec-
 16 retary determines will eliminate the estimated
 17 shortfall described in such subparagraph for the
 18 State for fiscal year 2007.

19 “(B) REMAINING SHORTFALL STATE DE-
 20 SCRIBED.—For purposes of subparagraph (A),
 21 a remaining shortfall State is a State with a
 22 State child health plan approved under this title
 23 for which the Secretary estimates, on the basis
 24 of the most recent data available to the Sec-
 25 retary as of the date of the enactment of this

paragraph, that the projected federal expenditures under such plan for the State for fiscal year 2007 will exceed the sum of—

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

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

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

“(C) APPROPRIATION; ALLOTMENT AUTHORITY.—For the purpose of providing additional allotments to remaining shortfall States under this paragraph there is appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as are necessary for fiscal year 2007.”.

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

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

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

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

5 (4) in paragraph (6)—

6 (A) in the first sentence—

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

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

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

13 (c) GENERAL EFFECTIVE DATE; APPLICABILITY.—

14 Except as otherwise provided, the amendments made by
15 this section take effect on the date of enactment of this
16 Act and apply without fiscal year limitation.

17 SEC. 2705. Notwithstanding any other provision of
18 law, the Secretary of Health and Human Services shall
19 not, prior to the date that is 2 years after the date of
20 enactment of this Act, take any action to finalize, or other-
21 wise implement provisions—

22 (1) contained in the proposed rule published on
23 January 18, 2007, on pages 2236 through 2258 of
24 volume 72, Federal Register (relating to parts 433,
25 447, and 457 of title 42, Code of Federal Regula-

1 tions) or any other rule that would affect the Med-
 2 icaid program established under title XIX of the So-
 3 cial Security Act or the State Children’s Health In-
 4 surance Program established under title XXI of such
 5 Act in a similar manner; or

6 (2) restricting payments for graduate medical
 7 education under the Medicaid program.

8 (b) INCREASE IN BASIC REBATE FOR SINGLE
 9 SOURCE DRUGS AND INNOVATOR MULTIPLE SOURCE
 10 DRUGS.—Section 1927(c)(1)(B)(i) of the Social Security
 11 Act (42 U.S.C. 1396r–8(c)(1)(B)(i)) is amended—

12 (1) in subclause (IV), by striking “and” after
 13 the semicolon;

14 (2) in subclause (V)—

15 (A) by inserting “and before April 1,
 16 2007,” after “1995,”; and

17 (B) by striking the period and inserting “;
 18 and”; and

19 (3) by adding at the end the following:

20 “(VI) after March 31, 2007, is
 21 20 percent.”.

22 SEC. 2706. (a) For grant years beginning in 2006–
 23 2007, the Secretary of Health and Human Services may
 24 waive the requirements of, with respect to Louisiana, Mis-
 25 sissippi, Alabama, and Texas and any eligible metropolitan

1 area in Louisiana, Mississippi, Alabama, and Texas, the
2 following sections of the Public Health Service Act:

3 (1) Section 2612(e)(1) of such Act (42 U.S.C.
4 300ff–21(b)(1)).

5 (2) Section 2617(b)(7)(E) of such Act (42
6 U.S.C. 300ff–27(b)(7)(E)).

7 (3) Section 2617(d) of such Act (42 U.S.C.
8 300ff–27(d)), except that such waiver shall apply so
9 that the matching requirement is reduced to \$1 for
10 each \$4 of Federal funds provided under the grant
11 involved.

12 (b) If the Secretary of Health and Human Services
13 grants a waiver under subsection (b), the Secretary—

14 (1) may not prevent Louisiana, Mississippi,
15 Alabama, and Texas or any eligible metropolitan
16 area in Louisiana, Mississippi, Alabama, and Texas
17 from receiving or utilizing, or both, funds granted or
18 distributed, or both, pursuant to title XXVI of the
19 Public Health Service Act (42 U.S.C. 300ff–11 et
20 seq.) because of the failure of Louisiana, Mississippi,
21 Alabama, and Texas or any eligible metropolitan
22 area in Louisiana, Mississippi, Alabama, and Texas
23 to comply with the requirements of the sections list-
24 ed in paragraphs (1) through (3) of subsection (a);

1 (2) may not take action due to such noncompli-
2 ance; and

3 (3) shall assess, evaluate, and review Louisiana,
4 Mississippi, Alabama, and Texas or any eligible met-
5 ropolitan area's eligibility for funds under such title
6 XXVI as if Louisiana, Mississippi, Alabama, and
7 Texas or such eligible metropolitan area had fully
8 complied with the requirements of the sections listed
9 in paragraphs (1) through (3) of subsection (a).

10 (c) For grant years beginning in 2008, Louisiana,
11 Mississippi, Alabama, and Texas and any eligible metro-
12 politan area in Louisiana, Mississippi, Alabama, and
13 Texas shall comply with each of the applicable require-
14 ments under title XXVI of the Public Health Service Act
15 (42 U.S.C. 300ff-11 et seq.).

16 CHAPTER 8

17 LEGISLATIVE BRANCH

18 ARCHITECT OF THE CAPITOL

19 CAPITOL POWER PLANT

20 For an additional amount for "Capitol Power Plant",
21 \$25,000,000, for emergency utility tunnel repairs and as-
22 bestos abatement, to remain available until September 30,
23 2011: *Provided*, That the Architect of the Capitol may not
24 obligate any of the funds appropriated under this heading
25 without approval of an obligation plan by the Committees

1 on Appropriations of the Senate and House of Representa-
 2 tives.

3 GOVERNMENT ACCOUNTABILITY OFFICE

4 SALARIES AND EXPENSES

5 For an additional amount for “Salaries and Ex-
 6 penses” of the Government Accountability Office,
 7 \$374,000, to remain available until expended.

8 CHAPTER 9

9 DEPARTMENT OF DEFENSE

10 MILITARY CONSTRUCTION

11 MILITARY CONSTRUCTION, AIR FORCE RESERVE

12 (INCLUDING RESCISSION OF FUNDS)

13 For an additional amount for “Military Construction,
 14 Air Force Reserve”, \$3,096,000, to remain available until
 15 September 30, 2011: *Provided*, That such funds may be
 16 obligated and expended to carry out planning and design
 17 and military construction projects not otherwise author-
 18 ized by law.

19 Of the funds appropriated for “Military Construction,
 20 Air Force Reserve” under Public Law 109–114,
 21 \$3,096,000 are hereby rescinded.

22 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT,

23 2005

24 For deposit into the Department of Defense Base
 25 Closure Account 2005, established by section 2906(a)(1)

1 of the Defense Base Closure and Realignment Act of 1990
2 (10 U.S.C. 2687 note), \$3,136,802,000, to remain avail-
3 able until expended.

4 DEPARTMENT OF VETERANS AFFAIRS

5 VETERANS HEALTH ADMINISTRATION

6 MEDICAL SERVICES

7 For an additional amount for “Medical Services”,
8 \$454,131,000, to remain available until expended, of
9 which \$50,000,000 shall be for the establishment of new
10 Level I comprehensive polytrauma centers; \$9,440,000
11 shall be for the establishment of polytrauma residential
12 transitional rehabilitation programs; \$20,000,000 shall be
13 for additional transition caseworkers; \$30,000,000 shall
14 be for substance abuse treatment programs; \$20,000,000
15 for readjustment counseling; \$10,000,000 shall be for
16 blind rehabilitation services; \$100,000,000 shall be for en-
17 hancements to mental health services; \$8,000,000 shall be
18 for polytrauma support clinic teams; \$5,356,000 for addi-
19 tional polytrauma points of contacts; and \$201,335,000
20 shall be for treatment of Operation Enduring Freedom
21 and Operation Iraqi Freedom veterans.

22 MEDICAL ADMINISTRATION

23 For an additional amount for “Medical Administra-
24 tion”, \$250,000,000, to remain available until expended.

MEDICAL FACILITIES

For an additional amount for “Medical Facilities”, \$595,000,000, to remain available until expended, of which \$45,000,000 shall be used for facility and equipment upgrades at the Department of Veterans Affairs polytrauma rehabilitation centers and the polytrauma network sites; and \$550,000,000 shall be for non-recurring maintenance as identified in the Department of Veterans Affairs Facility Condition Assessment report: *Provided*, That the amount provided under this heading for non-recurring maintenance shall be allocated in a manner outside of the Veterans Equitable Resource Allocation and specific to the needs and geographic distribution of Operation Enduring Freedom and Operation Iraqi Freedom veterans: *Provided further*, That within 30 days of enactment of this Act the Secretary shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for non-recurring maintenance prior to obligation.

MEDICAL AND PROSTHETIC RESEARCH

For an additional amount for “Medical and Prosthetic Research”, \$30,000,000, to remain available until expended, which shall be used for research related to the unique medical needs of returning Operation Enduring Freedom and Operation Iraqi Freedom veterans.

1 DEPARTMENTAL ADMINISTRATION

2 GENERAL OPERATING EXPENSES

3 For an additional amount for “General Operating
4 Expenses”, \$46,000,000, to remain available until ex-
5 pended, for the hiring and training of new pension and
6 compensation claims processing personnel.

7 INFORMATION TECHNOLOGY SYSTEMS

8 For an additional amount for “Information Tech-
9 nology Systems”, \$36,100,000, to remain available until
10 expended, of which \$20,000,000 shall be for information
11 technology support and improvements for processing of
12 OIF/OEF veterans benefits claims, including making elec-
13 tronic DOD medical records available for claims proc-
14 essing and enabling electronic benefits applications by vet-
15 erans; \$1,000,000 shall be for the digitization of benefits
16 records; and \$15,100,000 shall be for electronic data
17 breach and remediation and prevention.

18 CONSTRUCTION, MINOR PROJECTS

19 For an additional amount for “Construction, Minor
20 Projects”, \$355,907,000, to remain available until ex-
21 pended, of which \$36,000,000 shall be for construction
22 costs associated with the establishment of polytrauma resi-
23 dential transitional rehabilitation programs.

24 GENERAL PROVISIONS—THIS CHAPTER

25 SEC. 2901. (a) Notwithstanding any other provision
26 of law, none of the funds in this or any other Act shall

1 be used to downsize staff or to close, realign or phase out
2 essential services at Walter Reed Army Medical Center
3 until equivalent medical facilities at the Walter Reed Na-
4 tional Military Medical Center at Naval Medical Center,
5 Bethesda, Maryland, and/or the Fort Belvoir, Virginia,
6 Community Hospital have been constructed and equipped,
7 and until the Secretary of Defense has certified in writing
8 to the Congress that:

9 (1) the new facilities at Walter Reed National
10 Military Medical Center at Bethesda and/or the Fort
11 Belvoir Community Hospital are complete and fully
12 operational, and

13 (2) replacement medical facilities at Walter
14 Reed National Military Medical Center at Bethesda
15 have adequate capacity to meet both the existing
16 and projected demand for complex medical care and
17 services, including outpatient and medical hold facili-
18 ties, for combat veterans and other military per-
19 sonnel.

20 (b) Not later than 30 days after enactment of this
21 Act, the Secretary of Defense shall provide to the Commit-
22 tees on Appropriations of the Senate and House of Rep-
23 resentatives a report and proposed timetable outlining the
24 Department's plan to transition patients, staff and med-
25 ical services to the new facilities at Bethesda and Fort

1 Belvoir without compromising patient care, staffing re-
2 quirements or facility maintenance at the Walter Reed
3 Medical Center.

4 (c) To ensure that the quality of care provided by
5 the Military Health System is not diminished during this
6 transition, the Walter Reed Army Medical Center shall be
7 adequately funded, to include necessary renovation and
8 maintenance of existing facilities, to continue the max-
9 imum level of inpatient and outpatient services.

10 SEC. 2902. Within existing funds appropriated to De-
11 partmental Administration, General Operating Expenses
12 for fiscal year 2007, and within 30 days after enactment
13 of this Act, the Department of Veterans Affairs shall con-
14 tract with the National Academy of Public Administration
15 for the purpose of conducting an independent study and
16 analysis of the organizational structure, management and
17 coordination processes, including Seamless Transition, uti-
18 lized by the Department of Veterans affairs to:

19 (1) provide health care to active duty and vet-
20 erans of Operation Enduring Freedom and Oper-
21 ation Iraqi Freedom; and

22 (2) provide benefits to veterans of Operation
23 Enduring Freedom and Operation Iraqi Freedom.

24 SEC. 2903. The Director of the Congressional Budget
25 Office shall, not later than November 15, 2007, submit

1 to the Committees on Appropriations of the House of Rep-
 2 resentatives and the Senate a report projecting appropria-
 3 tions necessary for the Departments of Defense and Vet-
 4 erans Affairs to continue providing necessary health care
 5 to veterans of the conflicts in Iraq and Afghanistan. The
 6 projections should span several scenarios for the duration
 7 and number of forces deployed in Iraq and Afghanistan,
 8 and more generally, for the long-term health care needs
 9 of deployed troops engaged in the global war on terrorism
 10 over the next ten years.

11 CHAPTER 10

12 DEPARTMENT OF TRANSPORTATION

13 FEDERAL HIGHWAY ADMINISTRATION

14 FEDERAL-AID HIGHWAYS

15 EMERGENCY RELIEF PROGRAM

16 (INCLUDING RESCISSION OF FUNDS)

17 For an additional amount for the Emergency Relief
 18 Program as authorized under section 125 of title 23,
 19 United States Code, \$388,903,000, to remain available
 20 until expended: *Provided*, That of the unobligated balances
 21 of funds apportioned to each State under chapter 1 of title
 22 23, United States Code, \$388,903,000 are rescinded: *Pro-*
 23 *vided further*, That such rescission shall not apply to the
 24 funds distributed in accordance with sections 130(f) and
 25 104(b)(5) of title 23, United States Code; sections
 26 133(d)(1) and 163 of such title, as in effect on the day

1 before the date of enactment of Public Law 109–59; and
 2 the first sentence of section 133(d)(3)(A) of such title:
 3 *Provided further*, That section 4103 of title III of this Act
 4 shall not apply to the first proviso under this paragraph.

5 FEDERAL TRANSIT ADMINISTRATION

6 FORMULA GRANTS

7 For an additional amount to be allocated by the Sec-
 8 retary to recipients of assistance under chapter 53 of title
 9 49, United States Code, directly affected by Hurricanes
 10 Katrina and Rita, \$75,000,000, for the operating and cap-
 11 ital costs of transit services, to remain available until ex-
 12 pended: *Provided*, That the Federal share for any project
 13 funded from this amount shall be 100 percent.

14 DEPARTMENT OF HOUSING AND URBAN

15 DEVELOPMENT

16 OFFICE OF INSPECTOR GENERAL

17 For an additional amount for the Office of Inspector
 18 General, for the necessary costs related to the con-
 19 sequences of Hurricanes Katrina and Rita, \$5,000,000,
 20 to remain available until expended.

21 GENERAL PROVISIONS—THIS CHAPTER

22 SEC. 3001. Notwithstanding part 750 of title 23,
 23 Code of Federal Regulations (or a successor regulation),
 24 if permitted by State law, a nonconforming sign that is
 25 or has been damaged, destroyed, abandoned, or discon-

1 tinued as a result of a hurricane that is determined to
2 be an act of God (as defined by State law) may be re-
3 paired, replaced, or reconstructed if the replacement sign
4 has the same dimensions as the original sign, and said
5 sign is located within a State found within Federal Emer-
6 gency Management Agency Region IV or VI. The provi-
7 sions of this section shall cease to be in effect twenty-four
8 months following the date of enactment of this Act.

9 SEC. 3002. Section 21033 of the Continuing Appro-
10 priations Resolution, 2007 (division B of Public Law 109–
11 289, as amended by Public Law 110–5) is amended by
12 adding after the third proviso: “: *Provided further*, That
13 notwithstanding the previous proviso, except for applying
14 the 2007 Annual Adjustment Factor and making any
15 other specified adjustments, public housing agencies that
16 are eligible for assistance under section 901 in Public Law
17 109–148 (119 Stat. 2781) shall receive funding for cal-
18 endar year 2007 based on the amount such public housing
19 agencies were eligible to receive in calendar year 2006”.

1 TITLE III
2 OTHER MATTERS
3 CHAPTER 1
4 DEPARTMENT OF AGRICULTURE
5 FARM SERVICE AGENCY
6 SALARIES AND EXPENSES

7 For an additional amount for “Salaries and Ex-
8 penses” of the Farm Service Agency, \$75,000,000, to re-
9 main available until expended: *Provided*, That this amount
10 shall only be available for the modernization and repair
11 of the computer systems used by the Farm Service Agency
12 (including all software, hardware, and personnel required
13 for modernization and repair): *Provided further*, That of
14 this amount \$27,000,000 shall be made available 60 days
15 after the date on which the Farm Service Agency submits
16 to the Committee on Appropriations of the Senate, the
17 Committee on Appropriations of the House of Representa-
18 tives, and the Government Accountability Office a spend-
19 ing plan for the funds.

20 GENERAL PROVISIONS—THIS CHAPTER

21 (RESCISSION)

22 SEC. 3101. Of the unobligated balances of funds
23 made available pursuant to section 298(a) of the Trade
24 Act of 1974 (19 U.S.C. 2401G(a)), \$75,000,000 are re-
25 scinded.

1 SEC. 3102. (a) Section 1237A(f) of the Food Security
 2 Act of 1985 (16 U.S.C. 3837a(f)) is amended in the first
 3 sentence by striking “fair market value of the land less
 4 the fair market value of such land encumbered by the
 5 easement” and inserting “fair market value of the land
 6 as determined in accordance with the method of valuation
 7 used by the Secretary as of January 1, 2003”.

8 (b) Section 1238I(c)(1) of the Food Security Act of
 9 1985 (16 U.S.C. 3838i(c)(1)) is amended by inserting at
 10 the end the following:

11 “(C) VALUATION.—The Secretary shall de-
 12 termine fair market value under this paragraph
 13 in accordance with the method of valuation
 14 used by the Secretary as of January 1, 2003.”.

15 SEC. 3103. Subsection (b)(1) of section 313A of the
 16 Rural Electrification Act shall not apply in the case of
 17 a cooperative lender that has previously received a guar-
 18 antee under section 313A and such additional guarantees
 19 shall not exceed the amount provided for in Public Law
 20 110–5.

21 CHAPTER 2

22 GENERAL PROVISIONS—THIS CHAPTER

23 SEC. 3201. Section 20314 of the Continuing Appro-
 24 priations Resolution, 2007 (division B of Public Law 109–
 25 289, as amended by Public Law 110–5) is amended by

1 striking “Resources.” and inserting in lieu thereof: “Re-
2 sources: *Provided*, That \$22,762,000 of the amount pro-
3 vided be for geothermal research and development activi-
4 ties.”.

5 SEC. 3202. Hereafter, federal employees at the Na-
6 tional Energy Technology Laboratory shall be classified
7 as inherently governmental for the purpose of the Federal
8 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
9 note).

10 SEC. 3203. PROHIBITION ON CERTAIN USES OF
11 FUNDS BY BPA. None of the funds made available under
12 this or any other Act shall be used during fiscal year 2007
13 to make, or plan or prepare to make, any payment on
14 bonds issued by the Administrator of the Bonneville Power
15 Administration (referred in this section as the “Adminis-
16 trator”) or for an appropriated Federal Columbia River
17 Power System investment, if the payment is both—

18 (1) greater, during any fiscal year, than the
19 payments calculated in the rate hearing of the Ad-
20 ministrator to be made during that fiscal year using
21 the repayment method used to establish the rates of
22 the Administrator as in effect on October 1, 2006;
23 and

1 (2) based or conditioned on the actual or ex-
2 pected net secondary power sales receipts of the Ad-
3 ministrator.

4 CHAPTER 3

5 GENERAL PROVISIONS—THIS CHAPTER

6 SEC. 3301. The structure of any of the offices or
7 components within the Office of National Drug Control
8 Policy shall remain as they were on October 1, 2006. None
9 of the funds appropriated or otherwise made available in
10 the Continuing Appropriations Resolution, 2007 (Public
11 Law 110–5) may be used to implement a reorganization
12 of offices within the Office of National Drug Control Pol-
13 icy without the explicit approval of the Committees on Ap-
14 propriations of the House of Representatives and the Sen-
15 ate.

16 SEC. 3302. Funds made available in section 21075
17 of the Continuing Appropriations Resolution, 2007 (Public
18 Law 110–5) shall be made available to a 501(c)(3) entity:
19 (1) with a wide anti-drug coalition network and member-
20 ship base, and one with a demonstrated track record and
21 specific expertise in providing technical assistance, train-
22 ing, evaluation, research, and capacity building to commu-
23 nity anti-drug coalitions; (2) with authorization from Con-
24 gress, both prior to fiscal year 2007, and in fiscal years
25 2008 through 2012, to perform the duties described in

1 subsection (1) of this section; and (3) that has previously
2 received funding from Congress, including through a com-
3 petitive process as well as direct funding, for providing the
4 duties described in subsection (1) of this section: *Provided*,
5 That funds appropriated in section 21075 shall be obli-
6 gated within sixty days after enactment of this Act.

7 SEC. 3303. Funds made available under section 613
8 of Public Law 109–108 (119 Stat. 2338) for Nevada’s
9 Commission on Economic Development shall be made
10 available to the Nevada Center for Entrepreneurship and
11 Technology (CET).

12 SEC. 3304. From the amount provided by section
13 21067 of the Continuing Appropriations Resolution, 2007
14 (Public Law 110–5), the National Archives and Records
15 Administration may obligate monies necessary to carry out
16 the activities of the Public Interest Declassification Board.

17 SEC. 3305. None of the funds appropriated or other-
18 wise made available in section 21063 of the Continuing
19 Appropriations Resolution, 2007 (Public Law 110–5) for
20 the “General Services Administration, Real Property Ac-
21 tivities, Federal Buildings Fund”, may be obligated for
22 design, construction, or acquisition until the House and
23 Senate Committees on Appropriations approve a revised
24 detailed plan, by project, on the use of such funds: *Pro-*
25 *vided*, That the new plan shall include funding for comple-

1 tion of courthouse construction projects which received
2 funding in fiscal year 2006 above a level of \$5,000,000:
3 *Provided further*, That such plan shall be provided by the
4 Administrator of the General Services Administration to
5 the House of Representatives and the Senate Committees
6 on Appropriations within seven days of enactment.

7 SEC. 3306. Notwithstanding the notice requirement
8 of the Transportation, Treasury, Housing and Urban De-
9 velopment, the Judiciary, the District of Columbia, and
10 Independent Agencies Appropriations Act, 2006, 119
11 Stat. 2509 (Public Law 109–115), as continued in section
12 104 of the Continuing Appropriations Resolution, 2007
13 (Public Law 110–5), the District of Columbia Courts may
14 reallocate not more than \$1,000,000 of the funds provided
15 for fiscal year 2007 under the Federal Payment to the
16 District of Columbia Courts for facilities among the items
17 and entities funded under that heading for operations.

18 SEC. 3307. (a) Not later than 90 days after the date
19 of enactment of this Act, the Secretary of the Treasury,
20 in coordination with the Securities and Exchange Commis-
21 sion and in consultation with the Departments of State
22 and Energy, shall prepare and submit to the Senate Com-
23 mittee on Appropriations, the House of Representatives
24 Committee on Appropriations, the Senate Foreign Rela-
25 tions Committee, and the House Foreign Affairs Com-

1 mittee an unclassified report, suitable to be made public,
2 that contains the names of (1) all companies trading in
3 securities that are registered under section 12 of the Secu-
4 rities Exchange Act of 1934 (15 U.S.C. 781) which either
5 directly or through a parent or subsidiary company, in-
6 cluding partly-owned subsidiaries, conduct business oper-
7 ations in Sudan relating to natural resource extraction,
8 including oil-related activities and mining of minerals; and
9 (2) the names of all other companies, which either directly
10 or through a parent or subsidiary company, including
11 partly-owned subsidiaries, conduct business operations in
12 Sudan relating to natural resource extraction, including
13 oil-related activities and mining of minerals. The reporting
14 provision shall not apply to companies operating under li-
15 censes from the Office of Foreign Assets Control or other-
16 wise expressly exempted under United States law from
17 having to obtain such licenses in order to operate in
18 Sudan.

19 (b) Not later than 20 days after enactment, the Sec-
20 retary of the Treasury shall inform the aforementioned
21 committees of Congress of any statutory or other legal im-
22 pediments to the successful completion of this report.

23 (c) Not later than 45 days following the submission
24 to Congress of the list of companies conducting business
25 operations in Sudan relating to natural resource extrac-

tion required above, the General Services Administration shall determine whether the United States Government has an active contract for the procurement of goods or services with any of the identified companies, and provide notification to the appropriate committees of Congress of the companies, nature of the contract, and dollar amounts involved.

(INCLUDING RESCISSION)

SEC. 3308. (a) Of the funds provided for the General Services Administration, “Office of Inspector General” in section 21061 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5), \$8,000,000 are rescinded.

(b) For an additional amount for the General Services Administration, “Office of Inspector General”, \$8,000,000, to remain available until September 30, 2008.

SEC. 3309. Section 21073 of the Continuing Appropriations Resolution, 2007 (Public Law 110–5) is amended by adding a new subsection (j) as follows:

“(j) Notwithstanding section 101, any appropriation or funds made available to the District of Columbia pursuant to this division for ‘Federal Payment for Foster Care Improvement in the District of Columbia’ shall be available in accordance with an expenditure plan submitted by the Mayor of the District of Columbia not later than 60

1 days after the enactment of this section which details the
2 activities to be carried out with such Federal Payment.”.

3 CHAPTER 4

4 GENERAL PROVISIONS—THIS CHAPTER

5 SEC. 3401. Any unobligated balances remaining from
6 prior appropriations for United States Coast Guard, “Re-
7 tired Pay” shall remain available until expended in the
8 account and for the purposes for which the appropriations
9 were provided, including the payment of obligations other-
10 wise chargeable to lapsed or current appropriations for
11 this purpose.

12 SEC. 3402. INTEGRATED DEEPWATER SYSTEM. (a)
13 COMPETITION FOR ACQUISITION AND MODIFICATION OF
14 ASSETS.—

15 (1) IN GENERAL.—The Commandant of the
16 Coast Guard shall utilize full and open competition
17 for any contract entered into after the date of enact-
18 ment of this Act that provides for the acquisition or
19 modification of assets under, or in support of, the
20 Integrated Deepwater System Program of the Coast
21 Guard.

22 (2) EXCEPTIONS.—Paragraph (1) shall not
23 apply to the following:

24 (A) The acquisition or modification of the
25 following asset classes for which assets of the

class and related systems and components under the Integrated Deepwater System are under a contract for production:

(i) National Security Cutter;

(ii) Maritime Patrol Aircraft;

(iii) Deepwater Command, Control, Communications, Computer, Intelligence, Surveillance, and Reconnaissance (C4ISR) System; and

(iv) HC-130J Fleet Introduction.

(B) The modification of any legacy asset class under the Integrated Deepwater System Program being performed by a Coast Guard entity.

(b) CHAIR OF PRODUCT AND OVERSIGHT TEAMS.—

The Commandant of the Coast Guard shall assign an appropriate officer or employee of the Coast Guard to act as chair of each of the following:

(1) Each integrated product team under the Integrated Deepwater System Program.

(2) Each higher-level team assigned to the oversight of a product team referred to in paragraph (1).

(c) LIFE-CYCLE COST ESTIMATE.—The Commandant of the Coast Guard may not enter into a contract for lead asset production under the Integrated Deepwater

1 System Program until the Commandant obtains an inde-
2 pendent estimate of life-cycle costs of the asset concerned.

3 (d) REVIEW OF ACQUISITIONS AND MAJOR DESIGN
4 CHANGES.—

5 (1) IN GENERAL.—With the exception of assets
6 covered under (a)(2) of this section, the Com-
7 mandant of the Coast Guard may not carry out an
8 action described in paragraph (2) unless an inde-
9 pendent third party with no financial interest in the
10 development, construction, or modification of any
11 component of the Integrated Deepwater System Pro-
12 gram, selected by the Commandant for purposes of
13 the subsection, determines that such action is advis-
14 able.

15 (2) COVERED ACTIONS.—The actions described
16 in the paragraph are as follows:

17 (A) The acquisition or modification of an
18 asset under the Integrated Deepwater System
19 Program.

20 (B) The implementation of a major design
21 change for an asset under the Integrated Deep-
22 water System Program.

23 (e) LINKING OF AWARD FEES TO SUCCESSFUL AC-
24 QUISITION OUTCOMES.—The Commandant of the Coast
25 Guard shall require that all contracts under the Integrated

1 Deepwater System Program that provide award fees link
2 such fees to successful acquisition outcomes (which shall
3 be defined in terms of cost, schedule, and performance).

4 (f) CONTRACTUAL AGREEMENTS.—

5 (1) IN GENERAL.—The Commandant of the
6 Coast Guard may not award or issue any contract,
7 task or delivery order, letter contract modification
8 thereof, or other similar contract, for the acquisition
9 or modification of an asset under the Integrated
10 Deepwater System Program unless the Coast Guard
11 and the contractor concerned have formally agreed
12 to all terms and conditions.

13 (2) EXCEPTION.—A contract, task or delivery
14 order, letter contract, modification thereof, or other
15 similar contract described in paragraph (1) may be
16 awarded or issued if the head of contracting activity
17 of the Coast Guard determines that a compelling
18 need exists for the award or issue of such instru-
19 ment.

20 (g) DESIGNATION OF TECHNICAL AUTHORITY.—The
21 Commandant of the Coast Guard shall designate the As-
22 sistant Commandant of the Coast Guard for Engineering
23 and Logistics as the technical authority for all engineer-
24 ing, design, and logistics decisions pertaining to the Inte-
25 grated Deepwater System Program.

1 (h) REPORT ON PERSONNEL REQUIRED FOR ACQUI-
2 SITION MANAGEMENT.—Not later than 30 days after the
3 date of the enactment of this Act, the Commandant of
4 the Coast Guard shall submit to the Committees on Ap-
5 propriations of the Senate and the House of Representa-
6 tives; the Committee on Commerce, Science and Transpor-
7 tation of the Senate; and the Committee on Transpor-
8 tation and Infrastructure of the House of Representatives
9 a report on the resources (including training, staff, and
10 expertise) required by the Coast Guard to provide appro-
11 priate management and oversight of the Integrated Deep-
12 water System Program.

13 (i) COMPTROLLER GENERAL REPORT ON
14 PROGRESS.—Not later than 60 days after the date of en-
15 actment of this Act, the Comptroller General of the United
16 States shall submit to the Committees on Appropriations
17 of the Senate and the House of Representatives; the Com-
18 mittee on Commerce, Science and Transportation of the
19 Senate; and the Committee on Transportation and Infra-
20 structure of the House of Representatives a report de-
21 scribing and assessing the progress of the Coast Guard
22 in complying with the requirements of this section.

23 SEC. 3403. None of the funds provided in this Act
24 or any other Act may be used to alter or reduce operations
25 within the Civil Engineering Program of the Coast Guard

1 nationwide, including the civil engineering units, facilities,
2 design and construction centers, maintenance and logistics
3 command centers, the Coast Guard Academy and the
4 Coast Guard Research and Development Center, except as
5 specifically authorized by a statute enacted after the date
6 of enactment of this Act.

7 CHAPTER 5

8 GENERAL PROVISIONS—THIS CHAPTER

9 SEC. 3501. Section 20515 of the Continuing Appro-
10 priations Resolution, 2007 (division B of Public Law 109–
11 289, as amended by Public Law 110–5) is amended by
12 inserting before the period: “; and of which, not to exceed
13 \$143,628,000 shall be available for contract support costs
14 under the terms and conditions contained in Public Law
15 109-54”.

16 SEC. 3502. Section 20512 of the Continuing Appro-
17 priations Resolution, 2007 (division B of Public Law 109–
18 289, as amended by Public Law 110–5) is amended by
19 inserting after the first dollar amount: “, of which not to
20 exceed \$7,300,000 shall be transferred to the ‘Indian
21 Health Facilities’ account; the amount in the second pro-
22 viso shall be \$18,000,000; the amount in the third proviso
23 shall be \$525,099,000; the amount in the ninth proviso
24 shall be \$269,730,000; and the \$15,000,000 allocation of
25 funding under the eleventh proviso shall not be required”.

1 SEC. 3503. Section 20501 of the Continuing Appro-
2 priations Resolution, 2007 (division B of Public Law 109–
3 289, as amended by Public Law 110–5) is amended by
4 inserting after \$55,663,000: “of which \$13,000,000 shall
5 be for Save America’s Treasures”.

6 SEC. 3504. Of the funds made available to the United
7 States Fish and Wildlife Service for fiscal year 2007 under
8 the heading “Land Acquisition”, not to exceed \$1,980,000
9 may be used for land conservation partnerships authorized
10 by the Highlands Conservation Act of 2004.

11 SEC. 3505. The Administrator of the Environmental
12 Protection Agency shall grant to the Water Environment
13 Research Foundation (WERF) such sums as were di-
14 rected in fiscal year 2005 and fiscal year 2006 for the
15 On-Farm Assessment and Environmental Review pro-
16 gram: *Provided*, That not less than 95 percent of funds
17 made available shall be used by WERF to award competi-
18 tively a contract to perform the program’s environmental
19 assessments: *Provided further*, That WERF shall not re-
20 tain more than 5 percent of such sums for administrative
21 expenses.

1 CHAPTER 6
2 DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES
4 NATIONAL INSTITUTES OF HEALTH
5 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
6 DISEASES
7 (TRANSFER OF FUNDS)

8 Of the amount provided by the Continuing Appro-
9 priations Resolution, 2007 for “National Institute of Al-
10 lergy and Infectious Diseases”, \$49,500,000 shall be
11 transferred to “Public Health and Social Services Emer-
12 gency Fund” to carry out activities relating to advanced
13 research and development as provided by section 319L of
14 the Public Health Service Act.

15 GENERAL PROVISIONS—THIS CHAPTER
16 (TRANSFER OF FUNDS)

17 SEC. 3601. Section 20602 of the Continuing Appro-
18 priations Resolution, 2007 (division B of Public Law 109–
19 289, as amended by Public Law 110–5) is amended by
20 inserting the following after “\$5,000,000”: “(together
21 with an additional \$7,000,000 which shall be transferred
22 by the Pension Benefit Guaranty Corporation as an au-
23 thorized administrative cost)”.

24 SEC. 3602. Section 20625(b)(1) of the Continuing
25 Appropriations Resolution, 2007 (division B of Public

1 Law 109–289, as amended by Public Law 110–5) is
2 amended by—

3 (1) striking “\$7,172,994,000” and inserting
4 “\$7,176,431,000”;

5 (2) amending subparagraph (A) to read as fol-
6 lows:

7 “(A) \$5,454,824,000 shall be for basic
8 grants under section 1124 of the Elementary
9 and Secondary Education Act of 1965 (ESEA),
10 of which up to \$3,437,000 shall be available to
11 the Secretary of Education on October 1, 2006,
12 to obtain annually updated educational-agency-
13 level census poverty data from the Bureau of
14 the Census;” and

15 (3) amending subparagraph (C) to read as fol-
16 lows:

17 “(C) not to exceed \$2,352,000 may be
18 available for section 1608 of the ESEA and for
19 a clearinghouse on comprehensive school reform
20 under part D of title V of the ESEA;”.

21 SEC. 3603. (a) From the amounts available for De-
22 partment of Education, Safe Schools and Citizenship Edu-
23 cation as provided by the Continuing Appropriations Reso-
24 lution, 2007, \$321,500,000 shall be available for Safe and
25 Drug-Free Schools State Grants and \$247,335,000 shall

1 be available for Safe and Drug-Free Schools National Pro-
 2 grams.

3 (b) Of the amount available for Safe and Drug-Free
 4 National Programs, not less than \$25,000,000 shall be for
 5 competitive grants to local educational agencies to address
 6 youth violence and related issues.

7 (c) The competition under subsection (b) shall be lim-
 8 ited to local educational agencies that operate schools cur-
 9 rently identified as persistently dangerous under section
 10 9532 of the Elementary and Secondary Education Act of
 11 1965.

12 SEC. 3604. The provision in the first proviso under
 13 the heading “Rehabilitation Services and Disability Re-
 14 search” in the Department of Education Appropriations
 15 Act, 2006, relating to alternative financing programs
 16 under section 4(b)(2)(D) of the Assistive Technology Act
 17 of 1998 shall not apply to funds appropriated by the Con-
 18 tinuing Appropriations Resolution, 2007.

19 (TRANSFER OF FUNDS)

20 SEC. 3605. Notwithstanding sections 20639 and
 21 20640 of the Continuing Appropriations Resolution, 2007,
 22 as amended by section 2 of the Revised Continuing Appro-
 23 priations Resolution, 2007 (Public Law 110–5), the Chief
 24 Executive Officer of the Corporation for National and
 25 Community Service may transfer an amount of not more
 26 than \$1,360,000 from the account under the heading

1 “National and Community Service Programs, Operating
2 Expenses” under the heading “Corporation for National
3 and Community Service”, to the account under the head-
4 ing “Salaries and Expenses” under the heading “Corpora-
5 tion for National and Community Service”.

6 SEC. 3606. Section 1310.12(a) of title 45 of the Code
7 of Federal Regulations (October 1, 2004) shall be effective
8 30 days after enactment of this Act except that any vehi-
9 cles in use to transport Head Start children as of January
10 1, 2007, shall not be subject to a requirement under that
11 part regarding rear emergency exit doors for two years
12 after the date of enactment.

13 The Secretary of Health and Human Services shall
14 revise the allowable alternate vehicle standards described
15 in that part 1310 (or any corresponding similar regulation
16 or ruling) to exempt from Federal seat spacing require-
17 ments and supporting seating requirements related to
18 compartmentalization any vehicle used to transport chil-
19 dren for a Head Start program if the vehicle meets federal
20 motor vehicle safety standards for seating systems, occu-
21 pant crash protection, seat belt assemblies, and child re-
22 straint anchorage systems consistent with that part 1310
23 (or any corresponding similar regulation or ruling). Such
24 revision shall be made in a manner consistent with the
25 findings of the National Highway Traffic Safety Adminis-

1 tration, pursuant to its study on occupant protection on
 2 Head Start transit vehicles, related to the Government Ac-
 3 countability Office report GAO–06–767R.

4 (INCLUDING RESCISSION)

5 SEC. 3607. (a) From the amounts made available by
 6 the Continuing Appropriations Resolution, 2007 (Public
 7 Law 109–289, as amended by the Revised Continuing Ap-
 8 propriations Resolution, 2007 (Public Law 110–5)) for
 9 the Office of the Secretary, General Departmental Man-
 10 agement under the Department of Health and Human
 11 Services, \$1,000,000 are rescinded.

12 (b) For the activities carried out by the Secretary of
 13 Education under section 3(a) of Public Law 108–406 (42
 14 U.S.C. 15001 note), \$1,000,000.

15 (INCLUDING RESCISSION)

16 SEC. 3608. (a) From the amounts made available by
 17 the Continuing Appropriations Resolution, 2007 for “De-
 18 partment of Education, Student Aid Administration”,
 19 \$2,000,000 are rescinded.

20 (b) For an additional amount for “Department of
 21 Education, Higher Education” under part B of title VII
 22 of the Higher Education Act of 1965 which shall be used
 23 to make a grant to the University of Vermont for the Edu-
 24 cational Excellence Program, \$2,000,000.

25 SEC. 3609. Section 1820 of the Social Security Act
 26 (42 U.S.C. 1395i–4) is amended—

1 (1) by redesignating subsection (j) as sub-
2 section (k); and

3 (2) by inserting after subsection (i) the fol-
4 lowing new subsection:

5 “(j) DELTA HEALTH INITIATIVE.—

6 “(1) IN GENERAL.—The Secretary is authorized
7 to award a grant to the Delta Health Alliance, a
8 nonprofit alliance of academic institutions in the
9 Mississippi Delta region, to solicit and fund pro-
10 posals from local governments, hospitals, health care
11 clinics, academic institutions, and rural public
12 health-related entities and organizations for research
13 development, educational programs, health care serv-
14 ices, job training, planning, construction, and the
15 equipment of public health-related facilities in the
16 Mississippi Delta region.

17 “(2) FEDERAL INTEREST IN PROPERTY.—With
18 respect to funds used under this subsection for con-
19 struction or alteration of property, the Federal inter-
20 est in the property shall last for a period of 1 year
21 following completion or until the Federal Govern-
22 ment is compensated for its proportionate interest in
23 the property if the property use changes or the prop-
24 erty is transferred or sold, whichever time period is

1 less. At the conclusion of such period, the Notice of
 2 Federal Interest in such property shall be removed.

3 “(3) AUTHORIZATION OF APPROPRIATIONS.—

4 There are authorized to be appropriated such sums
 5 as may be necessary to carry out this subsection in
 6 fiscal year 2007 and in each of the five succeeding
 7 fiscal years.”.

8 CHAPTER 7

9 GENERAL PROVISIONS—THIS CHAPTER

10 SEC. 3701. Section 2(c) of the Legislative Branch
 11 Appropriations Act, 1993 (2 U.S.C. 121d(c)) is amended
 12 by adding at the end the following:

13 “(3) The Secretary of the Senate may transfer
 14 from the fund to the Senate Employee Child Care
 15 Center proceeds from the sale of holiday ornaments
 16 by the Senate Gift Shop for the purpose of funding
 17 necessary activities and expenses of the Center, in-
 18 cluding scholarships, educational supplies, and
 19 equipment.”.

20 (INCLUDING RESCISSION)

21 SEC. 3702. (a) Of the funds provided for the “Capitol
 22 Guide Service and Special Services Office” in section
 23 20703(a) of the Continuing Appropriations Resolution,
 24 2007 (as added by section 2 of the Revised Continuing
 25 Appropriations Resolution, 2007 (Public Law 110–5)),
 26 \$3,500,000 are rescinded.

1 (b) For an additional amount for “Capitol Guide
2 Service and Special Services Office”, \$3,500,000, to re-
3 main available until September 30, 2008.

4 CHAPTER 8

5 GENERAL PROVISION—THIS CHAPTER

6 SEC. 3801. Notwithstanding any other provision of
7 law, appropriations made by Public Law 110–5, or any
8 other Act, which the Secretary of Veterans Affairs contrib-
9 utes to the Department of Defense/Department of Vet-
10 erans Affairs Health Care Sharing Incentive Fund under
11 the authority of section 8111(d) of title 38, United States
12 Code, shall remain available until expended for any pur-
13 pose authorized by section 8111 of title 38, United States
14 Code.

15 CHAPTER 9

16 GENERAL PROVISIONS—THIS CHAPTER

17 CONSULTATION REQUIREMENT

18 SEC. 3901. Of the funds provided in the Revised Con-
19 tinuing Appropriations Resolution, 2007 (Public Law
20 110–5) for the United States-China Economic and Secu-
21 rity Review Commission, \$1,000,000 shall be available for
22 obligation only in accordance with a spending plan sub-
23 mitted to and approved by the Committees on Appropria-
24 tions which addresses the recommendations of the Govern-
25 ment Accountability Office’s audit of the Commission.

TECHNICAL AMENDMENT

SEC. 3902. (a) Notwithstanding any other provision of law, subsection (c) under the heading “Assistance for the Independent States of the Former Soviet Union” in Public Law 109–102, shall not apply to funds appropriated by the Continuing Appropriations Resolution, 2007 (Public Law 109–289, division B) as amended by Public Laws 109–369, 109–383, and 110–5.

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

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

1 102) which is made applicable to the fiscal year 2007 by
 2 the provisions of such Resolution.

3 CHAPTER 10
 4 DEPARTMENT OF HOUSING AND URBAN
 5 DEVELOPMENT
 6 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT
 7 SALARIES AND EXPENSES
 8 (INCLUDING TRANSFER OF FUNDS)

9 For an additional amount to carry out the Federal
 10 Housing Enterprises Financial Safety and Soundness Act
 11 of 1992, \$4,800,000, to remain available until expended,
 12 to be derived from the Federal Housing Enterprises Over-
 13 sight Fund and to be subject to the same terms and condi-
 14 tions pertaining to funds provided under this heading in
 15 Public Law 109–115: *Provided*, That not to exceed the
 16 total amount provided for these activities for fiscal year
 17 2007 shall be available from the general fund of the Treas-
 18 ury to the extent necessary to incur obligations and make
 19 expenditures pending the receipt of collections to the
 20 Fund: *Provided further*, That the general fund amount
 21 shall be reduced as collections are received during the fis-
 22 cal year so as to result in a final appropriation from the
 23 general fund estimated at not more than \$0.

24 GENERAL PROVISIONS—THIS CHAPTER

25 SEC. 4001. Hereafter, funds limited or appropriated
 26 for the Department of Transportation may be obligated

1 or expended to grant authority to a Mexican motor carrier
2 to operate beyond United States municipalities and com-
3 mercial zones on the United States-Mexico border only to
4 the extent that—

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

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

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

14 SEC. 4002. Section 21033 of the Continuing Appro-
15 priations Resolution, 2007 (division B of Public Law 109–
16 289, as amended by Public Law 110–5) is amended by
17 adding after the second proviso: “: *Provided further*, That
18 paragraph (2) under such heading in Public Law 109–
19 115 (119 Stat. 2441) shall be funded at \$149,300,000,
20 but additional section 8 tenant protection rental assistance
21 costs may be funded in 2007 by using unobligated bal-
22 ances, notwithstanding the purposes for which such
23 amounts were appropriated, including recaptures and car-
24 ryover, remaining from funds appropriated to the Depart-
25 ment of Housing and Urban Development under this

1 heading, the heading “Annual Contributions for Assisted
2 Housing”, the heading “Housing Certificate Fund”, and
3 the heading “Project-Based Rental Assistance” for fiscal
4 year 2006 and prior fiscal years: *Provided further*, That
5 paragraph (3) under such heading in Public Law 109–
6 115 (119 Stat. 2441) shall be funded at \$47,500,000:
7 *Provided further*, That paragraph (4) under such heading
8 in Public Law 109–115 (119 Stat. 2441) shall be funded
9 at \$5,900,000: *Provided further*, That paragraph (5)
10 under such heading in Public Law 109–115 (119 Stat.
11 2441) shall be funded at \$1,281,100,000, of which
12 \$1,251,100,000 shall be allocated for the calendar year
13 2007 funding cycle on a pro rata basis to public housing
14 agencies based on the amount public housing agencies
15 were eligible to receive in calendar year 2006, and of which
16 up to \$30,000,000 shall be available to the Secretary to
17 allocate to public housing agencies that need additional
18 funds to administer their section 8 programs, with up to
19 \$20,000,000 to be for fees associated with section 8 tenant
20 protection rental assistance”.

21 SEC. 4003. The dates for subsidy reductions and
22 demonstrations for discontinuance of reductions in oper-
23 ating subsidy under the new operating fund formula, pur-
24 suant to HUD regulations at 24 CFR 990.230, shall be
25 moved forward so that the first demonstration date for

1 asset management compliance shall be September 1, 2007,
 2 and reductions in subsidy for calendar year 2007 shall be
 3 limited to the 5 percent amount referred to in such regula-
 4 tions. Any public housing agency that has filed informa-
 5 tion to demonstrate compliance on or prior to April 15,
 6 2007 shall be permitted to re-file the same or different
 7 information to demonstrate such compliance on or before
 8 September 1, 2007.

9 CHAPTER 11

10 GENERAL PROVISIONS—THIS ACT

11 AVAILABILITY OF FUNDS

12 SEC. 4101. No part of any appropriation contained
 13 in this Act shall remain available for obligation beyond
 14 the current fiscal year unless expressly so provided herein.

15 EMERGENCY DESIGNATION FOR TITLE I

16 SEC. 4102. Amounts provided in title I of this Act
 17 are designated as emergency requirements pursuant to
 18 section 402 of H. Con. Res. 95 (109th Congress), the con-
 19 current resolution on the budget for fiscal year 2006.

20 EMERGENCY DESIGNATION FOR TITLE II

21 SEC. 4103. Amounts provided in title II of this Act
 22 are designated as emergency requirements pursuant to
 23 section 402 of H. Con. Res. 95 (109th Congress), the con-
 24 current resolution on the budget for fiscal year 2006.

1 **TITLE IV—EMERGENCY FARM**
 2 **RELIEF**

3 **SEC. 401. SHORT TITLE.**

4 This title may be cited as the “Emergency Farm Re-
 5 lief Act of 2007”.

6 **SEC. 402. DEFINITIONS.**

7 In this title:

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

12 (2) **APPLICABLE CROP.**—The term “applicable
 13 crop” means 1 or more crops planted, or prevented
 14 from being planted, during, as elected by the pro-
 15 ducers on a farm, 1 of—

16 (A) the 2005 crop year;

17 (B) the 2006 crop year; or

18 (C) that part of the 2007 crop year that
 19 takes place before the end of the applicable pe-
 20 riod.

21 (3) **APPLICABLE PERIOD.**—The term “applica-
 22 ble period” means the period beginning on January
 23 1, 2005 and ending on February 28, 2007.

24 (4) **DISASTER COUNTY.**—The term “disaster
 25 county” means—

1 (A) a county included in the geographic
 2 area covered by a natural disaster declaration;
 3 and

4 (B) each county contiguous to a county de-
 5 scribed in subparagraph (A).

6 (5) HURRICANE-AFFECTED COUNTY.—The term
 7 “hurricane-affected county” means—

8 (A) a county included in the geographic
 9 area covered by a natural disaster declaration
 10 related to Hurricane Katrina, Hurricane Rita,
 11 Hurricane Wilma, or a related condition; and

12 (B) each county contiguous to a county de-
 13 scribed in subparagraph (A).

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

20 (7) LIVESTOCK.—The term “livestock” in-
 21 cludes—

22 (A) cattle (including dairy cattle);

23 (B) bison;

24 (C) poultry;

25 (D) sheep;

1 (E) swine; and

2 (F) other livestock, as determined by the
3 Secretary.

4 (8) NATURAL DISASTER DECLARATION.—The
5 term “natural disaster declaration” means a natural
6 disaster declared by the Secretary during the appli-
7 cable period under section 321(a) of the Consoli-
8 dated Farm and Rural Development Act (7 U.S.C.
9 1961(a)).

10 (9) NONINSURABLE COMMODITY.—The term
11 “noninsurable commodity” means a crop for which
12 the producers on a farm are eligible to obtain assist-
13 ance under section 196 of the Federal Agriculture
14 Improvement and Reform Act of 1996 (7 U.S.C.
15 7333).

16 (10) SECRETARY.—The term “Secretary”
17 means the Secretary of Agriculture.

18 **Subtitle A—Agricultural** 19 **Production Losses**

20 **SEC. 411. CROP DISASTER ASSISTANCE.**

21 (a) IN GENERAL.—The Secretary shall use such
22 sums as are necessary of funds of the Commodity Credit
23 Corporation to make emergency financial assistance au-
24 thorized under this section available to producers on a

1 farm that have incurred qualifying losses described in sub-
2 section (c).

3 (b) ADMINISTRATION.—

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

15 (2) NONINSURED PRODUCERS.—For producers
16 on a farm that were eligible to acquire crop insur-
17 ance for the applicable production loss and failed to
18 do so or failed to submit an application for the non-
19 insured assistance program for the loss, the Sec-
20 retary shall make assistance in accordance with
21 paragraph (1), except that the payment rate shall be
22 20 percent of the established price, instead of 50
23 percent.

24 (c) QUALIFYING LOSSES.—Assistance under this sec-
25 tion shall be made available to producers on farms, other

1 than producers of sugar beets, that incurred qualifying
2 quantity or quality losses for the applicable crop due to
3 damaging weather or any related condition (including
4 losses due to crop diseases, insects, and delayed harvest),
5 as determined by the Secretary.

6 (d) QUALITY LOSSES.—

7 (1) IN GENERAL.—In addition to any payment
8 received under subsection (b), the Secretary shall
9 use such sums as are necessary of funds of the Com-
10 modity Credit Corporation to make payments to pro-
11 ducers on a farm described in subsection (a) that in-
12 curred a quality loss for the applicable crop of a
13 commodity in an amount equal to the product ob-
14 tained by multiplying—

15 (A) the payment quantity determined
16 under paragraph (2);

17 (B)(i) in the case of an insurable com-
18 modity, the coverage level elected by the insured
19 under the policy or plan of insurance under the
20 Federal Crop Insurance Act (7 U.S.C. 1501 et
21 seq.); or

22 (ii) in the case of a noninsurable com-
23 modity, the applicable coverage level for the
24 payment quantity determined under paragraph
25 (2); by

1 (C) 55 percent of the payment rate deter-
2 mined under paragraph (3).

3 (2) PAYMENT QUANTITY.—For the purpose of
4 paragraph (1)(A), the payment quantity for quality
5 losses for a crop of a commodity on a farm shall
6 equal the lesser of—

7 (A) the actual production of the crop af-
8 fected by a quality loss of the commodity on the
9 farm; or

10 (B)(i) in the case of an insurable com-
11 modity, the actual production history for the
12 commodity by the producers on the farm under
13 the Federal Crop Insurance Act (7 U.S.C. 1501
14 et seq.); or

15 (ii) in the case of a noninsurable com-
16 modity, the established yield for the crop for
17 the producers on the farm under section 196 of
18 the Federal Agriculture Improvement and Re-
19 form Act of 1996 (7 U.S.C. 7333).

20 (3) PAYMENT RATE.—

21 (A) IN GENERAL.—For the purpose of
22 paragraph (1)(B), the payment rate for quality
23 losses for a crop of a commodity on a farm
24 shall be equal to the difference between (as de-

1 terminated by the applicable State committee of
2 the Farm Service Agency)—

3 (i) the per unit market value that the
4 units of the crop affected by the quality
5 loss would have had if the crop had not
6 suffered a quality loss; and

7 (ii) the per unit market value of the
8 units of the crop affected by the quality
9 loss.

10 (B) FACTORS.—In determining the pay-
11 ment rate for quality losses for a crop of a com-
12 modity on a farm, the applicable State com-
13 mittee of the Farm Service Agency shall take
14 into account—

15 (i) the average local market quality
16 discounts that purchasers applied to the
17 commodity during the first 2 months fol-
18 lowing the normal harvest period for the
19 commodity;

20 (ii) the loan rate and repayment rate
21 established for the commodity under the
22 marketing loan program established for the
23 commodity under subtitle B of title I of
24 the Farm Security and Rural Investment
25 Act of 2002 (7 U.S.C. 7931 et seq.);

1 (iii) the market value of the com-
 2 modity if sold into a secondary market;
 3 and

4 (iv) other factors determined appro-
 5 priate by the committee.

6 (4) ELIGIBILITY.—

7 (A) IN GENERAL.—For producers on a
 8 farm to be eligible to obtain a payment for a
 9 quality loss for a crop under this subsection—

10 (i) the amount obtained by multi-
 11 plying the per unit loss determined under
 12 paragraph (1) by the number of units af-
 13 fected by the quality loss shall be reduced
 14 by the amount of any indemnification re-
 15 ceived by the producers on the farm for
 16 quality loss adjustment for the commodity
 17 under a policy or plan of insurance under
 18 the Federal Crop Insurance Act (7 U.S.C.
 19 1501 et seq.); and

20 (ii) the remainder shall be at least 25
 21 percent of the value that all affected pro-
 22 duction of the crop would have had if the
 23 crop had not suffered a quality loss.

24 (B) INELIGIBILITY.—If the amount of a
 25 quality loss payment for a commodity for the

1 producers on a farm determined under this
2 paragraph is equal to or less than zero, the pro-
3 ducers on the farm shall be ineligible for assist-
4 ance for the commodity under this subsection.

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

10 (e) ELECTION OF CROP YEAR.—If a producer in-
11 curred qualifying crop losses in more than 1 of the crop
12 years during the applicable period, the producers on a
13 farm shall elect to receive assistance under this section
14 for losses incurred in only 1 of the crop years.

15 (f) PAYMENT LIMITATION.—

16 (1) LIMITATION.—Assistance provided under
17 this section to the producers on a farm for losses to
18 a crop, together with the amounts specified in para-
19 graph (2) applicable to the same crop, may not ex-
20 ceed 95 percent of what the value of the crop would
21 have been in the absence of the losses, as estimated
22 by the Secretary.

23 (2) OTHER PAYMENTS.—In applying the limita-
24 tion in paragraph (1), the Secretary shall include the
25 following:

1 (A) Any crop insurance payment made
2 under the Federal Crop Insurance Act (7
3 U.S.C. 1501 et seq.) or payment under section
4 196 of the Federal Agricultural Improvement
5 and Reform Act of 1996 (7 U.S.C. 7333) that
6 the producers on the farm receive for losses to
7 the same crop.

8 (B) The value of the crop that was not lost
9 (if any), as estimated by the Secretary.

10 (g) TIMING.—

11 (1) IN GENERAL.—Subject to paragraph (2),
12 the Secretary shall make payments to producers on
13 a farm for a crop under this section not later than
14 60 days after the date the producers on the farm
15 submit to the Secretary a completed application for
16 the payments.

17 (2) INTEREST.—If the Secretary does not make
18 payments to the producers on a farm by the date de-
19 scribed in paragraph (1), the Secretary shall pay to
20 the producers on a farm interest on the payments at
21 a rate equal to the current (as of the sign-up dead-
22 line established by the Secretary) market yield on
23 outstanding, marketable obligations of the United
24 States with maturities of 30 years.

1 **SEC. 412. DAIRY ASSISTANCE.**

2 The Secretary shall use \$95,000,000 of funds of the
3 Commodity Credit Corporation to make payments to dairy
4 producers for dairy production losses in disaster counties.

5 **SEC. 413. MILK INCOME LOSS CONTRACT PROGRAM.**

6 Section 1502(c)(3) of the Farm Security and Rural
7 Investment Act of 2002 (7 U.S.C. 7982(c)(3)) is amend-
8 ed—

9 (1) in subparagraph (A), by adding “and” at
10 the end;

11 (2) in subparagraph (B), by striking “August”
12 and all that follows through the end and inserting
13 “September 30, 2007, 34 percent.”; and

14 (3) by striking subparagraph (C).

15 **SEC. 414. LIVESTOCK ASSISTANCE.**

16 (a) LIVESTOCK COMPENSATION PROGRAM.—

17 (1) USE OF COMMODITY CREDIT CORPORATION
18 FUNDS.—Effective beginning on the date of enact-
19 ment of this Act, the Secretary shall use funds of
20 the Commodity Credit Corporation to carry out the
21 2002 Livestock Compensation Program announced
22 by the Secretary on October 10, 2002 (67 Fed. Reg.
23 63070), to provide compensation for livestock losses
24 during the applicable period for losses (including
25 losses due to blizzards that began in calendar year
26 2006 and continued in January 2007) due to a dis-

1 aster, as determined by the Secretary, except that
2 the payment rate shall be 80 percent of the payment
3 rate established for the 2002 Livestock Compensation
4 Program.

5 (2) ELIGIBLE APPLICANTS.—In carrying out
6 the program described in paragraph (1), the Secretary
7 shall provide assistance to any applicant for
8 livestock losses during the applicable period that—

9 (A)(i) conducts a livestock operation that
10 is located in a disaster county, including any
11 applicant conducting a livestock operation with
12 eligible livestock (within the meaning of the
13 livestock assistance program under section
14 101(b) of division B of Public Law 108–324
15 (118 Stat. 1234)); or

16 (ii) produces an animal described in section
17 10806(a)(1) of the Farm Security and
18 Rural Investment Act of 2002 (21 U.S.C.
19 321d(a)(1));

20 (B) demonstrates to the Secretary that the
21 applicant suffered a material loss of pasture or
22 hay production, or experienced substantially increased
23 feed costs, due to damaging weather or
24 a related condition during the calendar year, as
25 determined by the Secretary; and

1 (C) meets all other eligibility requirements
2 established by the Secretary for the program.

3 (3) MITIGATION.—In determining the eligibility
4 for or amount of payments for which a producer is
5 eligible under the livestock compensation program,
6 the Secretary shall not penalize a producer that
7 takes actions (recognizing disaster conditions) that
8 reduce the average number of livestock the producer
9 owned for grazing during the production year for
10 which assistance is being provided.

11 (4) PAYMENTS FOR REDUCTION IN GRAZING ON
12 FEDERAL LAND.—

13 (A) IN GENERAL.—In carrying out this
14 subsection, the Secretary shall make payments
15 to livestock producers that are in proportion to
16 any reduction during calendar year 2007 in
17 grazing on Federal land in a disaster county
18 leased by the producers a result of actions de-
19 scribed in subparagraph (B).

20 (B) FEDERAL ACTIONS.—Actions referred
21 to in subparagraph (A) are actions taken dur-
22 ing calendar year 2007 by the Bureau of Land
23 Management or other Federal agency to restrict
24 or prohibit grazing otherwise allowed under the
25 terms of the lease of the producers in order to

1 expedite the recovery of the Federal land from
2 drought, wildfire, or other natural disaster de-
3 clared by the Secretary during the applicable
4 period.

5 (5) LIMITATION.—The Secretary shall ensure,
6 to the maximum extent practicable, that producers
7 on a farm do not receive duplicative payments under
8 this subsection and another Federal program with
9 respect to any loss.

10 (b) LIVESTOCK INDEMNITY PAYMENTS.—

11 (1) IN GENERAL.—The Secretary shall use such
12 sums as are necessary of funds of the Commodity
13 Credit Corporation to make livestock indemnity pay-
14 ments to producers on farms that have incurred live-
15 stock losses during the applicable period (including
16 losses due to blizzards that began in calendar year
17 2006 and continued in January 2007) due to a dis-
18 aster, as determined by the Secretary, including
19 losses due to hurricanes, floods, anthrax, wildfires,
20 and extreme heat.

21 (2) PAYMENT RATES.—Indemnity payments to
22 a producer on a farm under paragraph (1) shall be
23 made at a rate of not less than 30 percent of the
24 market value of the applicable livestock on the day

1 before the date of death of the livestock, as deter-
2 mined by the Secretary.

3 (c) EWE LAMB REPLACEMENT AND RETENTION.—

4 (1) IN GENERAL.—The Secretary shall use
5 \$13,000,000 of funds of the Commodity Credit Cor-
6 poration to make payments to producers located in
7 disaster counties under the Ewe Lamb Replacement
8 and Retention Payment Program under part 784 of
9 title 7, Code of Federal Regulations (or a successor
10 regulation) for each qualifying ewe lamb retained or
11 purchased during the period beginning on January
12 1, 2006, and ending on December 31, 2006, by the
13 producers.

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

18 (d) ELECTION OF PRODUCTION YEAR.—If a pro-
19 ducer incurred qualifying production losses in more than
20 one of the production years, the producers on a farm shall
21 elect to receive assistance under this section in only one
22 of the production years.

23 (e) EXCEPTION.—Notwithstanding any other provi-
24 sion of this section, livestock producers on a farm shall
25 be eligible to receive assistance under subsection (a) or

1 livestock indemnity payments under subsection (b) if the
2 producers on a farm—

3 (1) have livestock operations in a county in-
4 cluded in the geographic area covered by a major
5 disaster or emergency designated by the President
6 under the Robert T. Stafford Disaster Relief and
7 Emergency Assistance Act (42 U.S.C. 5121 et seq.)
8 due to blizzards, ice storms, or other winter-related
9 causes during the period of December 2006 through
10 January 2007; and

11 (2) meet all eligibility requirements for the as-
12 sistance or payments other than the requirements
13 relating to disaster declarations by the Secretary
14 under subsections (a) and (b)(1).

15 **SEC. 415. FLOODED CROP AND GRAZING LAND.**

16 (a) IN GENERAL.—The Secretary shall compensate
17 eligible owners of flooded crop and grazing land in the
18 State of North Dakota.

19 (b) ELIGIBILITY.—

20 (1) IN GENERAL.—To be eligible to receive
21 compensation under this section, an owner shall own
22 land described in subsection (a) that, during the 2
23 crop years preceding receipt of compensation, was
24 rendered incapable of use for the production of an
25 agricultural commodity or for grazing purposes (in

1 a manner consistent with the historical use of the
2 land) as the result of flooding, as determined by the
3 Secretary.

4 (2) INCLUSIONS.—Land described in paragraph
5 (1) shall include—

6 (A) land that has been flooded;

7 (B) land that has been rendered inaccess-
8 sible due to flooding; and

9 (C) a reasonable buffer strip adjoining the
10 flooded land, as determined by the Secretary.

11 (3) ADMINISTRATION.—The Secretary may es-
12 tablish—

13 (A) reasonable minimum acreage levels for
14 individual parcels of land for which owners may
15 receive compensation under this section; and

16 (B) the location and area of adjoining
17 flooded land for which owners may receive com-
18 pensation under this section.

19 (c) SIGN-UP.—The Secretary shall establish a sign-
20 up program for eligible owners to apply for compensation
21 from the Secretary under this section.

22 (d) COMPENSATION PAYMENTS.—

23 (1) IN GENERAL.—Subject to paragraphs (2)
24 and (3), the rate of an annual compensation pay-
25 ment under this section shall be equal to 90 percent

1 of the average annual per acre rental payment rate
2 (at the time of entry into the contract) for com-
3 parable crop or grazing land that has not been flood-
4 ed and remains in production in the county where
5 the flooded land is located, as determined by the
6 Secretary.

7 (2) REDUCTION.—An annual compensation
8 payment under this section shall be reduced by the
9 amount of any conservation program rental pay-
10 ments or Federal agricultural commodity program
11 payments received by the owner for the land during
12 any crop year for which compensation is received
13 under this section.

14 (3) EXCLUSION.—During any year in which an
15 owner receives compensation for flooded land under
16 this section, the owner shall not be eligible to par-
17 ticipate in or receive benefits for the flooded land
18 under—

19 (A) the Federal crop insurance program
20 established under the Federal Crop Insurance
21 Act (7 U.S.C. 1501 et seq.);

22 (B) the noninsured crop assistance pro-
23 gram established under section 196 of the Fed-
24 eral Agriculture Improvement and Reform Act
25 of 1996 (7 U.S.C. 7333); or

1 (C) any Federal agricultural crop disaster
2 assistance program.

3 (e) RELATIONSHIP TO AGRICULTURAL COMMODITY
4 PROGRAMS.—The Secretary, by regulation, shall provide
5 for the preservation of cropland base, allotment history,
6 and payment yields applicable to land described in sub-
7 section (a) that was rendered incapable of use for the pro-
8 duction of an agricultural commodity or for grazing pur-
9 poses as the result of flooding.

10 (f) USE OF LAND.—

11 (1) IN GENERAL.—An owner that receives com-
12 pensation under this section for flooded land shall
13 take such actions as are necessary to not degrade
14 any wildlife habitat on the land that has naturally
15 developed as a result of the flooding.

16 (2) RECREATIONAL ACTIVITIES.—To encourage
17 owners that receive compensation for flooded land to
18 allow public access to and use of the land for rec-
19 reational activities, as determined by the Secretary,
20 the Secretary may—

21 (A) offer an eligible owner additional com-
22 pensation; and

23 (B) provide compensation for additional
24 acreage under this section.

25 (g) FUNDING.—

1 (1) IN GENERAL.—The Secretary shall use
2 \$6,000,000 of funds of the Commodity Credit Cor-
3 poration to carry out this section.

4 (2) PRO-RATED PAYMENTS.—In a case in which
5 the amount made available under paragraph (1) for
6 a fiscal year is insufficient to compensate all eligible
7 owners under this section, the Secretary shall pro-
8 rate payments for that fiscal year on a per acre
9 basis.

10 **SEC. 416. SUGAR BEET AND SUGAR CANE DISASTER ASSIST-**
11 **ANCE.**

12 (a) IN GENERAL.—The Secretary shall use
13 \$24,000,000 of funds of the Commodity Credit Corpora-
14 tion to provide assistance to sugar beet producers that suf-
15 fered production losses (including quality losses) for the
16 applicable crop.

17 (b) REQUIREMENT.—The Secretary shall make pay-
18 ments under subsection (a) in the same manner as pay-
19 ments were made under section 208 of the Agricultural
20 Assistance Act of 2003 (Public Law 108–7; 117 Stat.
21 544), including using the same indemnity benefits as were
22 used in carrying out that section.

23 (c) HAWAII.—The Secretary shall use \$3,000,000 of
24 funds of the Commodity Credit Corporation to assist sug-
25 arcane growers in Hawaii by making a payment in that

1 amount to an agricultural transportation cooperative in
 2 Hawaii, the members of which are eligible to obtain a loan
 3 under section 156(a) of the Federal Agriculture Improve-
 4 ment and Reform Act of 1996 (7 U.S.C. 7272(a)).

5 (d) ELECTION OF CROP YEAR.—If a producer in-
 6 curred qualifying crop losses in more than one of the crop
 7 years during the applicable period, the producers on a
 8 farm shall elect to receive assistance under this section
 9 for losses incurred in only one of the crop years.

10 **SEC. 417. NONINSURED CROP ASSISTANCE PROGRAM.**

11 Section 196(c) of the Federal Agriculture Improve-
 12 ment and Reform Act of 1996 (7 U.S.C. 7333(c)) is
 13 amended by adding at the end the following:

14 “(5) LOSS ASSESSMENT FOR GRAZING.—The
 15 Secretary shall permit the use of 1 claims adjustor
 16 certified by the Secretary to assess the quantity of
 17 loss on the acreage or allotment of a producer de-
 18 voted to grazing for livestock under this section.”.

19 **SEC. 418. REDUCTION IN PAYMENTS.**

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

24 (1) the Department of Defense, Emergency
 25 Supplemental Appropriations to Address Hurricanes

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

3 (2) an agricultural disaster assistance provision
4 contained in the announcement of the Secretary on
5 January 26, 2006, or August 29, 2006;

6 (3) the Emergency Supplemental Appropria-
7 tions Act for Defense, the Global War on Terror,
8 and Hurricane Recovery, 2006 (Public Law 109-
9 234; 120 Stat. 418); or

10 (4) the Livestock Assistance Grant Program
11 announced by the Secretary on August 29, 2006.

12 **Subtitle B—Small Business**
13 **Economic Loss Grant Program**

14 **SEC. 421. SMALL BUSINESS ECONOMIC LOSS GRANT PRO-**
15 **GRAM.**

16 (a) DEFINITION OF QUALIFIED STATE.—In this sec-
17 tion, the term “qualified State” means a State in which
18 at least 50 percent of the counties of the State were de-
19 clared to be primary agricultural disaster areas by the
20 Secretary during the applicable period.

21 (b) GRANTS TO QUALIFIED STATES.—

22 (1) IN GENERAL.—The Secretary shall use
23 \$100,000,000 of funds of the Commodity Credit
24 Corporation to make grants to State departments of

1 agriculture or comparable State agencies in qualified
2 States.

3 (2) AMOUNT.—

4 (A) IN GENERAL.—Subject to subpara-
5 graph (B), the Secretary shall allocate grants
6 among qualified States described in paragraph
7 (1) based on the average value of agricultural
8 sector production in the qualified State, deter-
9 mined as a percentage of the gross domestic
10 product of the qualified State.

11 (B) MINIMUM AMOUNT.—The minimum
12 amount of a grant under this subsection shall
13 be \$500,000.

14 (3) REQUIREMENT.—To be eligible to receive a
15 grant under this subsection, a qualified State shall
16 agree to carry out an expedited disaster assistance
17 program to provide direct payments to qualified
18 small businesses in accordance with subsection (c).

19 (c) DIRECT PAYMENTS TO QUALIFIED SMALL BUSI-
20 NESSES.—

21 (1) IN GENERAL.—In carrying out an expedited
22 disaster assistance program described in subsection
23 (b)(3), a qualified State shall provide direct pay-
24 ments to eligible small businesses in the qualified
25 State that suffered material economic losses during

1 the applicable period as a direct result of weather-
2 related agricultural losses to the crop or livestock
3 production sectors of the qualified State, as deter-
4 mined by the Secretary.

5 (2) ELIGIBILITY.—

6 (A) IN GENERAL.—To be eligible to receive
7 a direct payment under paragraph (1), a small
8 business shall—

9 (i) have less than \$15,000,000 in av-
10 erage annual gross income from all busi-
11 ness activities, at least 75 percent of which
12 shall be directly related to production agri-
13 culture or agriculture support industries,
14 as determined by the Secretary;

15 (ii) verify the amount of economic loss
16 attributable to weather-related agricultural
17 losses using such documentation as the
18 Secretary and the head of the qualified
19 State agency may require;

20 (iii) have suffered losses attributable
21 to weather-related agricultural disasters
22 that equal at least 50 percent of the total
23 economic loss of the small business for
24 each year a grant is requested; and

1 (iv) demonstrate that the grant will
2 materially improve the likelihood the busi-
3 ness will—

4 (I) recover from the disaster; and
5 (II) continue to service and sup-
6 port production agriculture.

7 (B) EMERGENCY GRANTS TO ASSIST LOW-
8 INCOME MIGRANT AND SEASONAL FARM-
9 WORKERS.—

10 (i) Funds made available by this sub-
11 title may be used to carry out assistance
12 programs in States that are consistent
13 with the purpose and intent of the pro-
14 gram authorized at section 2281 of the
15 Food, Agriculture, Conservation and Trade
16 Act of 1990 (42 U.S.C. 5177a).

17 (ii) In carrying out this subparagraph,
18 a qualified State may waive the gross in-
19 come requirement at subparagraph (A)(i)
20 of this paragraph.

21 (3) REQUIREMENTS.—A direct payment to
22 small business under this subsection shall—

23 (A) be limited to not more than 2 years of
24 documented losses; and

1 (B) be in an amount of not more than 75
 2 percent of the documented average economic
 3 loss attributable to weather-related agriculture
 4 disasters for each eligible year in the qualified
 5 State.

6 (4) INSUFFICIENT FUNDING.—If the grant
 7 funds received by a qualified State agency under
 8 subsection (b) are insufficient to fund the direct
 9 payments of the qualified State agency under this
 10 subsection, the qualified State agency may apply a
 11 proportional reduction to all of the direct payments.

12 **Subtitle C—Forestry**

13 **SEC. 431. TREE ASSISTANCE PROGRAM.**

14 (a) DEFINITION OF TREE.—In this section, the term
 15 “tree” includes—

16 (1) a tree (including a Christmas tree, orna-
 17 mental tree, nursery tree, and potted tree);

18 (2) a bush (including a shrub, nursery shrub,
 19 nursery bush, ornamental bush, ornamental shrub,
 20 potted bush, and potted shrub); and

21 (3) a vine (including a nursery vine and orna-
 22 mental vine).

23 (b) PROGRAM.—Except as otherwise provided in this
 24 section, the Secretary shall use such sums as are necessary
 25 of the funds of the Commodity Credit Corporation to pro-

1 vide assistance under the terms and conditions of the tree
 2 assistance program established under subtitle C of title X
 3 of the Farm Security and Rural Investment Act of 2002
 4 (7 U.S.C. 8201 et seq.) to—

5 (1) producers who suffered tree losses in dis-
 6 aster counties; and

7 (2) fruit and tree nut producers in disaster
 8 counties.

9 (c) COSTS.—Funds made available under this section
 10 shall also be made available to cover costs associated with
 11 tree pruning, tree rehabilitation, and other appropriate
 12 tree-related activities as determined by the Secretary.

13 (d) SCOPE OF ASSISTANCE.—Assistance under this
 14 section shall compensate for losses resulting from disas-
 15 ters during the applicable period.

16 **Subtitle D—Conservation**

17 **SEC. 441. EMERGENCY CONSERVATION PROGRAM.**

18 The Secretary shall use an additional \$35,000,000 of
 19 funds of the Commodity Credit Corporation to carry out
 20 emergency measures, including wildfire recovery efforts in
 21 Montana and other States, identified by the Administrator
 22 of the Farm Service Agency as of the date of enactment
 23 of this Act through the emergency conservation program
 24 established under title IV of the Agricultural Credit Act
 25 of 1978 (16 U.S.C. 2201 et seq.), of which \$3,000,000

1 shall be to repair broken irrigation pipelines and damaged
2 and collapsed water tanks, \$1,000,000 to provide emer-
3 gency loans for losses of agricultural income, and
4 \$2,000,000 to repair ditch irrigation systems in conjunc-
5 tion with the Presidential declaration of a major disaster
6 (FEMA-1664-DR), dated October 17, 2006, and related
7 determinations issued under the authority of the Robert
8 T. Stafford Disaster Relief and Emergency Assistance
9 Act, 42 U.S.C. 5121-5206 (the Stafford Act): *Provided*,
10 That the Secretary may transfer a portion of these funds
11 to the Natural Resources Conservation Service, to include
12 Resource Conservation and Development councils.

13 **SEC. 442. EMERGENCY WATERSHED PROTECTION PRO-**
14 **GRAM.**

15 The Secretary shall use an additional \$50,000,000 of
16 funds of the Commodity Credit Corporation to carry out
17 emergency measures identified by the Chief of the Natural
18 Resources Conservation Service as of the date of enact-
19 ment of this Act through the emergency watershed protec-
20 tion program established under section 403 of the Agricul-
21 tural Credit Act of 1978 (16 U.S.C. 2203).

22 **SEC. 443. CONSERVATION SECURITY PROGRAM.**

23 Section 20115 of Public Law 110-5 is amended by
24 striking “section 726” and inserting in lieu thereof “sec-
25 tion 726; section 741”.

1 **Subtitle E—Farm Service Agency**

2 **SEC. 451. FUNDING FOR ADDITIONAL PERSONNEL AND AD-** 3 **MINISTRATIVE SUPPORT.**

4 The Secretary shall use \$30,000,000 of funds of the
 5 Commodity Credit Corporation—

6 (1) of which \$9,000,000 shall be used to hire
 7 additional County Farm Service Agency personnel to
 8 expedite the implementation of, and delivery under,
 9 the agricultural disaster and economic assistance
 10 programs under this title; and

11 (2) to be used as the Secretary determines to
 12 be necessary to carry out this and other agriculture
 13 and disaster assistance programs.

14 **Subtitle F—Miscellaneous**

15 **SEC. 461. CONTRACT WAIVER.**

16 In carrying out this title and section 101(a)(5) of the
 17 Emergency Supplemental Appropriations for Hurricane
 18 Disasters Assistance Act, 2005 (Public Law 108–324; 118
 19 Stat. 1233), the Secretary shall not require participation
 20 in a crop insurance pilot program relating to forage.

21 **SEC. 462. INSECT INFESTATIONS.**

22 (a) IN GENERAL.—The Secretary, acting through the
 23 Administrator of the Animal and Plant Health Inspection
 24 Service, shall use not less than \$20,000,000 of funds made
 25 available from the Commodity Credit Corporation for the

1 Animal and Plant Health Inspection Service to survey and
2 control insect infestations in the States of Nevada, Idaho,
3 and Utah.

4 (b) USE OF FUNDS.—Funds described in subsection
5 (a) shall be used in a manner that promotes cooperative
6 efforts between Federal programs (including the plant
7 protection and quarantine program of the Animal and
8 Plant Health Inspection Service) and State and local pro-
9 grams carried out, in whole or in part, with Federal funds
10 to fight insect outbreaks.

11 **SEC. 463. FUNDING.**

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

15 **SEC. 464. REGULATIONS.**

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

18 (b) PROCEDURE.—The promulgation of the regula-
19 tions and administration of this title shall be made without
20 regard to—

21 (1) the notice and comment provisions of sec-
22 tion 553 of title 5, United States Code;

23 (2) the Statement of Policy of the Secretary of
24 Agriculture effective July 24, 1971 (36 Fed. Reg.

1 13804), relating to notices of proposed rulemaking
2 and public participation in rulemaking; and

3 (3) chapter 35 of title 44, United States Code
4 (commonly known as the “Paperwork Reduction
5 Act”).

6 (c) CONGRESSIONAL REVIEW OF AGENCY RULE-
7 MAKING.—In carrying out this section, the Secretary shall
8 use the authority provided under section 808 of title 5,
9 United States Code.

10 **Subtitle G—Emergency** 11 **Designation**

12 **SEC. 471. EMERGENCY DESIGNATION.**

13 The amounts provided under this title are designated
14 as an emergency requirement pursuant to section 402 of
15 H. Con. Res. 95 (109th Congress).

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

Calendar No. 83

110TH CONGRESS
1ST Session

S. 965

[Report No. 110-37]

A BILL

Making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

MARCH 22, 2007

Read twice and placed on the calendar