

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1083. Mr. WYDEN (for himself, Mr. SMITH, Mrs. MURRAY, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 1084. Mr. WYDEN (for himself, Mr. SMITH, Mrs. MURRAY, Ms. CANTWELL, Mr. CRAPO, and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1085. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1086. Mr. FEINGOLD (for himself, Mr. MCCAIN, Mr. COBURN, Mr. CARPER, Mr. GREGG, Mr. SUNUNU, and Mr. DEMINT) submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1087. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1088. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1089. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1090. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1091. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 1083.** Mr. WYDEN (for himself, Mr. SMITH, Mrs. MURRAY, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IV, insert the following:

**SEC. 4. WALLA WALLA RIVER BASIN, OREGON AND WASHINGTON.**

In conducting the study to determine the feasibility of carrying out a project for ecosystem restoration, Walla Walla River Basin, Oregon and Washington, the Secretary shall—

(1) provide a credit toward the non-Federal share of the cost of the project for the cost of any activity carried out by the non-Federal interest before the date of the partnership agreement for the project, if the Secretary determines that the activity is integral to the project; and

(2) allow the non-Federal interest to provide the non-Federal share of the cost of the study in the form of in-kind services and materials.

**SA 1084.** Mr. WYDEN (for himself, Mr. SMITH, Mrs. MURRAY, Ms. CANTWELL, Mr. CRAPO, and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

**SEC. 5. RESEARCH AND DEVELOPMENT PROGRAM FOR COLUMBIA AND SNAKE RIVERS SALMON SURVIVAL.**

Section 511 of the Water Resources and Development Act of 1996 (16 U.S.C. 3301 note; 110 Stat. 3761; 113 Stat. 375) is amended—

(1) in subsection (a)(6), by striking “\$10,000,000” and inserting “\$30,000,000”; and

(2) by striking subsection (c) and inserting the following:

“(c) MANAGEMENT OF PREDATION ON COLUMBIA/SNAKE RIVER SYSTEM NATIVE FISHES.—

“(1) AVIAN PREDATORS.—

“(A) IN GENERAL.—The Secretary, in conjunction with the Secretary of Commerce and the Secretary of the Interior, shall conduct research on, and plan, design, and implement, activities to reduce predation by caspian terns and doublecrested cormorants, as the Secretary determines to be biologically sound and cost-effective to improve survival of Columbia River juvenile salmonids.

“(B) INCLUSIONS.—Activities under subparagraph (A) include—

“(i) research;

“(ii) the acquisition of real estate interests from willing sellers;

“(iii) planning, design, construction activities; and

“(iv) maintenance of sites for the relocation of the avian predators within and outside of the Columbia River watershed.

“(2) COORDINATION.—The Secretary shall carry out the activities under paragraph (1) in coordination with—

“(A) appropriate Federal, State, and local agencies;

“(B) affected Indian tribes; and

“(C) the Northwest Power Planning and Conservation Council.

“(3) ADMINISTRATION.—

“(A) IN GENERAL.—The research and activities under this subsection shall be carried out—

“(i) under the Columbia River fish mitigation project of the Corps of Engineers; and

“(ii) using \$30,000,000 of amounts made available to carry out that project.

“(B) APPORTIONMENT.—The cost of any avian predation management activity under this subsection shall be apportioned among the 8 Lower Columbia River and Snake River projects of the Federal Columbia River power system of the Corps of Engineers for off-site mitigation to address additional salmonid survival improvements under the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.).”.

**SA 1085.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes;

which was ordered to lie on the table; as follows:

On page 60, between lines 16 and 17, insert the following:

(u) EMERGENCY PROCEDURES.—

(1) IN GENERAL.—If the President determines that a feature recommended in the analysis and design of comprehensive hurricane protection under title I of the Energy and Water Development Appropriations Act, 2006 (Public Law 109-103; 119 Stat. 2447), could address a substantial threat to life and property, the President may submit to the Speaker of the House of Representatives and the President pro tempore of the Senate for authorization a legislative proposal relating to the feature, as the President determines to be appropriate.

(2) PRIORITIZATION.—In submitting legislative proposals under paragraph (1), the President shall give highest priority to any project that, as determined by the President, would—

(A) to the maximum extent practicable, reduce the risk—

(i) of loss of human life;

(ii) to public safety; and

(iii) of damage to property; and

(B) minimize costs and environmental impacts.

(3) EXPEDITED CONSIDERATION.—

(A) IN GENERAL.—Beginning on December 31, 2008, any legislative proposal submitted by the President under paragraph (1) shall be eligible for expedited consideration in accordance with this paragraph.

(B) INTRODUCTION.—As soon as practicable after the date of receipt of a legislative proposal under paragraph (1), the Chairperson of the Committee on Environment and Public Works of the Senate and the Chairperson of the Committee on Transportation and Infrastructure of the House of Representatives shall introduce as a bill the proposal, by request, in the Senate or the House of Representatives, as applicable.

(C) REFERRAL.—A bill introduced under subparagraph (B) shall be referred to the Committee on Environment and Public Works of the Senate or the Committee on Transportation and Infrastructure of the House of Representatives, as applicable.

(D) COMMITTEE CONSIDERATION.—

(i) IN GENERAL.—Not later than 45 legislative days after a bill under subparagraph (B) is referred to a Committee in accordance with subparagraph (C), the Committee shall act on the bill.

(ii) FAILURE TO ACT.—On a failure by a Committee to act on a bill by the date specified in clause (i), the bill shall be discharged from the Committee and placed on the calendar of the Senate or the House of Representatives, as applicable.

(E) SENATE FLOOR CONSIDERATION.—

(i) IN GENERAL.—Floor consideration in the Senate regarding a bill under subparagraph (B) shall be limited to 20 hours, to be equally divided between the Majority Leader and the Minority Leader of the Senate (or a designee).

(ii) NONGERMANE AMENDMENTS.—An amendment that is nongermane to a bill under subparagraph (B) shall not be in order.

(4) EFFECTIVE DATE.—This requirements of, and authorities under, this subsection shall expire on December 31, 2010.

**SA 1086.** Mr. FEINGOLD (for himself, Mr. MCCAIN, Mr. COBURN, Mr. CARPER, Mr. GREGG, Mr. SUNUNU, and Mr. DEMINT) submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the

Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle A of title II, insert the following:

**SEC. 2 . . . WATER RESOURCES COMMISSION.**

(a) ESTABLISHMENT OF COMMISSION.—  
 (1) ESTABLISHMENT.—There is established a commission, to be known as the “Water Resources Commission” (referred to in this section as the “Commission”), to prioritize water resources projects in the United States.

(2) MEMBERSHIP.—  
 (A) COMPOSITION.—The Commission shall be composed of 8 members, of whom—

(i) 2 members shall be appointed by the President;

(ii) 2 members shall be appointed by the Speaker of the House of Representatives;

(iii) 1 member shall be appointed by the minority leader of the House of Representatives;

(iv) 2 members shall be appointed by the majority leader of the Senate; and

(v) 1 member shall be appointed by the minority leader of the Senate.

(B) QUALIFICATIONS.—Members shall be appointed to the Commission from among individuals who—

(i) are of recognized standing and distinction with respect to water policy issues; and

(ii) while serving on the Commission, do not hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(C) DATE OF APPOINTMENTS.—The members of the Commission shall be appointed under subparagraph (A) by not later than 90 days after the date of enactment of this Act.

(3) TERM; VACANCIES.—

(A) TERM.—A member shall be appointed for the life of the Commission.

(B) VACANCIES.—A vacancy in the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled not later than 30 days after the date on which the vacancy occurs, in the same manner as the original appointment was made.

(4) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(5) MEETINGS.—The Commission shall meet at the call of—

(A) the Chairperson; or

(B) the majority of the members of the Commission.

(6) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(7) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(b) DUTIES OF COMMISSION.—

(1) PRIORITIZATION OF WATER RESOURCES PROJECTS.—

(A) IN GENERAL.—In accordance with this section, the Commission shall make recommendations for the means by which to prioritize water resources projects of the Corps of Engineers and prioritize water resources projects of the Corps of Engineers that are not being carried out under a continuing authorities program.

(B) REPORT.—Not later than 1 year after the date of enactment of this Act, the Com-

mission shall submit to Congress a report containing the recommendations and prioritization method required under this paragraph.

(C) RECOMMENDATIONS.—The report shall include recommendations for—

(i) a process of regularized prioritization assessments that ensures continuity in project prioritization rankings and the inclusion of newly-authorized projects;

(ii) a process to prioritize water resources projects across project type; and

(iii) a method of analysis, with respect to the prioritization process, of recreation and other ancillary benefits resulting from the construction of Corps of Engineers projects.

(D) PROJECT INCLUSIONS.—The report shall include, at a minimum, each water resources project—

(i) included in the fiscal transparency report under section 2004(b)(1); and

(ii) authorized for construction on the date of enactment of this Act and during the 10-year period prior to the date of enactment of this Act.

(E) PRIORITIZATION REQUIREMENTS.—

(i) IN GENERAL.—Each project described in the report shall be categorized by project type and be classified into a tier system of descending priority, to be established by the Commission, in a manner that reflects the extent to which the project achieves project prioritization criteria established under subparagraph (F).

(ii) MULTIPURPOSE PROJECTS.—Each multipurpose project described in the report shall be classified by the project type that best represents the primary project purpose, as determined by the Commission and be classified into the tier system described in clause (i) within that project type.

(iii) TIER SYSTEM REQUIREMENTS.—In establishing a tier system under clause (i), the Commission shall ensure that each tier is limited to total authorized project costs of \$5,000,000,000 and includes not more than 100 projects.

(iv) BALANCE.—The Commission shall seek, to the maximum extent practicable, a balance between the water resource needs of all States, regardless of the size or population of a State.

(F) PROJECT PRIORITIZATION CRITERIA.—In preparing the report, the Commission shall prioritize each water resource project of the Corps of Engineers based on the extent to which the project meets at least the following criteria and such additional criteria as the Commission may fully explain in the report:

(i) For flood damage reduction projects, the extent to which such a project addresses critical flood damage reduction needs of the United States, including by reducing the risk of loss of life; avoids increasing risks to human life or damages to property in the case of large flood events; and avoids adverse environmental impacts or produces environmental benefits.

(ii) For navigation projects, the extent to which such a project addresses priority navigation needs of the United States, including by having a high probability of producing the economic benefits projected with respect to the project and reflecting regional planning needs, as applicable, and avoids adverse environmental impacts.

(iii) For environmental restoration projects, the extent to which such a project addresses priority environmental restoration needs of the United States, including by restoring the natural hydrologic processes and spatial extent of an aquatic habitat while being, to the maximum extent practicable, self-sustaining; and is cost-effective or produces economic benefits.

(2) AVAILABILITY.—The report prepared under this subsection shall be published in

the Federal Register and submitted to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives.

(c) POWERS OF COMMISSION.—

(1) HEARINGS.—The Commission shall hold such hearings, meet and act at such times and places, take such testimony, administer such oaths, and receive such evidence as the Commission considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from a Federal agency such information as the Commission considers necessary to carry out this section.

(B) PROVISION OF INFORMATION.—On request of the Chairperson of the Commission, the head of the Federal agency shall provide the information to the Commission.

(3) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(4) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(d) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—A member of the Commission shall serve without pay, but shall be allowed a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws, including regulations, appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(B) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director shall be subject to confirmation by a majority of the members of the Commission.

(C) COMPENSATION.—

(i) IN GENERAL.—Except as provided in clause (ii), the Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(ii) MAXIMUM RATE OF PAY.—In no event shall any employee of the Commission (other than the executive director) receive as compensation an amount in excess of the maximum rate of pay for Executive Level IV under section 5315 of title 5, United States Code.

(3) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(A) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(B) CIVIL SERVICE STATUS.—The detail of a Federal employee shall be without interruption or loss of civil service status or privilege.

(4) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—On request of the Commission, the Secretary, acting through the Chief of Engineers, shall provide, on a reimbursable basis, such office space, supplies, equipment, and other support services to the Commission and staff of the Commission as are necessary for the Commission to carry out the duties of the Commission under this section.

(e) TERMINATION.—The Commission shall terminate on the date that is 90 days after

the date on which the final report of the Commission is submitted under subsection (b).

(f) FUNDING.—In carrying out this section, the Commission shall use funds made available for the general operating expenses of the Corps of Engineers.

**SA 1087.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

**SEC. 5. CREDIT FOR EXPENSES INCURRED IN HURRICANE OR FLOOD PROTECTION PROJECTS.**

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

**“SEC. 30D. CREDIT FOR EXPENSES INCURRED IN HURRICANE OR FLOOD PROTECTION PROJECTS.**

“(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 30 percent of the qualified expenditures of the taxpayer for the taxable year.

“(b) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for the taxable year shall not exceed the excess of—

“(1) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(2) the sum of the credits allowable under subpart A and sections 27 and 30A for the taxable year.

“(c) QUALIFIED EXPENDITURES.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified expenditures’ means amounts paid or incurred by the taxpayer for an unfunded authorized project, but only to the extent—

“(A) such amounts are paid or incurred after a request by the taxpayer to expend such amounts has been approved by the Federal agency administering the unfunded authorized project or after a 90-day period following such request (plus an additional 30-day period if requested by such agency within the 90-day period) during which no decision regarding such request is made by such agency, and

“(B) such amounts are applied proportionally to the Federal and non-Federal share of the total amount authorized to be appropriated for such project.

“(2) UNFUNDED AUTHORIZED PROJECT.—The term ‘unfunded authorized project’ means any project—

“(A) authorized by Federal law to provide hurricane or flood protection in the United States, and

“(B) with respect to which no or only partial Federal funding has been appropriated prior to the request described in paragraph (1)(A).

“(d) CARRYOVERS ALLOWED.—

“(1) IN GENERAL.—If the credit amount allowable under subsection (a) for a taxable year exceeds the amount of the limitation under subsection (b) for such taxable year (referred to as the ‘unused credit year’ in this paragraph), such excess shall be allowed as a credit carryforward for each of the taxable years following the unused credit year

or as a credit carryback for each of the taxable years preceding the unused credit year.

“(2) RULES.—For purposes of paragraph (1), rules similar to the rules of section 39 shall apply, except that—

“(A) subsection (a)(1) shall be applied—

“(i) by substituting ‘3 taxable years’ for ‘1 taxable years’ in subparagraph (A) thereof, and

“(ii) by substituting ‘5 taxable years’ for ‘20 taxable years’ in subparagraph (B) thereof, and

“(B) subsection (a)(2) shall be applied—

“(i) by substituting ‘8 taxable years’ for ‘21 taxable years’ in subparagraph (A) thereof, and

“(ii) by substituting ‘7 taxable years’ for ‘20 taxable years’ in subparagraph (B).

“(e) SPECIAL RULES.—

“(1) BASIS REDUCTION.—The basis of any property for which a credit is allowable under subsection (a) shall be reduced by the amount of such credit (determined without regard to subsection (b)).

“(2) NO DOUBLE BENEFIT.—The amount of any deduction or credit allowable under this chapter (other than the credit allowable under subsection (a)), shall be reduced by the amount of credit allowed under subsection (a) (determined without regard to subsection (b)) for the taxable year.

“(3) REDUCTION FOR ASSISTANCE.—The amount taken into account under subsection (a) with respect to any project shall be reduced by the amount of any Federal, State, or local grant or other assistance received by the taxpayer during such taxable year or any prior taxable year which was used to make qualified expenditures and which was not included in the gross income of such taxpayer.”

(b) BASIS ADJUSTMENT.—Section 1016(a) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting “, and”, and by adding at the end the following new paragraph:

“(38) to the extent provided in section 30D(e)(1).”

(c) CLERICAL AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 30C the following new item:

“Sec. 30D. Credit for expenses incurred in hurricane or flood protection projects.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

**SA 1088.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

**SEC. 5. INNER HARBOR NAVIGATION CANAL LOCK PROJECT.**

Not later than July 1, 2008, the Secretary shall—

(1) issue a final environmental impact statement relating to the Inner Harbor Navigation Canal Lock project; and

(2) develop and maintain a transportation mitigation program relating to that project in coordination with—

(A) St. Bernard Parish;

(B) Orleans Parish;

(C) the Old Arabi Neighborhood Association; and

(D) other interested parties.

**SA 1089.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 209, line 1, strike “The” and insert “Subject to paragraph (5), the”.

On page 210, between lines 21 and 22, insert the following:

(5) REQUIREMENT.—No Federal funds shall be used to conduct any study, or to carry out any activity relating to the design or construction, of the visitors center under this subsection until the date on which the Secretary, in consultation with the Director of the Federal Emergency Management Agency, the Secretary of Housing and Urban Development, and the State of Louisiana, certifies to Congress that all residents of the State of Louisiana who were displaced as a result of Hurricane Katrina or Rita in 2005 are no longer living in temporary housing.

**SA 1090.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 11, strike line 5 and insert the following:

(6) IMPERIAL BEACH, CALIFORNIA.—

(A) IN GENERAL.—Subject to subparagraph (B), the

On page 11, between lines 15 and 16, insert the following:

(B) REQUIREMENT.—No Federal funds shall be used for beach nourishment for Imperial Beach, California, until the date on which the Secretary certifies to Congress that the Sacramento River Bank Protection Project has been completed.

**SA 1091.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following new division:

**DIVISION B—EMERGENCY WAR APPROPRIATIONS**

**SEC. 100. EMERGENCY WAR APPROPRIATIONS.**

There are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I

GLOBAL WAR ON TERROR  
SUPPLEMENTAL APPROPRIATIONS  
CHAPTER 1

DEPARTMENT OF AGRICULTURE  
FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for “Public Law 480 Title II Grants”, during the current fiscal year, not otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, \$350,000,000, to remain available until expended.

CHAPTER 2

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL  
ACTIVITIES

For an additional amount for “Salaries and Expenses, General Legal Activities”, \$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”, \$14,921,000, to remain available until September 30, 2008.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses,” \$1,736,000, to remain available until September 30, 2008.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$118,260,000.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$3,468,000, to remain available until September 30, 2008.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS,  
AND EXPLOSIVES

SALARIES AND EXPENSES

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

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$17,000,000, to remain available until September 30, 2008.

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY  
MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$8,510,270,000.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$692,127,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$1,386,871,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$1,101,287,000.

RESERVE PERSONNEL, ARMY

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

RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel, Navy”, \$72,800,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for “Reserve Personnel, Air Force”, \$3,000,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, \$436,025,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$20,423,379,000.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Operation and Maintenance, Navy”, \$5,040,482,000, of which \$120,293,000 shall be transferred to Coast Guard, “Operating Expenses”, for reimbursement for activities in support of activities requested by the Navy.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$1,401,594,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$7,035,881,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$3,279,307,000.

OPERATION AND MAINTENANCE, ARMY

RESERVE

For an additional amount for “Operation and Maintenance, Army Reserve”, \$74,049,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for “Operation and Maintenance, Navy Reserve”, \$111,066,000.

OPERATION AND MAINTENANCE, MARINE CORPS

RESERVE

For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, \$13,591,000.

OPERATION AND MAINTENANCE, AIR FORCE

RESERVE

For an additional amount for “Operation and Maintenance, Air Force Reserve”, \$10,160,000.

OPERATION AND MAINTENANCE, ARMY

NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, \$83,569,000.

OPERATION AND MAINTENANCE, AIR NATIONAL

GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, \$38,429,000.

AFGHANISTAN SECURITY FORCES FUND

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

IRAQ SECURITY FORCES FUND

For an additional amount for “Iraq Security Forces Fund”, \$3,842,300,000, to remain available until September 30, 2008.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Iraq Freedom Fund”, \$455,600,000, to remain available for transfer until September 30, 2008.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT  
FUND

For an additional amount for “Joint Improvised Explosive Device Defeat Fund”,

\$2,432,800,000, to remain available until September 30, 2009.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for “Aircraft Procurement, Army”, \$627,750,000, to remain available until September 30, 2009.

MISSILE PROCUREMENT, ARMY

For an additional amount for “Missile Procurement, Army”, \$160,173,000, to remain available until September 30, 2009.

PROCUREMENT OF WEAPONS AND TRACKED

COMBAT VEHICLES, ARMY

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, \$3,502,315,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, \$681,500,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, \$10,946,687,000, to remain available until September 30, 2009.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for “Aircraft Procurement, Navy”, \$730,713,000, to remain available until September 30, 2009.

WEAPONS PROCUREMENT, NAVY

For an additional amount for “Weapons Procurement, Navy”, \$171,813,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, NAVY AND

MARINE CORPS

For an additional amount for “Procurement of Ammunition, Navy and Marine Corps”, \$159,833,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, \$745,425,000, to remain available until September 30, 2009.

PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, \$2,055,715,000, to remain available until September 30, 2009.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement, Air Force”, \$1,726,336,000, to remain available until September 30, 2009.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, \$140,300,000, to remain available until September 30, 2009.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for “Procurement of Ammunition, Air Force”, \$95,800,000, to remain available until September 30, 2009.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$2,092,754,000, to remain available until September 30, 2009.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, \$979,380,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION

RESEARCH, DEVELOPMENT, TEST AND

EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, \$115,976,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND

EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”,

\$460,175,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$220,721,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$650,864,000, to remain available until September 30, 2008.

REVOLVING AND MANAGEMENT FUNDS

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for "National Defense Sealift Fund", \$5,000,000.

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$1,315,526,000.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$1,123,147,000.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", \$259,115,000, to remain available until expended: *Provided*, That these funds may be used only for such activities related to Afghanistan and Central Asia: *Provided further*, That the Secretary of Defense may transfer such funds only to appropriations for military personnel; operation and maintenance; procurement; and research, development, test and evaluation: *Provided further*, That the funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

RELATED AGENCY

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for "Intelligence Community Management Account", \$66,726,000.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1301. Appropriations provided in this chapter are available for obligation until September 30, 2007, unless otherwise provided in this chapter.

(TRANSFER OF FUNDS)

SEC. 1302. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to \$7,000,000,000 of the funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2007 (Public Law 109-289; 120 Stat. 1257), except for the fourth proviso: *Provided fur-*

*ther*, That funds previously transferred to the "Joint Improvised Explosive Device Defeat Fund" and the "Iraq Security Forces Fund" under the authority of section 8005 of Public Law 109-289 and transferred back to their source appropriations accounts shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under section 8005.

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

SEC. 1304. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal years 2006 or 2007 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

SEC. 1305. During fiscal year 2007, the Secretary of Defense may transfer not to exceed \$6,300,000 of the amounts in or credited to the Defense Cooperation Account, pursuant to 10 U.S.C. 2608, to such appropriations or funds of the Department of Defense as he shall determine for use consistent with the purposes for which such funds were contributed and accepted: *Provided*, That such amounts shall be available for the same time period as the appropriation to which transferred: *Provided further*, That the Secretary shall report to the Congress all transfers made pursuant to this authority.

SEC. 1306. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this title under the heading, "Drug Interdiction and Counter-Drug Activities, Defense", not to exceed \$60,000,000 may be used for support for counter-drug activities of the Governments of Afghanistan, Kazakhstan, and Pakistan: *Provided*, That such support shall be in addition to support provided for the counter-drug activities of such Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—

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

(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring, and testing equipment to said Governments for counter-drug activities.

SEC. 1307. (a) From funds made available for operations and maintenance in this title to the Department of Defense, not to exceed \$456,400,000 may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi and Afghan people.

(b) QUARTERLY REPORTS.—Not later than 15 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any

other provision of law for the purposes of the programs under subsection (a).

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

SEC. 1309. Section 1005(c)(2) of the National Defense Authorization Act, Fiscal Year 2007 (Public Law 109-364) is amended by striking "\$310,277,000" and inserting "\$376,446,000".

SEC. 1310. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

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

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

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

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

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

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

SEC. 1312. Section 9007 of Public Law 109-289 is amended by striking "20" and inserting "287".

SEC. 1313. INSPECTION OF MILITARY MEDICAL TREATMENT FACILITIES, MILITARY QUARTERS HOUSING MEDICAL HOLD PERSONNEL, AND MILITARY QUARTERS HOUSING MEDICAL HOLD-OVER PERSONNEL. (a) PERIODIC INSPECTION REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall inspect each facility of the Department of Defense as follows:

(A) Each military medical treatment facility.

(B) Each military quarters housing medical holdover personnel.

(C) Each military quarters housing medical holdover personnel.

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

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

(1) Generally accepted standards for the accreditation of nonmilitary medical facilities, or for facilities used to quarter individuals with medical conditions that may require

medical supervision, as applicable, in the United States.

(2) Standards under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(c) ADDITIONAL INSPECTIONS ON IDENTIFIED DEFICIENCIES.—

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

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

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

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

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

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

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

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

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

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

SEC. 1314. From funds made available for the “Iraq Security Forces Fund” for fiscal year 2007, up to \$155,500,000 may be used, notwithstanding any other provision of law, to provide assistance, with the concurrence of the Secretary of State, to the Government of Iraq to support the disarmament, demobilization, and reintegration of militias and illegal armed groups.

#### CHAPTER 4

##### DEPARTMENT OF ENERGY

##### ATOMIC ENERGY DEFENSE ACTIVITIES

##### NATIONAL NUCLEAR SECURITY

##### ADMINISTRATION

##### DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for “Defense Nuclear Nonproliferation”, \$63,000,000.

#### CHAPTER 5

##### MILITARY CONSTRUCTION

##### MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, \$1,289,290,000, 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 United States military personnel in Iraq.

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$390,500,000, 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”, \$60,200,000, 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.

#### CHAPTER 6

##### DEPARTMENT OF STATE AND RELATED AGENCY

##### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for “Diplomatic and Consular Programs”, \$912,996,000, to remain available until September 30, 2008, of which \$67,155,000 for World Wide Security Upgrades is available until expended: *Provided*, That of the funds appropriated under this heading, not more than \$20,000,000 shall be made available for public diplomacy programs: *Provided further*, That prior to the obligation of funds pursuant to the previous proviso, the Secretary of State shall submit a report to the Committees on Appropriations describing a comprehensive public diplomacy strategy, with goals and expected results, for fiscal years 2007 and 2008: *Provided further*, That within 15 days of enactment of this Act, the Office of Management and Budget shall apportion \$15,000,000 from amounts appropriated or otherwise made available by chapter 8 of title II of division B of Public Law 109–148 under the heading “Emergencies in the Diplomatic and Consular Service” for emergency evacuations: *Provided further*, That of the amount made available under this heading for Iraq, not to exceed \$20,000,000 may be transferred to, and merged with, funds in the “Emergencies in the Diplomatic and Consular Service” appropriations account, to be available only for emergency evacuations and terrorism rewards.

##### OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$35,000,000, to remain available until December 31, 2008.

##### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for “Educational and Cultural Exchange Programs”, \$20,000,000, to remain available until expended.

##### INTERNATIONAL ORGANIZATIONS

##### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

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

##### RELATED AGENCY

##### BROADCASTING BOARD OF GOVERNORS

##### INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for “International Broadcasting Operations” for ac-

tivities related to broadcasting to the Middle East, \$10,000,000, to remain available until September 30, 2008.

##### FOREIGN OPERATIONS

##### BILATERAL ECONOMIC ASSISTANCE

##### FUNDS APPROPRIATED TO THE

##### PRESIDENT

##### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

##### CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for “Child Survival and Health Programs Fund”, \$161,000,000, to remain available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, funds made available under the heading “Millennium Challenge Corporation” and “Global HIV/AIDS Initiative” in prior Acts making appropriations for foreign operations, export financing and related programs may be made available to combat the avian influenza, subject to the regular notification procedures of the Committees on Appropriations.

##### INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For an additional amount for “International Disaster and Famine Assistance”, \$105,000,000, to remain available until expended.

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

For an additional amount for “Operating Expenses of the United States Agency for International Development”, \$5,700,000, to remain available until September 30, 2008.

##### OTHER BILATERAL ECONOMIC ASSISTANCE

##### ECONOMIC SUPPORT FUND

For an additional amount for “Economic Support Fund”, \$3,135,000,000, to remain available until September 30, 2008.

##### DEPARTMENT OF STATE

##### ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

For an additional amount for “Assistance for Eastern Europe and the Baltic States”, \$279,000,000, to remain available until September 30, 2008, for assistance for Kosovo.

##### INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for “International Narcotics Control and Law Enforcement”, \$260,000,000, to remain available until September 30, 2008.

##### MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for “Migration and Refugee Assistance”, \$71,500,000, to remain available until September 30, 2008.

##### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for “United States Emergency Refugee and Migration Assistance Fund”, \$30,000,000, to remain available until expended.

##### NONPROLIFERATION, ANTI-TERRORISM,

##### DEMING AND RELATED PROGRAMS

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

##### DEPARTMENT OF THE TREASURY

##### INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE PROGRAM

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

##### MILITARY ASSISTANCE

##### FUNDS APPROPRIATED TO THE PRESIDENT

##### FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for “Foreign Military Financing Program”, \$220,000,000, to

remain available until September 30, 2008, for assistance for Lebanon.

PEACEKEEPING OPERATIONS  
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Peacekeeping Operations”, \$278,000,000, to remain available until September 30, 2008, of which up to \$128,000,000 may be transferred, subject to the regular notification procedures of the Committees on Appropriations, to “Contributions to International Peacekeeping Activities”, to be made available, notwithstanding any other provision of law, for assessed costs of United Nations Peacekeeping Missions.

GENERAL PROVISIONS—THIS CHAPTER  
AUTHORIZATION OF FUNDS

SEC. 1601. Funds appropriated by this title may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

EXTENSION OF AVAILABILITY OF FUNDS

SEC. 1602. Section 1302(a) of Public Law 109-234 is amended by striking “one additional year” and inserting in lieu thereof “two additional years”.

EXTENSION OF OVERSIGHT AUTHORITY

SEC. 1603. Section 3001(o)(1)(B) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95-452), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2397) and section 2 of the Iraq Reconstruction Accountability Act of 2006 (Public Law 109-440), is amended by inserting “or fiscal year 2007” after “fiscal year 2006”.

DEBT RESTRUCTURING

SEC. 1604. Amounts appropriated for fiscal year 2007 for “Bilateral Economic Assistance—Department of the Treasury—Debt Restructuring” may be used to assist Liberia in retiring its debt arrearages to the International Monetary Fund, the International Bank for Reconstruction and Development, and the African Development Bank.

JORDAN

(INCLUDING TRANSFER OF FUNDS)

SEC. 1605. Of the funds appropriated by this Act for assistance for Iraq under the heading “Economic Support Fund” that are available to support Provincial Reconstruction Team activities, up to \$100,000,000 may be transferred to, and merged with, funds appropriated by this Act under the headings “Foreign Military Financing Program” and “Nonproliferation, Anti-terrorism, Demining and Related Programs” for assistance for Jordan: *Provided*, That funds transferred pursuant to this section shall be subject to the regular notification procedures of the Committees on Appropriations.

LEBANON

SEC. 1606. Prior to the initial obligation of funds made available in this Act for assistance for Lebanon under the headings “Foreign Military Financing Program” and “Nonproliferation, Anti-terrorism, Demining and Related Programs”, the Secretary of State shall certify to the Committees on Appropriations that all practicable efforts have been made to ensure that such assistance is not provided to or through any individual, or private or government entity, that advo-

cates, plans, sponsors, engages in, or has engaged in, terrorist activity: *Provided*, That this section shall be effective notwithstanding section 534(a) of Public Law 109-102, which is made applicable to funds appropriated for fiscal year 2007 by the Continuing Appropriations Resolution, 2007, as amended.

HUMAN RIGHTS AND DEMOCRACY FUND

SEC. 1607. The Assistant Secretary of State for Democracy, Human Rights and Labor shall be responsible for all policy, funding, and programming decisions regarding funds made available under this Act and prior Acts making appropriations for foreign operations, export financing and related programs for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor.

INSPECTOR GENERAL OVERSIGHT OF IRAQ AND AFGHANISTAN

SEC. 1608. (a) IN GENERAL.—Subject to paragraph (2), the Inspector General of the Department of State and the Broadcasting Board of Governors (referred to in this section as the “Inspector General”) may use personal services contracts to engage citizens of the United States to facilitate and support the Office of the Inspector General’s oversight of programs and operations related to Iraq and Afghanistan. Individuals engaged by contract to perform such services shall not, by virtue of such contract, be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management. The Secretary of State may determine the applicability to such individuals of any law administered by the Secretary concerning the performance of such services by such individuals.

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

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

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

(3) Not more than 20 individuals may be employed at any time as personal services contractors under the program.

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

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

SPENDING PLAN AND NOTIFICATION PROCEDURES

SEC. 1609. Not later than 45 days after enactment of this Act the Secretary of State shall submit to the Committees on Appropriations a report detailing planned expenditures for funds appropriated under the headings in this chapter, except for funds appropriated under the headings “International Disaster and Famine Assistance”, “Office of the United States Agency for International Development Inspector General”, and “Office of the Inspector General”: *Provided*, That funds appropriated under the headings in this chapter, except for funds appropriated under the headings named in this section, shall be subject to the regular notification procedures of the Committees on Appropriations.

CIVILIAN RESERVE CORPS

SEC. 1610. Of the funds appropriated by this Act under the headings “DIPLOMATIC AND

CONSULAR PROGRAMS” and “Economic Support Fund” (except for the Community Action Program), up to \$50,000,000 may be made available to support and maintain a civilian reserve corps. Funds made available under this section shall be subject to the regular notification procedures of the Committees on Appropriations.

TITLE II

CHAPTER 1

DEPARTMENT OF DEFENSE  
MILITARY CONSTRUCTION

DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT, 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$3,136,802,000, to remain available until expended.

CHAPTER 2

GENERAL PROVISIONS—THIS DIVISION  
AVAILABILITY OF FUNDS

SEC. 2201. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

EMERGENCY DESIGNATION FOR TITLE I

SEC. 2202. Amounts provided in title I of this division are designated as emergency requirements pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

EMERGENCY DESIGNATION FOR TITLE II

SEC. 2203. Amounts provided in title II of this division are designated as emergency requirements pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

This division may be cited as the “Support Our Troops Act of 2007”.

COMMEMORATING THE 40TH ANNIVERSARY OF THE LANDMARK CASE OF IN RE GAULT, ET AL

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 194.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 194) commemorating the 40th anniversary of the landmark case *In re Gault*, et. al., in which the Supreme Court held that all children accused of delinquent acts and facing a proceeding in which their freedom may be curtailed have a right to counsel in the proceedings against them.

There being no objection, the Senate proceeded to consider the resolution.

Mr. KENNEDY. Mr. President, this year marks the 40th anniversary of the landmark Supreme Court decision of *In re Gault* in 1967, in which the Court declared that children accused of delinquent acts have a constitutional right to counsel. Before that decision, children accused of delinquency had virtually no legal rights. They were at the mercy of a legal system that often led to unjust results. Gerald Gault’s experience illustrates the injustices that often took place.

When he was 15 years old, Gerald was accused of a delinquent act that involved making a nuisance phone call. He was swept up in a juvenile justice system that had almost no procedural