

AMENDMENT #3

**TITLE I – MILITARY CONSTRUCTION, VETERANS, INTERNATIONAL
AFFAIRS, AND OTHER SECURITY-RELATED MATTERS**

CHAPTER 1 - AGRICULTURE

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

The amended bill provides a total of \$850,000,000 to remain available until expended for Public Law 480 Title II Grants for fiscal year 2008. The amended bill provides \$350,000,000, as requested, for the urgent humanitarian needs identified by the administration. Further, the amended bill provides an additional \$500,000,000 for unanticipated cost increases for food and transportation to be made available immediately.

In addition, because the need for urgent humanitarian food assistance and continuing volatility of food and transportation costs are expected to continue into fiscal year 2009, the amended bill provides a total of \$395,000,000, as requested, to be made available beginning October 1, 2008.

CHAPTER 2 – COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF JUSTICE

OFFICE OF INSPECTOR GENERAL

The amended bill includes \$4,000,000 for the Office of Inspector General. The Inspector General is directed to continue its audit and oversight activities of the Federal Bureau of Investigation's use of National Security Letters (NSLs) and orders for business records, pursuant to Section 215 of the USA PATRIOT Act.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The amended bill includes \$1,648,000 for General Legal Activities for the Criminal Division to provide litigation support services to the Special Inspector General for Iraq Reconstruction for its ongoing investigations and cases involving corruption in the reconstruction of Iraq. The amended bill does not include funding requested to create Iraq and Afghanistan support units within General Legal Activities, Criminal Division.

These worthy activities should be supported through funds made available to the departments of State or Defense.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The amended bill includes \$5,000,000 for the U.S. Attorneys for extraordinary litigation expenses associated with terrorism prosecutions in the United States.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The amended bill includes \$18,621,000 for the U.S. Marshals Service. Within this funding level is \$7,951,000 to provide security at high-threat terrorist trials in the United States and \$3,700,000 to improve court and witness security in Afghanistan.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The amended bill provides \$92,169,000 for the Federal Bureau of Investigation (FBI) for operations in Iraq and Afghanistan and for enhanced counterterrorism activities. The FBI is directed to provide the House and Senate Committees on Appropriations with a detailed plan for the obligation of these funds no later than 30 days after the enactment of this Act and to update this plan on a quarterly basis with actual obligations.

The amended bill also provides \$82,600,000 in bridge funding for the FBI to maintain the operations described above into fiscal year 2009.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The amended bill includes \$12,166,000 for the Drug Enforcement Administration to further its narco-terrorism initiative and Operation Breakthrough and to conduct financial investigations.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The amended bill includes \$4,000,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives for necessary costs of operations in Iraq.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The amended bill provides \$9,100,000 for the Bureau of Prisons to monitor communications of incarcerated terrorists, collect intelligence, and disseminate relevant information to other Federal law enforcement agencies.

CHAPTER 3 - MILITARY CONSTRUCTION AND VETERANS AFFAIRS

DEPARTMENT OF DEFENSE

Iraq.—Central Command has reiterated its intention eventually to consolidate the U.S. force posture in Iraq into four contingency operating bases at Al Asad Air Base, Balad Air Base/Camp Anaconda, Camp Speicher, and Victory Base, as well as four convoy centers at Camp Adder, Korean Village, Qayyarah West, and Scania. The Administration's request has been reviewed for military construction in Iraq to ensure that the recommended projects are consistent with the consolidation plan. The projects included in the amended bill support current operations pursuant to the consolidation plan, as well as force protection and quality of life projects for deployed personnel. Each project request has also been reviewed to ensure consistency with contingency construction standards. The amended bill therefore does not include \$183,000,000 for five power plants to replace expeditionary generator sets. The establishment of permanent bases in Iraq is not supported, and the amended bill does not include any funds to establish any such base, or convert any base in Iraq from a temporary to permanent status. The amended bill includes language prohibiting the obligation or expenditure of \$533,700,000 provided for Military Construction, Army, and \$58,300,000 provided for Military Construction, Air Force, until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for permanent basing of U.S. military personnel in Iraq.

Child Development Centers.—The amended bill recommends a total of \$210,258,000 to design and build twenty new child development centers for the Army, Navy, Marine Corps, and Air Force as requested by the Department. The Department should be commended for following the lead of Congress by requesting funds for additional child development centers. The projects included in the amended bill will provide additional space to serve 4,900 children, in addition to the facilities for approximately 3,500 children provided by Congress in the enacted fiscal year 2008 appropriation.

Trainee and Recruit Facilities.—The amended bill recommends a total of \$299,600,000 for eight projects providing barracks and other facilities for Army and Marine Corps trainees and recruits. These projects are included to further the eventual elimination of a large backlog of needed recapitalization for trainee and recruit facilities, and to assist the Army and Marine Corps with their efforts to grow and revitalize the force to continue the global war on terrorism.

MILITARY CONSTRUCTION, ARMY

The amended bill recommends \$1,432,700,000 for Military Construction, Army. The funds are provided as follows:

[dollars in thousands]

| Location | Project description | Request | Amended Bill |
|-------------------------------------|---|---------|--------------|
| AK: Fort Wainwright..... | Child Development Center (1/) | 17,000 | 17,000 |
| CA: Fort Irwin..... | Child Development Center (1/) | 11,800 | 11,800 |
| CO: Fort Carson..... | Child Development Center (1/) | 8,400 | 8,400 |
| CO: Fort Carson..... | Soldier Family Assistance Center..... | 8,100 | 8,100 |
| GA: Fort Benning..... | Classrooms & Battalion Dining Facilities..... | 2/ | 30,500 |
| GA: Fort Gordon..... | AIT Complex 1, Phase 1..... | 2/ | 32,000 |
| GA: Fort Gordon..... | Child Development Center (1/) | 7,800 | 7,800 |
| GA: Fort Stewart..... | Soldier Family Assistance Center..... | 6,000 | 6,000 |
| HI: Schofield Barracks..... | Child Development Center (1/) | 12,500 | 12,500 |
| KS: Fort Riley..... | Transitioning Warrior Support Complex..... | 50,000 | 50,000 |
| KY: Fort Campbell..... | Child Development Center (1/) | 9,900 | 9,900 |
| KY: Fort Campbell..... | Soldier Family Assistance Center..... | 7,400 | 7,400 |
| KY: Fort Knox..... | Child Development Center (1/) | 7,400 | 7,400 |
| LA: Fort Polk..... | Soldier Family Assistance Center..... | 4,900 | 4,900 |
| MO: Fort Leonard Wood..... | Starbase Complex 6, Phase 1..... | 2/ | 50,000 |
| NC: Fort Bragg..... | Child Development Center (1/) | 8,500 | 8,500 |
| NY: Fort Drum..... | Warrior in Transition Facilities..... | 38,000 | 38,000 |
| OK: Fort Sill..... | Child Development Center (1/) | 9,000 | 9,000 |
| SC: Fort Jackson..... | Student Barracks..... | 2/ | 27,000 |
| TX: Fort Bliss..... | Child Development Center (1/) | 5,700 | 5,700 |
| TX: Fort Bliss..... | Child Development Center (1/) | 5,900 | 5,900 |
| TX: Fort Bliss..... | Child Development Center (1/) | 5,700 | 5,700 |
| TX: Fort Hood..... | Child Development Center (1/) | 7,200 | 7,200 |
| TX: Fort Hood..... | Warrior in Transition Unit Ops Facilities..... | 9,100 | 9,100 |
| TX: Fort Sam Houston..... | AIT Barracks..... | 2/ | 47,000 |
| TX: Fort Sam Houston..... | Child Development Center (1/) | 7,000 | 7,000 |
| VA: Fort Eustis..... | AIT Complex 1, Phase 1..... | 2/ | 50,000 |
| VA: Fort Lee..... | Child Development Center (1/) | 7,400 | 7,400 |
| Afghanistan: Bagram AB..... | Administrative Building (1/) | 13,800 | 13,800 |
| Afghanistan: Bagram AB..... | Aircraft Maintenance Hangar..... | 5,100 | 5,100 |
| Afghanistan: Bagram AB..... | Ammunition Supply Point..... | 62,000 | 62,000 |
| Afghanistan: Bagram AB..... | Bulk Fuel Storage and Supply, Phase 3..... | 23,000 | 23,000 |
| Afghanistan: Bagram AB..... | Bulk Fuel Storage and Supply, Phase 4..... | 21,000 | 21,000 |
| Afghanistan: Bagram AB..... | New Roads..... | 27,000 | 27,000 |
| Afghanistan: Bagram AB..... | Power Plant..... | 41,000 | 41,000 |
| Afghanistan: Bagram AB..... | Theater Internment Facility (1/) | 60,000 | - |
| Afghanistan: Ghazni..... | Rotary Wing Parking..... | 5,000 | 5,000 |
| Afghanistan: Kabul..... | Consolidated Compound..... | 36,000 | 36,000 |
| Afghanistan: Various Locations..... | Counter IED Road - Route Alaska..... | 16,500 | 16,500 |
| Afghanistan: Various Locations..... | Counter IED Road - Route Connecticut..... | 54,000 | 54,000 |
| Iraq: Al Asad AB..... | Hot Cargo Ramp..... | 18,500 | 18,500 |
| Iraq: Al Asad AB..... | Landfill..... | 3,100 | 3,100 |
| Iraq: Al Asad AB..... | Power Plant..... | 40,000 | - |
| Iraq: Al Asad AB..... | South Airfield Apron (India Ramp)..... | 28,000 | 28,000 |
| Iraq: Al Asad AB..... | Urban Bypass Road..... | 43,000 | - |
| Iraq: Baghdad..... | MNF Embassy Compound (1/) | 10,500 | - |
| Iraq: Baghdad IAP..... | Water Supply, Treatment & Storage Ph III..... | 13,000 | 13,000 |
| Iraq: Camp Adder..... | Convoy Support Center Relocation, Phase II..... | 39,000 | 39,000 |
| Iraq: Camp Adder..... | Corps Support Center, Phase III (1/) | 13,200 | - |
| Iraq: Camp Adder..... | Entry Control Point (1/) | - | - |
| Iraq: Camp Adder..... | Multi-Class Storage Warehouse..... | 17,000 | 17,000 |
| Iraq: Camp Adder..... | POL Storage Area..... | 10,000 | 10,000 |
| Iraq: Camp Adder..... | Power Plant..... | 39,000 | - |

| Location | Project description | Request | Amended Bill |
|------------------------------|---|------------------|------------------|
| Iraq: Camp Adder..... | Wastewater Treatment & Collection System..... | 9,800 | 9,800 |
| Iraq: Camp Anaconda..... | Hazardous Waste Incinerator..... | 4,300 | 4,300 |
| Iraq: Camp Anaconda..... | Landfill..... | 6,200 | 6,200 |
| Iraq: Camp Anaconda..... | Power Plant..... | 39,000 | - |
| Iraq: Camp Anaconda..... | Urban Bypass Road (1/)...... | - | - |
| Iraq: Camp Constitution..... | Juvenile TIFRIC..... | 11,700 | 11,700 |
| Iraq: Camp Cropper..... | Brick Factory..... | 9,500 | - |
| Iraq: Camp Marez..... | Landfill..... | 880 | 880 |
| Iraq: Camp Ramadi..... | Incinerator (1/)...... | 6,200 | - |
| Iraq: Camp Ramadi..... | Landfill..... | 880 | 880 |
| Iraq: Camp Speicher..... | Aviation Navigation Facilities..... | 13,400 | 13,400 |
| Iraq: Camp Speicher..... | Landfill..... | 5,900 | 5,900 |
| Iraq: Camp Speicher..... | Military Control Point..... | 5,800 | 5,800 |
| Iraq: Camp Speicher..... | Power Plant..... | 39,000 | - |
| Iraq: Camp Speicher..... | Rotary Wing Parking Apron..... | 49,000 | 49,000 |
| Iraq: Camp Speicher..... | Wastewater Treatment & Collection Sys. (1/)...... | - | - |
| Iraq: Camp Taqqadam..... | Landfill..... | 880 | 880 |
| Iraq: Camp Warrior..... | Landfill..... | 880 | 880 |
| Iraq: Fallujah..... | Incinerator (1/)...... | 5,500 | - |
| Iraq: Fallujah..... | Landfill..... | 880 | 880 |
| Iraq: Mosul..... | Urban Bypass Road..... | 43,000 | - |
| Iraq: Qayyarah West..... | North Entry Control Point..... | 11,400 | 11,400 |
| Iraq: Qayyarah West..... | Perimeter Security Upgrade..... | 14,600 | 14,600 |
| Iraq: Qayyarah West..... | Power Plant..... | 26,000 | - |
| Iraq: Scania..... | Entry Control Point..... | 5,000 | 5,000 |
| Iraq: Scania..... | Water Storage Tanks..... | 9,200 | 9,200 |
| Iraq: Tikrit..... | Urban Bypass Road (1/)...... | - | - |
| Iraq: Victory Base..... | Entry Control Point (1/)...... | - | - |
| Iraq: Victory Base..... | Landfill..... | 6,200 | 6,200 |
| Iraq: Victory Base..... | Level 3 Hospital..... | 13,400 | 13,400 |
| Iraq: Victory Base..... | Wastewater Treatment & Collection System..... | 9,800 | 9,800 |
| Iraq: Victory Base..... | Water Treatment & Storage Phase II..... | 18,000 | 18,000 |
| Iraq: Various Locations..... | Facilities Replacement..... | 72,000 | 72,000 |
| Iraq: Various Locations..... | Overhead Cover - eGlass..... | 135,000 | 135,000 |
| Kuwait: Camp Arifjan..... | Communication Center..... | 30,000 | 30,000 |
| Worldwide: Unspecified..... | Planning and Design (GWOT)..... | 64,200 | 52,800 |
| Worldwide: Unspecified..... | Planning and Design (WIT)..... | 14,600 | 14,600 |
| Worldwide: Unspecified..... | Planning and Design (CDC) (1/)...... | 6,000 | 6,000 |
| Total..... | | 1,581,500 | 1,432,700 |

1/ Requested or deleted by the Dept. of Defense in fiscal year 2008 and/or the March 2008 Adjustments package.

2/ The Committee learned through hearings, site visits, and Departmental briefings that trainee and recruit facilities and medical treatment facilities are two high priority areas in dire need of additional funds. The projects included were identified by the Department as high priority projects and were not included at the request of Members of Congress.

Facilities Replacement.—The amended bill recommends \$72,000,000 to replace deteriorated expeditionary facilities at a variety of locations throughout Iraq. As CENTCOM has not provided Congress with a final plan for how these funds will be spent, bill language is included prohibiting the obligation or expenditure of these funds until CENTCOM submits a detailed spending plan, including a 1391 form for each project by location.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The amended bill recommends \$423,357,000 for Military Construction, Navy and Marine Corps. The funds are provided as follows:

[dollars in thousands]

| Location | Project description | Request | Amended Bill |
|------------------------------|---|----------------|----------------|
| CA: Camp Pendleton..... | 11th Marine Regiment HQ, Amory, BEQ..... | 34,970 | 34,970 |
| CA: Camp Pendleton..... | 5th Marine Regiment Addition, San Mateo..... | 10,890 | 10,890 |
| CA: Camp Pendleton..... | Armory Intelligence Battalion, 16 Area..... | 4,180 | 4,180 |
| CA: Camp Pendleton..... | Armory, Regiment & Battalion HQ, 53 Area..... | 5,160 | 5,160 |
| CA: Camp Pendleton..... | BEQ & Mess Hall HQ (13) Area..... | 24,390 | 24,390 |
| CA: Camp Pendleton..... | EOD Operations Facility..... | 13,090 | 13,090 |
| CA: Camp Pendleton..... | ISR Camp - Intelligence Battalion..... | 1,114 | 1,114 |
| CA: Camp Pendleton..... | JIEDDO Battle Courses (1/..... | 9,270 | 9,270 |
| CA: Camp Pendleton..... | Military Police Company Facilities..... | 8,240 | 8,240 |
| CA: Twentynine Palms..... | Regimental Combat Team HQ Facility..... | 4,440 | 4,440 |
| CA: China Lake NAWS..... | JIEDDO Battle Courses (1/..... | 7,210 | 7,210 |
| CA: Point Mugu..... | JIEDDO Battle Courses (1/..... | 7,250 | 7,250 |
| CA: San Diego..... | Child Development Center (1/..... | 17,930 | 17,930 |
| CA: San Diego MCRD..... | Recruit Barracks..... | 2/ | 43,200 |
| CA: Twentynine Palms..... | JIEDDO Battle Courses (1/..... | 11,250 | 11,250 |
| FL: Whiting Field NAS..... | JIEDDO Battle Courses (1/..... | 780 | 780 |
| MS: Gulfport NCBC..... | JIEDDO Battle Courses (1/..... | 6,570 | 6,570 |
| NC: Camp Lejeune..... | Child Development Center (1/..... | 16,000 | 16,000 |
| NC: Camp Lejeune..... | JIEDDO Battle Courses (1/..... | 11,980 | 11,980 |
| NC: Camp Lejeune..... | Maintenance/Operations Complex 2/9..... | 43,340 | 43,340 |
| SC: Parris Island MCRD..... | Recruit Barracks..... | 2/ | 19,900 |
| VA: Yorktown NWS..... | JIEDDO Battle Courses (1/..... | 8,070 | 8,070 |
| Djibouti: Camp Lemonier..... | CJTF-HOA HQ Facility..... | 29,710 | 29,710 |
| Djibouti: Camp Lemonier..... | Dining Facility..... | 20,780 | 20,780 |
| Djibouti: Camp Lemonier..... | Fuel Farm (1/..... | 4,000 | 4,000 |
| Djibouti: Camp Lemonier..... | Full Length Taxiway (1/..... | 15,490 | 15,490 |
| Djibouti: Camp Lemonier..... | Network Infrastructure Expansion..... | 6,270 | 6,270 |
| Djibouti: Camp Lemonier..... | Water Production..... | 19,140 | 19,140 |
| Djibouti: Camp Lemonier..... | Western Taxiway (1/..... | 2,900 | 2,900 |
| Worldwide: Unspecified..... | Planning and Design (GTF)..... | 7,491 | 7,491 |
| Worldwide: Unspecified..... | Planning and Design (GWOT)..... | 4,300 | 4,300 |
| Worldwide: Unspecified..... | Planning and Design (CDC) (1/..... | 1,101 | 1,101 |
| Worldwide: Unspecified..... | Planning and Design (JIEDDO) (1/..... | 2,951 | 2,951 |
| Total | | 360,257 | 423,357 |

1/ Requested by the Department of Defense in fiscal year 2008 and/or the March 2008 Adjustments package.

2/ The Committee learned through hearings, site visits, and Departmental briefings that trainee and recruit facilities and medical treatment facilities are two high priority areas in dire need of additional funds. The projects included were identified by the Department as high priority projects and were not included at the request of Members of Congress.

Joint IED Defeat Organization (JIEDDO) Battle Courses.—The amended bill recommends \$65,331,000 to construct facilities for enhanced counter-improvised explosive device training in furtherance of the goals of the Joint IED Defeat Organization. These funds address a technical correction in the Administration's fiscal year 2008 Global War on Terror budget request and are offset by a rescission in title IX.

MILITARY CONSTRUCTION, AIR FORCE

The amended bill recommends \$409,627,000 for Military Construction, Air Force. The funds are provided as follows:

[dollars in thousands]

| Location | Project description | Request | Amended Bill |
|-----------------------------|--|---------|--------------|
| CA: Beale AFB..... | Child Development Center (1/) | 17,600 | 17,600 |
| FL: Eglin AFB..... | Child Development Center (1/) | 11,000 | 11,000 |
| NJ: McGuire AFB..... | JIEDDO Battle Courses (1/) | 6,200 | 6,200 |
| NM: Cannon AFB..... | Child Development Center (1/) | 8,000 | 8,000 |
| Afghanistan: Bagram AB..... | East Side Helo Ramp..... | 44,400 | 44,400 |
| Afghanistan: Bagram AB..... | ISR Ramp..... | 26,300 | 26,300 |
| Afghanistan: Bagram AB..... | Parallel Taxiway Phase 2..... | 21,400 | 21,400 |
| Afghanistan: Bagram AB..... | Strategic Ramp..... | 43,000 | 43,000 |
| Iraq: Balad AB..... | Fighter Ramp..... | 11,000 | 11,000 |
| Iraq: Balad AB..... | Foxtrot Taxiway..... | 12,700 | 12,700 |
| Iraq: Balad AB..... | Helicopter Maintenance Facilities..... | 34,600 | 34,600 |
| Kyrgyzstan: Manas AB..... | Strategic Ramp..... | 30,300 | 30,300 |
| Oman: Masirah AB..... | Expeditionary Beddown Site..... | 6,300 | 6,300 |
| Qatar: Al Udeid AB..... | Facility Replacements..... | 40,000 | 40,000 |
| Qatar: Al Udeid AB..... | Northwest (CAS) Ramp (1/) | 60,400 | 60,400 |
| Worldwide: Unspecified..... | Planning and Design (GWOT)..... | 35,000 | 35,000 |
| Worldwide: Unspecified..... | Planning and Design (CDC) (1/) | 1,427 | 1,427 |
| Total | | 409,627 | 409,627 |

1/ Requested by the Department of Defense in the March 2008 Adjustments package.

Joint IED Defeat Organization (JIEDDO) Battle Courses.—The amended bill recommends \$6,200,000 to construct facilities for enhanced counter-improvised explosive device training in furtherance of the goals of the Joint IED Defeat Organization. These funds address a technical correction in the Administration's fiscal year 2008 Global War on Terror budget request and are offset by a rescission in title IX.

MILITARY CONSTRUCTION, DEFENSE-WIDE

The amended bill recommends \$1,009,600,000 for Military Construction, Defense-Wide. The funds are provided as follows:

[dollars in thousands]

| Location | Project description | Request | Amended Bill |
|-----------------------------|------------------------------------|---------|--------------|
| GA: Fort Benning..... | Hospital Replacement..... | 1/ | 350,000 |
| KS: Fort Riley..... | Hospital Replacement..... | 1/ | 404,000 |
| NC: Camp Lejuene..... | Hospital Addition/Alteration..... | 1/ | 122,000 |
| TX: Fort Sam Houston..... | Burn Rehabilitation Center..... | 21,000 | 21,000 |
| Qatar: Al Udeid AB..... | Logistics Storage Warehouse..... | 6,600 | 6,600 |
| Worldwide: Unspecified..... | Planning and Design (MTF)..... | 1/ | 80,000 |
| Worldwide: Unspecified..... | Planning and Design (Guam NH)..... | 1/ | 26,000 |
| | Total | 27,600 | 1,009,600 |

1/ The Committee learned through hearings, site visits, and Departmental briefings that trainee and recruit facilities and medical treatment facilities are two high priority areas in dire need of additional funds. The projects included were identified by the Department as high priority projects and were not included at the request of Members of Congress.

Medical Treatment Facilities Construction.—There is a great concern with the large backlog of needed recapitalization for medical treatment facilities for military service members and their families. The current Future Years Defense Plan (FYDP) for Tricare Management Activity military construction averages \$412,000,000 per year for fiscal years 2009 through 2013, and much of this amount is accounted for by medical research facilities. With the services identifying recapitalization requirements ranging in the several billions of dollars, the current FYDP for medical construction is obviously and severely insufficient. The Department's inventory of medical treatment facilities is riddled with aging hospitals, clinics, and other facilities that do not meet current standards for medical care. Adding to this problem is the fact that several installations are adding thousands of personnel and dependents due to Base Realignment and Closure, the relocation of units from Europe and Korea to the United States, and the Growing the Force initiative that will add 92,000 active duty personnel to the Army and Marine Corps. The amended bill therefore recommends \$982,000,000 for additional medical treatment facility construction. These funds will provide for the Army's top two priority hospital replacement projects in the United States as well as a top priority hospital addition/alteration for the Marine Corps. These funds also provide for the planning and design of a new hospital on Guam, the Navy's top priority hospital replacement project.

The Department of Defense is also directed to develop a comprehensive master plan for medical treatment facilities construction, to include both recapitalization and new requirements. This plan shall include a comprehensive priority list of projects for all services, provide a cost estimate for each project, supply data on the current state of facilities and the projected change in demand for services due to growth for each location on the list, indicate the extent to which identified construction requirements are programmed in the FYDP, and indicate the resources required for associated planning and design work. This report shall be submitted to the Committees on Appropriations no later than December 31, 2008.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

The amended bill recommends \$11,766,000 for Family Housing Construction, Navy and Marine Corps. The funds are provided as follows:

[dollars in thousands]

| Location | Project description | Request | Amended Bill |
|---------------------------|---------------------------------------|---------|--------------|
| CA: Camp Pendleton..... | Public-Private Venture, Phase 6B..... | 10,692 | 10,692 |
| CA: Twentynine Palms..... | Public-Private Venture, Phase 2A..... | 1,074 | 1,074 |
| | Total | 11,766 | 11,766 |

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

The amended bill recommends \$1,354,634,000 for Department of Defense Base Closure Account 2005 instead of \$1,202,886,000 as requested by the Administration. The amount provided fully funds the Administration's request to expedite medical facility construction at Bethesda and Fort Belvoir, and in addition provides \$938,724,000 to fully fund the fiscal year 2008 budget for BRAC 2005.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

The amended bill recommends \$100,000,000 for General Operating Expenses to implement the provisions of title III of this Act.

INFORMATION TECHNOLOGY SYSTEMS

The amended bill recommends \$20,000,000 for Information Technology Systems to implement the provisions of title III of this Act, including support for any personnel increases within the Veterans Benefits Administration.

GENERAL PROVISION, THIS CHAPTER

The amended bill includes a general provision related to the Armed Forces Institute of Pathology.

CHAPTER 4 – DEPARTMENT OF STATE AND FOREIGN OPERATIONS

SUBCHAPTER A– SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008

INTRODUCTION

The budget request totals \$5,073,608,000 in emergency supplemental funds for fiscal year 2008, and the State, Foreign Operations Appropriations Act, 2008 (Public Law 110-161) provided \$1,473,800,000 for immediate requirements. The amended bill provides for Department of State and Foreign Operations a total of \$5,073,608,000, the same as the pending budget request.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The budget request included \$2,283,008,000 for Diplomatic and Consular Programs, of which \$575,000,000 was appropriated in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110-161) for operations and security at the United States Embassy in Iraq.

The amended bill includes \$1,606,808,000 for Diplomatic and Consular Programs, which is \$101,200,000 below the pending request. Within the amount provided, \$210,508,000 is for worldwide security protection. Funds for diplomatic and consular programs are to be allocated as follows:

Diplomatic and Consular Programs
(\$ in thousands)

| Activity | Pending Request | Amended Bill | Change from Request |
|--|------------------|------------------|---------------------|
| Iraq Diplomatic Operations | 1,545,608 | 1,295,000 | -250,608 |
| Afghanistan - Operations and Worldwide Security Protection | 162,400 | 205,200 | 42,800 |
| Pakistan - Operations | 0 | 7,500 | 7,500 |
| Western Hemisphere Travel Initiative | 0 | 1,000 | 1,000 |
| Global Worldwide Security Protection | 0 | 48,108 | 48,108 |
| Civilian Workforce Initiative | 0 | 50,000 | 50,000 |
| Total, Diplomatic and Consular Programs | 1,708,008 | 1,606,808 | -101,200 |

Afghanistan.—Within the total, the amended bill includes \$205,200,000, which is \$42,800,000 above the request, and is for necessary expenses for diplomatic and security operations in Afghanistan. Of this amount, \$162,400,000 is for enhanced security operations, including additional high threat protection teams, increased overhead cover and physical security measures, replacement of armored vehicles, and local guard service. In addition, \$24,000,000 is for the establishment of a Department of State-managed air transport capability in Afghanistan for Department of State and United States Agency for International Development (USAID) personnel to manage country programs, provide support for medical evacuation and other security-related operations. Finally, \$18,800,000 is for support of operations and personnel for Provincial Reconstruction Teams (PRTs) in Afghanistan.

Pakistan.—The amended bill includes \$7,500,000 for operations, security, and personnel engaged in diplomatic activities aimed at promoting economic development and political change in the Federally Administered Tribal Areas (FATA) along the Pakistan and Afghanistan border.

Iraq.—Within the total, \$1,295,000,000 is for the diplomatic and security operations of the United States Mission in Iraq, which is \$250,608,000 below the pending request. The cost of operations of the United States Embassy in Iraq totals

\$2,286,000,000 for fiscal year 2008 including \$1,295,000,000 provided in this Act, \$575,000,000 provided as bridge funding in Public Law 110-161 and \$416,000,000 in funds carried over from prior year appropriations. Of that amount, nearly \$900,000,000 is for supporting security requirements for diplomatic and development personnel in Iraq. The amended bill includes funding for mission operations, security, logistics support, information technology and operations of PRTs. Congress has provided an additional \$196,543,000 since fiscal year 2006 for additional facilities requirements identified by the Department of State, as follows: extend the perimeter wall; construct a dining facility; construct additional housing; construct a tactical operations center for Diplomatic Security; construct a static guard camp; and construct overhead cover. The actual cost of building the New Embassy Compound (NEC) has reached a total of \$788,543,000 to date.

The number of permanent and temporary personnel assigned to Iraq, with the exception of USAID, should be decreased to accommodate all personnel within the NEC and any improvements can be made with previously appropriated funds. USAID will play a critical role in assisting the Government of Iraq in effectively allocating its budgetary resources.

The additional \$43,804,000 requested for follow-on projects for the NEC in Baghdad is not included. At least \$77,027,000 in prior year funding programmed for follow-on projects is available for obligation and these funds should be used to provide secure housing for a smaller number of personnel.

None of the funds provided under this heading in this Act shall be made available for follow-on projects, other than the proposed funding for overhead cover. The Department should include a detailed plan for the use of funds for follow-on projects as part of the spending plan required by this Act.

Due to an extended accreditation and verification process and the addition of follow-on projects, occupancy of the NEC offices and housing has been delayed. This rigorous process to address and validate whether the NEC was constructed to code and contract specifications was supported. Now that the process is complete, direct occupancy of the offices and housing should proceed without delay in order to provide the maximum protection to United States personnel.

The benefits of co-location of the Departments of State and Defense in the NEC are recognized. However, the proposed New Office Building (NOB) and the Interim Office Building (IOB) reconfigurations are projected to delay occupancy of NEC offices by up to one year. Given the difficult security environment in Baghdad, this lengthy delay is not acceptable. The Departments of State and Defense are expected to consult with the Committees on Appropriations on options for moving forward with limited co-location plans in the most accelerated, secure, and cost effective manner. Any future construction in Iraq shall be subject to the Capital Security Cost Sharing Program, in the same manner as all other embassy construction projects worldwide.

There is a concern that private security contractors have been relied upon without the necessary authority, oversight, or accountability. The Department of State is directed to provide a report to the Committees on Appropriations not later than 45 days after enactment of this Act on the implementation status of each of the recommendations of the October 2007 report of the Secretary of State's Panel on Personal Protective Services.

The Department of State is encouraged to aggressively review security procedures and seek the necessary authority to ensure that increased security is achieved.

Sudan.—The amended bill includes resources to support the diplomatic mission in Sudan including the United States Special Envoy for Sudan.

Local Guard Forces-Worldwide Security Protection.—The amended bill also includes \$48,108,000 above the request for global worldwide security protection. The amount provided is available to restore 100 positions in the global diplomatic security guard force that were redirected to Iraq to address urgent security requirements for United States personnel elsewhere in the world.

Civilian Workforce Initiative.—The amended bill includes \$50,000,000 to increase the civilian diplomatic capacity of the Department of State to meet the increasing and complex demands of diplomacy in the 21st century. Within the total, \$30,000,000 is for the initial development and deployment of a civilian capacity to respond to post-conflict stabilization and reconstruction challenges and \$20,000,000 is to strengthen capabilities of the United States diplomatic corps and promote broader engagement with the rest of the world, including expanding training and enhanced interagency collaboration.

The amended bill includes funds to replace Foreign Service positions worldwide which were previously moved to Iraq and to increase the number of positions participating in critical needs foreign language training. The Department of State has transferred approximately 300 Foreign Service positions from embassies around the world to Iraq and to associated language training, leaving key posts understaffed. These funds are to be used to support United States foreign policy in priority, understaffed regions, particularly South and East Asia, the Western Hemisphere, and Africa.

Funds made available for the civilian stabilization initiative are for the Active and Standby Response Corps portion of the initiative and to enhance operations of the Office of the Coordinator for Reconstruction and Stabilization. In addition to the funds provided to the Department of State, \$20,000,000 is appropriated in this Act under the heading, “Operating Expenses of the United States Agency for International Development” to implement the USAID portion of the civilian stabilization initiative. The funding request for the Civilian Response Corps will be considered as part of the fiscal year 2009 appropriations process and none of the funds provided in this Act are to be used to implement the civilian response corps portion of the initiative.

Middle East Peace Process.—The diplomatic operations that accompany the Middle East peace process are supported in fiscal year 2008. The Department of State should consult with the Committees on Appropriations on the use of funds for this purpose.

Directorate of Defense Trade Controls.—Increased demands on the Directorate of Defense Trade Controls’ Office of Defense Trade Controls Licensing have led to delays in license processing. The Secretary of State is directed to review the workload demands and staffing needs of the office and report any recommendations to the Committees on Appropriations not later than 45 days after enactment of this Act.

Western Hemisphere Travel Initiative.—The amended bill includes not less than \$1,000,000 to expand public outreach efforts related to implementation of the Western Hemisphere Travel Initiative (WHTI). With WHTI implementation occurring as early as June 2009, there is concern about the lack of a comprehensive, coordinated plan between

the Department of State, the Department of Homeland Security, and the United States Postal Service to broadly disseminate information to the traveling public concerning the final WHTI implementation requirements at the nation's land and seaports. The Department of State is encouraged to provide significantly increased outreach to border communities, including through radio, print media, and additional passport fairs.

Buying Power Maintenance Account.—The amended bill includes authority to transfer funds available in this Act, and in a prior Act, to the Buying Power Maintenance Account in accordance with section 24 of the State Department Basic Authorities Act, to manage exchange rate losses in fiscal year 2008.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes an additional \$7,500,000 for Office of Inspector General at the Department of State, which is \$7,500,000 above the pending request. Of the total, \$5,000,000 is to enhance the Department of State Inspector General's oversight of programs in Iraq and Afghanistan, and \$2,500,000 is for operations of the Special Inspector General for Iraq Reconstruction (SIGIR).

The Inspectors General of USAID, the Department of State, the Department of Defense, the Government Accountability Office, SIGIR, and the Special Inspector General for Afghanistan Reconstruction, to the maximum extent practicable, should coordinate and de-conflict all activities related to oversight of security, stability, and reconstruction programs in Iraq and Afghanistan. The Department of State or the USAID Office of Inspector General should be designated as the lead for any investigations or audits of worldwide programs as they relate to the specific programs in Iraq or Afghanistan.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The amended bill includes \$76,700,000 for urgent embassy security, construction, and maintenance costs, which is \$83,300,000 below the request. The funds are to construct 300 secure apartments and a secure office building, including the necessary perimeter security, utility, and dining facilities, for United States Mission staff in Afghanistan. Currently, there are a small number of permanent construction apartments and the majority of diplomatic and Mission personnel live in structures with limited protection. Additional funds for this purpose are provided in subchapter B.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The amended bill includes \$53,000,000 for Contributions to International Organizations, which is for United States contributions to the UN Assistance Mission in Afghanistan and the UN Assistance Mission in Iraq, as requested.

The Department of State is directed, not later than 45 days after enactment of this Act, to provide a report to the Committees on Appropriations detailing total United States-assessed contributions, any arrears from prior years and potential arrears for fiscal years 2008 and 2009 for each of the organizations funded under this heading.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The budget request included \$723,600,000 for Contributions for International Peacekeeping Activities, of which \$390,000,000 of funds designated as an emergency was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110-161) for the United States Contribution to the United Nations/African Union hybrid peacekeeping mission to Darfur (UNAMID).

The amended bill includes \$333,600,000 for UNAMID, which is the same as the request.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

The budget request included \$80,000,000 for International Disaster Assistance. The State, Foreign Operations Appropriations Act, 2008 (Public Law 110-161) provided \$110,000,000 for emergency humanitarian requirements.

The amended bill includes \$200,000,000 for International Disaster Assistance, which is \$200,000,000 above the pending request. These funds should be used to respond to urgent humanitarian requirements worldwide, including in countries severely affected by the international food crisis.

The amended bill also includes funds under this heading and the heading "Development Assistance" in subchapter B to help address the international food crisis. Programs should address both rural and urban food requirements. Funds are also available to augment humanitarian assistance to those affected by Cyclone Nargis in Burma, and the recent earthquake in China.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The budget request included \$61,800,000 for Operating Expenses of the United States Agency for International Development, of which \$20,800,000 was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110-161) for operations in Iraq.

The amended bill includes \$142,000,000 for Operating Expenses of the United States Agency for International Development.

Of the funds provided under this heading, the amended bill includes \$41,000,000 to continue support for security needs in Iraq and Afghanistan, which is the same as the request. In addition, \$31,500,000 is included to increase support for staffing, security, and operating needs in Afghanistan and Sudan, and \$19,500,000 in Pakistan.

The amended bill also includes \$20,000,000 to support the development of the Active and Standby Response Corps portion of the Civilian Stabilization Initiative and none of the funds provided in this Act may be used to develop the Civilian Response Corps. Additional funding for this initiative is provided in the "Diplomatic and Consular Programs" account for the Department of State portion of the initiative.

In addition, the amended bill includes \$30,000,000 to enable USAID to hire above attrition in fiscal year 2008. The Administration's request for fiscal year 2009 includes \$92,000,000 for hiring 300 USAID foreign service officers as part of a three-year initiative. Funding provided in this Act is intended to support the hiring of at least 85 additional Foreign Service officers in fiscal year 2008 in order to begin rebuilding the capacity of the Agency to carry out its mission. USAID is directed to consult with the Committees on Appropriations on the use of these funds and to recruit mid-career personnel. As USAID seeks to strengthen its workforce, USAID is encouraged to consult with the Department of Defense on ways to benefit from the experience of retiring officers.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

OFFICE OF THE INSPECTOR GENERAL

The amended bill includes an additional \$4,000,000 for the United States Agency for International Development Office of Inspector General to support increased oversight of programs in Iraq and Afghanistan.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

The budget request included \$2,217,000,000 for Economic Support Fund (ESF), of which \$208,000,000 was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110-161) for emergency requirements in the West Bank and in North Korea, as requested.

The amended bill includes a total of \$1,747,000,000 for ESF. Of the funds requested under ESF, \$75,000,000 is provided under the heading Democracy Fund for political development programs for Iraq. Funds are to be allocated as follows:

ECONOMIC SUPPORT FUND

(\$ in thousands)

| Country and Region | Amended bill |
|--------------------|--------------|
| Iraq | 440,000 |
| Afghanistan | 859,000 |
| Mexico | 20,000 |
| Central America | 15,000 |

| | |
|--------------|------------------|
| West Bank | 100,000 |
| North Korea | 53,000 |
| Jordan | 150,000 |
| Sudan | 45,000 |
| Africa | 40,000 |
| Bangladesh | 25,000 |
| Total | 1,747,000 |

Iraq.—The amended bill includes \$440,000,000 for Iraq, which is \$357,000,000 below the request. The sums provided should enable the Department of State and USAID to continue programs in Iraq through the end of fiscal year 2008 and into the first two quarters of fiscal year 2009.

After providing more than \$45,000,000,000 to help rebuild Iraq, the United States should seek to reduce bilateral assistance levels, and correspondingly to reduce the number of Department of State personnel involved in the reconstruction effort who are located in Iraq. Continued United States assistance for Iraq is supported, but the Government of Iraq is required to match such assistance dollar-for-dollar, with certain exceptions.

Funds provided for Iraq are to be allocated as follows:

| IRAQ PROGRAMS (\$ in thousands) | | | |
|--|----------------------------|---------------|---------------------------|
| Activity | Pending FY 2008 Request | Amended bill | Change from Request |
| Provincial Reconstruction Teams (PRTs) | 165,000 | 140,000 | -25,000 |
| <i>Provincial Reconstruction Development Councils</i> | <i>100,000</i> | <i>85,000</i> | <i>-15,000</i> |
| <i>Local Governance Program</i> | <i>65,000</i> | <i>55,000</i> | <i>-10,000</i> |
| Community Stabilization Program (CSP) | 155,000 | 100,000 | -55,000 |
| Community Action Program (CAP) | 0 | 75,000 | 75,000 |
| Infrastructure Security Protection for Oil, Water and Electricity | 70,000 | 0 | -70,000 |
| Operations and Maintenance of Key USG-Funded Infrastructure | 134,000 | 10,000 | -124,000 |
| Iraqi-American Enterprise Fund | 25,000 | 0 | -25,000 |

| | | | |
|--|----------------|----------------|-----------------|
| Provincial Economic Growth (<i>including Agriculture and Microfinance</i>) | 0 | 40,000 | 40,000 |
| National Capacity Development | 248,000 | 70,000 | -178,000 |
| Marla Fund | 0 | 5,000 | 5,000 |
| Total | 797,000 | 440,000 | -357,000 |

Community Action Program (CAP).—The amended bill includes \$75,000,000 for continued support for the Community Action Program.

Community Stabilization Program (CSP).—Within the amount provided for Iraq, \$100,000,000 is for the CSP, which is \$55,000,000 below the request. Recent findings of a March 18, 2008 USAID Inspector General audit (E-267-08-001-P) of possible fraud and misuse of some of the funds under this program are of concern. Therefore the amended bill withholds 50 percent of funding until the Secretary of State certifies and reports that USAID is implementing recommendations contained in the audit to ensure proper use of funds.

Enterprise Fund.—The amended bill includes no funding for an enterprise fund for Iraq and includes a general provision specifically denying the establishment of such an enterprise fund from this or any prior Acts.

Infrastructure Security Protection for Oil, Water, and Electricity.—The amended bill does not include funding for these functions, which should be supported by the Government of Iraq.

Operations and Maintenance of Key U.S. Government-Funded Infrastructure. — The amended bill includes \$10,000,000 for Operations and Maintenance of key United States government-funded infrastructure, which is \$124,000,000 below the request. These functions should be funded by the Government of Iraq and this Act includes sufficient funding to allow the United States to provide technical assistance and training. In addition, the amended bill conditions the funds on the signing and implementation of an asset transfer agreement between the United States and Iraq.

Marla Ruzicka Iraqi War Victims Fund.—The amended bill includes \$5,000,000 for the Marla Ruzicka Iraqi War Victims Fund for continued assistance for Iraqi civilians who suffer losses as a result of the military operations.

Provincial Economic Growth.—The amended bill includes \$40,000,000 for provincial economic growth activities, of which \$10,000,000 should be available for programs to assist vulnerable Iraqi minority groups, including Christians. The Secretary of State should designate staff at United States Embassy Baghdad to oversee and coordinate such assistance.

National Capacity Development (NCD).—Within the amount provided in ESF for Iraq, \$70,000,000 is provided for NCD, which is \$178,000,000 below the request.

Afghanistan.—The amended bill includes \$859,000,000 in ESF for Afghanistan, which is \$25,000,000 above the request.

USAID is directed to review its reconstruction efforts in Afghanistan; focus its assistance, including capacity building, through local Afghan entities; give greater attention to accountability and monitoring to minimize corruption; and emphasize programs which directly improve the economic, social, and political status of Afghan women and girls. Funds provided for Afghanistan are to be allocated as follows:

AFGHANISTAN PROGRAMS

(\$ in thousands)

| Activity | Pending FY 2008 Request | Amended bill | Change from Request |
|---|----------------------------|----------------|---------------------------|
| Roads | 329,000 | 200,000 | -129,000 |
| Power | 175,000 | 150,000 | -25,000 |
| Trade and Investment | 5,000 | 7,000 | 2,000 |
| Rural Development/Alternative Livelihoods | 0 | 65,000 | 65,000 |
| Governance and Capacity Building | 275,000 | 230,000 | -45,000 |
| 2009 Elections | 100,000 | 70,000 | 30,000 |
| Provincial Reconstruction Teams (PRTs)/Provincial | 0 | 50,000 | 50,000 |
| Health and Education | 50,000 | 75,000 | 25,000 |
| Civilian Assistance Program | 0 | 10,000 | 10,000 |
| NATO Fund | 0 | 2,000 | 2,000 |
| Total | 834,000 | 859,000 | 25,000 |

Roads.—The amended bill includes \$200,000,000 for roads, which is \$129,000,000 below the request. An additional \$300,000,000 for road construction in Afghanistan has been requested through the Department of Defense under the Commanders Emergency Response Program.

Power.—The amended bill includes \$150,000,000 for power, which is \$25,000,000 below the request. The request includes funding for gas and diesel power projects and there is a concern that diesel generators are costly to maintain and will exacerbate Kabul's already heavily polluted air. The completion of the north-south transmission line to enable Afghanistan to purchase electricity from its northern neighbors for distribution to other areas of the country is supported. Funding for the Northern Electrical Power System or the Shebergan Gas-Fired Plant is not included.

The World Bank should play a larger role in financing such infrastructure projects. It is noted that Afghanistan has considerable potential for small hydro and solar power development to service Afghanistan's many remote communities that have no other access to electricity, and directs that not less than \$15,000,000 of the funds be used for renewable energy projects in rural areas.

Rural Development and Alternative Livelihoods.—The amended bill includes \$65,000,000 for rural development and alternative livelihood programs and an additional \$65,000,000 for counternarcotics under the “International Narcotics Control and Law Enforcement” account to expand and scale up counternarcotics programs in Afghanistan.

The Administration did not request funding for counternarcotics. The Secretary of State is directed to consult with the Committees on Appropriations on the use of these funds.

Provincial Reconstruction Teams.—The amended bill provides \$50,000,000 for PRTs in Afghanistan. The Administration did not request funds for this purpose.

Governance and Capacity Building.—The amended bill provides \$230,000,000 for governance and capacity building programs, which is \$45,000,000 below the request, to fund rule of law, human rights, local and national capacity building, and elections assistance. Of the amounts provided, not less than \$65,000,000 shall be for the National Solidarity Program to support small-scale development initiatives; and not less than \$70,000,000 shall be for preparations for the 2009 elections. The funding shall be programmed in a manner consistent with the Afghan National Development Strategy.

Civilian Assistance.—The amended bill includes \$10,000,000 for USAID's Afghan Civilian Assistance Program to continue assistance for civilians who have suffered losses as a result of the military operations, and \$2,000,000 for the NATO/ISAF Post-Operations Humanitarian Relief Fund.

Pakistan.—The amended bill does not include \$60,000,000 requested for Pakistan. These needs are addressed in funding appropriated in the fiscal year 2009 bridge.

Jordan.—The amended bill includes \$150,000,000 for economic assistance to Jordan, which is \$150,000,000 above the request. The government of Jordan remains a key ally and has played a leading role in supporting peace initiatives in the Middle East. Programming of these resources should be done in consultation with the Government of Jordan and refugee relief organizations and should be used to meet the needs of Iraqi refugees.

West Bank.—The amended bill includes not more than \$100,000,000 for economic assistance for the West Bank, which is \$95,000,000 below the request. The Administration has an unobligated balance of \$120,000,000 for economic assistance for the West Bank from funds appropriated in prior acts. The additional sums appropriated in this Act will provide sufficient resources to continue programs for an additional year at the current rate of expenditure. The Department of State is directed to provide a report to the Committees on Appropriations not later than 90 days after the enactment of this Act on how United States economic assistance for the West Bank supports the larger Palestinian Reform and Development Plan as well as a description of other donor support of this plan. The report should describe how assistance from the United States and other donors will improve conditions in the West Bank, including through job creation and housing programs.

Sudan.—The amended bill includes \$45,000,000 for assistance for Sudan to support election-related activities.

Africa.—The amended bill includes \$40,000,000 for assistance for Africa to address political transitions in Kenya, Zimbabwe, the Democratic Republic of the Congo, northern Uganda, and eastern Chad.

Mexico.—The amended bill includes \$20,000,000 for assistance for Mexico for institution building and support of civil society. Funding for these purposes was requested through the International Narcotics and Law Enforcement (INCLE) account. The amended bill includes \$5,000,000 for human rights training for police, prosecutors, and prison officials; \$3,000,000 for victim and witness protection; and \$3,000,000 to

support NGOs and civil society. The amended bill also includes \$5,000,000 for a literacy program for local police. USAID is encouraged to work with non-governmental organizations, civil society, and local police to replicate the literacy program being implemented in Nezahualcoyotl, Mexico. The amended bill also includes funding for the Office of the UN High Commissioner for Human Rights in Mexico. The Department of State is directed to work with the UN and civil society organizations in Mexico to promote respect for international human rights at all levels of the Mexican Government.

Central America.—The amended bill includes \$15,000,000 for Central America in fiscal year 2008, in addition to funds otherwise made available for assistance for countries in Central America for a program to be called the "Economic and Social Development Fund for Central America", to be administered by USAID, in consultation with the Department of State. The purpose of the program is to promote economic and social development and good governance in targeted, low-income areas, including rural communities, where people are particularly vulnerable to drug trafficking and related violent crime. These funds should support programs that emphasize community initiatives and public-private partnerships. United States funds should be matched with contributions from public and private sources to the maximum extent practicable. USAID is directed to consult with the Committees on Appropriations prior to the obligation of these funds.

North Korea.—The amended bill includes up to \$53,000,000 for assistance for North Korea in support of the goals of the Six-Party talks, which is the same as the request. This is in addition to the \$53,000,000 appropriated in division J of Public Law 110-161. The recommendation also includes a proviso conditioning the obligation of the assistance for North Korea on the Secretary of State reporting to the Committees on Appropriations that North Korea is continuing to fulfill its commitments under the Six-Party Talks agreements.

Bangladesh.—The amended bill includes \$25,000,000 for assistance for Bangladesh for cyclone recovery and reconstruction assistance.

DEPARTMENT OF STATE

DEMOCRACY FUND

The amended bill includes \$75,000,000 for Democracy Fund programs, requested under the heading "Economic Support Fund", for democracy activities in Iraq. These funds are intended to be made available through nongovernmental organizations, including the National Endowment for Democracy and the United States Institute for Peace.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The amended bill includes \$419,300,000 for International Narcotics Control and Law Enforcement activities in Afghanistan, Iraq, Mexico, Central America, Haiti, the Dominican Republic, and the West Bank, which is \$314,700,000 below the request.

Iraq.—The amended bill provides \$85,000,000 for Iraq for justice and rule of law programs, which is \$74,000,000 below the request. Funding for prison construction is not included.

Afghanistan.—The amended bill includes \$65,000,000, which is \$65,000,000 above the request, to accelerate and expand programs to strengthen counternarcotics efforts, to improve the training of the Afghan police, including border police, to advance the development of institutional capacity professionalism of the justice sector, and to help facilitate cooperation between the police and the judiciary at both the national and regional levels. The Department of State is directed to report to the Committees on Appropriations not later than 180 days after enactment of this Act on the level of counternarcotics cooperation by the Government of Afghanistan at the national and regional level and should detail, nationally and by province, the steps that the Government of Afghanistan is taking to arrest and prosecute leaders of Afghan drug cartels; disarm and disband private militias; and end corruption among national and provincial police forces.

Central America.—The amended bill includes \$29,300,000 for assistance for Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama, and an additional \$5,000,000 for Haiti and the Dominican Republic under the Merida Initiative. Although funding was requested only through the INCLE account, funding for the Merida Initiative is provided in the accounts from which such activities are traditionally funded. The amended bill provides funding for specialized police training and non-lethal equipment to strengthen the law enforcement and criminal justice institutions for the purpose of combating drug trafficking and related violent crime and increasing the capacity and professionalism of Central American police forces. The impunity within the military and police forces of several of these countries is of concern, and their justice systems are corrupt and ineffective. There is a concern that United States assistance may be wasted or misused and therefore the Secretary of State is directed to submit a report, prior to the obligation of funds, on mechanisms in place to ensure adequate monitoring of funds.

The Secretary of State is directed to submit a report not more than 90 days after enactment of this Act detailing efforts by the Guatemalan Government to propose and promote legislation to raise the necessary revenues in Guatemala to fund comprehensive judicial and law enforcement reform.

The omission of Haiti and the Dominican Republic from the request for the Merida Initiative makes it more likely that these vulnerable countries would become increasingly favored transit routes for drug traffickers. The amended bill includes \$2,500,000 for Haiti and \$2,500,000 for the Dominican Republic as part of the Merida Initiative to support counternarcotics and border security programs, and institution-building and rule of law programs.

Mexico.—There is a shared responsibility between the United States and Mexico to combat drug trafficking and related violent crime. The amended bill supports a cooperative partnership between Mexico and the United States and supports coordinated security. The amended bill includes \$210,000,000 to enable the Government of Mexico to expand and modernize its immigration database and document verification system, establish secure communications for Mexican national security agencies, procure non-intrusive inspection equipment, and support interdiction efforts as well as institution-

building. The amended bill includes \$10,000,000 for demand reduction and drug rehabilitation activities; \$3,000,000 to provide technical and other assistance to enable the Government of Mexico to put into service a unified national police registry; and not more than \$24,000,000 for program development and support.

Corruption and impunity within Mexico's armed forces and police are pervasive. Additionally, Mexican law enforcement and intelligence agencies have frequently persecuted legitimate groups for engaging in peaceful dissent. Recommendations of the National Human Rights Commission are often ignored and investigations of violations of human rights by Mexican military and police forces rarely result in convictions. Therefore, the Secretary of State is directed to report to the Committees on Appropriations prior to the obligation of assistance that mechanisms are in place in order to ensure proper vetting of recipients of United States assistance. Additionally, the amended bill provides resources to ensure a comprehensive database for vetting military and police forces shall be established by the United States Embassy in Mexico City and continually updated.

There is concern with the failure to investigate and prosecute the police officers responsible for human rights violations, including rape and sexual violence against women, at San Salvador Atenco on May 3-4, 2006, and in Oaxaca between June and December 2006. These and other such violations by members of the Mexican armed forces and police forces have been documented and require thorough, credible and transparent investigation and prosecution by the Mexican Attorney General. Additionally, the state and Federal investigations into the October 27, 2007, killing in Oaxaca of American citizen Bradley Will have been flawed and the Secretary of State is directed, not later than 45 days after enactment of this Act and 120 days thereafter, to submit a report to the Committees on Appropriations detailing progress in conducting a thorough, credible, and transparent investigation to identify the perpetrators of this crime and bring them to justice. The Department of State should work with relevant Federal government agencies of the United States to assist in the investigation of this case.

West Bank—The amended bill includes \$25,000,000 for ongoing training of vetted units of the Palestinian National Security Forces, which is the same as the request.

MIGRATION AND REFUGEE ASSISTANCE

The budget request included \$230,000,000 for Migration and Refugee Assistance, of which \$200,000,000 was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110-161) for emergency refugee requirements in Iraq and the West Bank.

The amended bill includes \$300,000,000 for Migration and Refugee Assistance, which is \$270,000,000 above the pending request. Funds should be made available to meet unmet global refugee needs, including to assist Iraqi refugees in Jordan, Syria, Lebanon, Egypt, and the surrounding region, as well as internally displaced persons in Iraq. Funds may also be used, if necessary, for the admissions costs of Iraqis granted special immigrant status under the Special Immigrant Visa program authorized by the National Defense Authorization Act of 2008. In addition, funds may be used to offset administrative costs associated with the expanded requirements of the Iraqi refugee program, in consultation with the Committees on Appropriations.

The humanitarian crisis involving Iraqi refugees and internally displaced persons is of concern and the Government of Iraq has dedicated insufficient resources to assist this most vulnerable segment of the Iraqi population. The Department of State is directed to urge the Government of Iraq to provide a substantial increase in funding for humanitarian assistance to the Iraqi refugee population residing in the region and within the country. In addition, the Secretary of State should ensure that the Senior Coordinator for Iraqi Refugee Issues gives particular attention to the needs of vulnerable minority groups, including ethnic and religious minorities.

The welfare and security of the 7,900 Lao Hmong in the Thai military camp in Petchaboon, northern Thailand is of concern and the Government of Thailand is urged to support a transparent screening process to identify those who have a legitimate fear of return to Laos. Any attempt to force the return of Hmong refugees to Laos is strongly opposed.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The amended bill includes \$25,000,000 for the United States Emergency Refugee and Migration Assistance Fund to prevent depletion of this emergency fund.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The amended bill includes \$11,200,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs, which is \$6,200,000 above the request.

Of these funds, \$5,000,000 is for presidential protective service support in Afghanistan, which is the same as the request.

Central America.—The amended bill also includes \$6,200,000 for the Merida Initiative for the countries of Central America, which is \$6,200,000 above the request. Although funding for these purposes was requested only through the INCLE account, funding has been provided in the NADR account, from which such activities are traditionally funded.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The amended bill includes \$72,500,000 for Foreign Military Financing Program, which is \$72,500,000 above the request.

Central America.—The amended bill includes \$6,000,000 to augment the ongoing naval cooperation program and maritime security assistance of Operation Enduring Friendship. Funds are provided to strengthen the ability of the countries of Central America to secure their maritime domains, and complement existing regional systems and programs to improve maritime security and interdiction capabilities.

Mexico.—The amended bill includes \$66,500,000 in support of a gradual strengthening of military-to-military cooperation between the United States and Mexico.

SUBCHAPTER B—BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR
FISCAL YEAR 2009

The budget request totals \$3,605,000,000 in emergency supplemental funds for fiscal year 2009. The amended bill provides a total of \$3,600,000,000 for the Department of State, Foreign Operations, and related programs for fiscal year 2009 emergency supplemental requirements, which is \$5,000,000 below the request.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The amended bill includes \$737,900,000 for Diplomatic and Consular Programs. Within this amount, \$78,400,000 is available for worldwide security protection and not more than \$581,500,000 is available as a bridge fund for Iraq operations.

To meet increased security and personnel requirements, the amended bill includes \$91,400,000 for Afghanistan, \$7,000,000 for Pakistan, \$3,000,000 for Somalia, and \$15,000,000 for Sudan. In addition, the amended bill includes \$40,000,000 to continue the support of new positions to develop language and other critical skills of the diplomatic corps and for civilian post-conflict stabilization initiatives.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes \$57,000,000 for the Office of the Inspector General at the Department of State, of which \$5,500,000 is to continue oversight of programs in Iraq and Afghanistan.

Special Inspector General for Iraq Reconstruction (SIGIR).—The amended bill includes \$46,500,000 for the SIGIR for continued oversight of United States reconstruction programs in Iraq, as authorized by section 3001 of Public Law 108-106.

Special Inspector General for Afghanistan Reconstruction (SIGAR).—The amended bill includes \$5,000,000 for the SIGAR, for which no funds were requested, and which is authorized by section 1229 of Public Law 110-181. Such funds shall be used for oversight of United States reconstruction programs in Afghanistan. None of the funds shall be used to duplicate investigations that have been conducted or to support offices or systems of inspectors general at the Department of State or USAID. The SIGAR should co-locate staff and “back office” support systems with other inspectors general to the extent feasible.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The amended bill includes \$41,300,000 for urgent embassy security, construction and maintenance costs. Funds should be used to construct safe and secure office space for the increasing number of diplomatic and development personnel living and working in Kabul, Afghanistan.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The amended bill includes \$75,000,000 for Contributions to International Organizations.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The amended bill includes \$150,500,000 for Contributions for International Peacekeeping Activities to fund the Administration's revised estimate of the United States-assessed contribution to international peacekeeping.

RELATED AGENCIES

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The amended bill includes \$8,000,000 for International Broadcasting Operations.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

GLOBAL HEALTH AND CHILD SURVIVAL

The amended bill includes \$75,000,000 for Global Health and Child Survival to continue programs to combat avian influenza.

DEVELOPMENT ASSISTANCE

Food Security Initiative.—The amended bill includes \$200,000,000 for Development Assistance, which is for a new Food Security Initiative to promote food security in countries affected by significant food shortages, including programs to assist farmers to increase crop yields. Of this amount, up to \$50,000,000 should be used for

local and regional purchase. The Secretary of State is directed to submit a report to the Committees on Appropriations not later than 45 days after enactment of this Act, and prior to the initial obligation of funds, on the proposed uses of funds to alleviate starvation, hunger, and malnutrition overseas, including a list of those countries facing significant food shortages.

INTERNATIONAL DISASTER ASSISTANCE

The amended bill includes \$200,000,000 for International Disaster Assistance to meet urgent humanitarian requirements worldwide, including support for critical needs in Bangladesh. A portion of these funds should be used for assistance for internally displaced persons in Iraq and Afghanistan. In addition, funds are available under this heading to assist in the response to the international food crisis.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The amended bill includes \$93,000,000 for Operating Expenses of the United States Agency for International Development to address staffing, security, and operating needs.

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

The amended bill includes \$1,000,000 for Operating Expenses of the United States Agency for International Development Office of Inspector General.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

The amended bill includes \$1,147,300,000 for Economic Support Fund. The amended bill includes funding to address critical health, economic, and security needs. These funds are to be allocated as follows:

ECONOMIC SUPPORT FUND

(\$ in thousands)

| Country and Region | Amended Bill |
|--------------------|--------------|
| Iraq | 100,000 |
| Afghanistan | 455,000 |
| Pakistan | 175,000 |
| West Bank | 150,000 |
| North Korea | 15,000 |

| | |
|----------------------------------|------------------|
| Jordan | 100,000 |
| Sudan | 25,000 |
| Democratic Republic of the Congo | 10,000 |
| Kenya | 25,000 |
| Uganda | 15,000 |
| Zimbabwe | 15,000 |
| Chad | 5,000 |
| Central African Republic | 2,000 |
| Bangladesh | 50,000 |
| Burma | 5,300 |
| Total | 1,147,300 |

Funds made available for Burma should be used for humanitarian programs along the Thai-Burma border.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The amended bill includes \$204,500,000 for International Narcotics Control and Law Enforcement activities in Iraq, Afghanistan, the West Bank, Mexico, and Africa.

MIGRATION AND REFUGEE ASSISTANCE

The amended bill includes \$350,000,000 for Migration and Refugee Assistance. Funds are available to respond to urgent humanitarian and refugee admissions requirements, including those involving refugees from Iraq, Afghanistan, and central Africa.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The amended bill includes \$4,500,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs, for humanitarian demining in Iraq.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The amended bill includes \$170,000,000 for the Foreign Military Financing Program, of which \$100,000,000 is for assistance for Jordan and up to \$50,000,000 is for assistance for Mexico.

PEACEKEEPING OPERATIONS

The amended bill includes \$85,000,000 for Peacekeeping Operations for programs in Africa to address needs beyond those projected in the fiscal year 2009 budget request, including for Darfur.

SUBCHAPTER C—GENERAL PROVISIONS, THIS CHAPTER

The amended bill includes the following general provisions for this chapter:

EXTENSION OF AUTHORITIES

Section 1401 extends certain authorities necessary to expend Department of State and foreign assistance funds.

AFGHANISTAN

Section 1402 imposes certain conditions and limitations on assistance for Afghanistan and requires a report.

WEST BANK

Section 1403 directs the Department of State to provide a report to the Committees on Appropriations not later than 90 days after enactment of this Act, and 180 days thereafter, on the Palestinian security assistance program.

MEXICO

Section 1404 sets a ceiling on funding for Mexico at \$400,000,000 and provides funding in the accounts through which such activities are traditionally funded. The provision also provides a restriction on the use of funding for budget support or cash payments and includes a limitation of 25 percent of the funding provided under the headings "Foreign Military Financing Program" and "International Narcotics Control and Law Enforcement" to the armed forces and police until the Secretary of State certifies certain conditions have been met.

CENTRAL AMERICA

Section 1405 sets a floor of \$61,500,000 on funding for the countries of Central America, Haiti and the Dominican Republic and provides a restriction on the use of funding for budget support or cash payments. Additionally, the provision restricts obligation of 25 percent of the funding provided under the headings "Foreign Military

Financing Program” and “International Narcotics Control and Law Enforcement” until certain conditions are met.

BUYING POWER MAINTENANCE ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Section 1406 provides authority to utilize \$26,000,000 from appropriations for Diplomatic and Consular Programs from a prior Act and authority to transfer up to an additional \$74,000,000 of the funds made available by this Act to the Buying Power Maintenance Account to manage exchange rate losses in fiscal year 2008. The Department of State shall consult on any proposed transfers resulting from this authority. The Department of State estimates the impact of currency fluctuations to be at least \$260,000,000 on United States diplomatic operations worldwide.

In addition, the provision recommends authority to transfer unobligated and expired balances after fiscal year 2008 into the Buying Power Maintenance Account to address future exchange rate losses. The Secretary of State shall submit a report to the Committees on Appropriations not later than October 15, 2008 on the amount transferred by this authority in this or any fiscal year, the total amount of exchange rate losses in fiscal year 2008, and the accumulated impact of losses from prior years.

RESCISSIONS

Section 1407 rescinds prior year funds and makes them available for a contribution to the World Food Program and for programs in the INCLE account.

ALLOCATIONS

Section 1408 requires that funds in the specified accounts shall be allocated as indicated in the respective tables in this report. Any change to these allocations shall be subject to the regular notification procedures of the Committees on Appropriations.

REPROGRAMMING AUTHORITY

Section 1409 allows for reprogramming of funds made available in prior years to address critical food shortages, subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

SPENDING PLAN AND NOTIFICATION PROCEDURES

Section 1410 requires the Secretary of State to provide a detailed spending plan to the Committees on Appropriations on the uses of funds appropriated in this chapter. The language also provides that the funds appropriated in subchapter B are subject to the regular notification procedures of the Committees on Appropriations.

TERMS AND CONDITIONS

Section 1411 establishes that unless designated otherwise in this chapter, the terms and conditions contained within the State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110-161) shall apply to funds appropriated by this chapter.

TITLE II – DOMESTIC MATTERS

CHAPTER 1 – COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes \$210,000,000 for increased costs associated with the poor management of the 2010 Decennial Census. Within the funds provided, not less than \$50,300,000 shall be used to restore funding associated with the approved March 26, 2008 reprogramming within the Bureau of Census. Funds transferred pursuant to the reprogramming to address immediate shortfalls within the Field Data Collection Automation contract from the American Community Survey, Census Coverage Measurement activities, and other Census activities may result in increased risk and other unintended consequences to other parts of the Census. The \$50,300,000 shall be available solely to complete previously planned activities and address vacancies in the aforementioned areas in order to reduce risk and ensure a successful 2010 Decennial Census.

The Census Bureau shall submit to the Committees on Appropriations of the Senate and the House of Representatives, within 30 days of enactment of this Act, a detailed plan showing a timeline of milestones and expenditures for the 2010 Decennial Census, and shall include a quantitative assessment of the associated risk to the program as it is currently constituted. In addition, the Inspector General shall submit quarterly reports to the Committees on Appropriations, until the conclusion of the 2010 Decennial Census, detailing the progress of the revised plan for the execution of the 2010 Decennial Census and any unanticipated slippages from the revised 2010 milestones, as well as reassessing the associated risk to the program. The Census Bureau is directed to provide the Inspector General with any required information so that the quarterly reports can begin 60 days after submission of the plan.

Because rising costs associated with the 2010 Decennial Census and the Department's and the Bureau's lack of contract oversight are cause for particular concern, the bill includes not less than \$3,000,000 for the Department's Office of the Inspector General for Census contract oversight activities and not less than \$1,000,000 solely for a reimbursable agreement with the Defense Contract Management Agency to review and improve Census contract management.

DEPARTMENT OF JUSTICE

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The amended bill includes \$178,000,000 for additional costs of the Bureau of Prisons (BOP) related to the custody and care of inmates and the maintenance and operation of correctional and penal institutions. The BOP has been chronically underfunded in recent budget requests, due to consistently underestimated growth in inmate populations and inadequate funding requests for medical expenses. As a result, BOP facilities face rising staff-to-inmate ratios, placing corrections officers and inmates at unacceptable risk of violence. The amended bill includes funding for FCI Pollock activation costs and for inmate drug abuse treatment required by law. The Administration is urged to re-estimate BOP fixed costs and prisoner population for fiscal year 2009 and to provide the House and Senate Committees on Appropriations with those estimates no later than May 31, 2008. Further, the BOP is directed to notify the Committees of current staff-to-inmate ratios at all Federal prisons on a monthly basis.

CHAPTER 2 – ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE – CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS – CIVIL

Public Law 109–148, the 3rd emergency supplemental appropriations act of 2006, Public Law 109–234, the 4th emergency supplemental appropriations act of 2006, and Public Law 110–28, the emergency supplemental appropriations act of 2007, provided funds to repair and restore hurricane damaged projects, accelerate completion of New Orleans area flood and storm damage reduction projects, and provide 100-year storm protection for the greater New Orleans area. The scope and magnitude of the work required has increased with time. The current cost estimate requires \$5,761,000,000 in additional Federal funds and a non-Federal cost-share of \$1,526,000,000.

The Administration requested this funding under the Construction account in the fiscal year 2009 budget. The amended bill provides the full amount of the request as a supplemental appropriation to ensure the existing schedule for completion of 100-year protection for the greater New Orleans area by 2011 is met. However, \$2,926,000,000 is included under Flood Control and Coastal Emergencies in order to provide continuity in appropriations for projects to repair, restore, and accelerate completion of the levels of protection authorized prior to Hurricane Katrina. None of the funds provided shall be available until October 1, 2008.

CONSTRUCTION

The amended bill includes \$2,835,000,000 for Construction. Within the recommended funds, \$1,077,000,000 is provided to complete the 100-year storm protection for the Lake Pontchartrain and Vicinity project; \$920,000,000 is provided to complete the 100-year storm protection for the West Bank and Vicinity project; and \$838,000,000 is provided for elements of the Southeast Louisiana Urban Drainage project that are within the geographic perimeter of the West Bank and Vicinity projects and the Lake Pontchartrain and Vicinity project.

FLOOD CONTROL AND COASTAL EMERGENCIES

The amended bill includes \$2,926,000,000 for completion of repair and restoration and accelerated work to authorized levels of protection in surrounding areas. The funding provides, at full Federal expense, the following amounts: \$704,000,000 for pumps and closures at outfall canals; \$90,000,000 to storm-proof pump stations; \$459,000,000 to armor levees and floodwalls; \$53,000,000 to improve protection at the Inner Harbor Navigation Canal; \$456,000,000 to complete work to incorporate non-Federal levees in Plaquemines Parish into the Federal system; \$412,000,000 to reinforce or replace floodwalls on the Lake Ponchartrain and Vicinity and West Bank and Vicinity Projects; \$393,000,000 to repair and restore authorized protections and floodwalls; and \$359,000,000 to complete the authorized protection for the Lake Ponchartrain and Vicinity and West Bank and Vicinity Projects. The amended bill includes a provision authorizing a reallocation of funds when necessary to accomplish the established goals, subject to the approval of the House and Senate Committees on Appropriations.

CHAPTER 3 – LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

The amended bill provides \$110,000,000 for Unemployment Compensation State Operations to compensate the States for the administrative costs of processing the Unemployment Insurance (UI) claims workload for the balance of fiscal year 2008. New UI claims are increasing, reaching a level in March 2008 nearly 19 percent greater than the previous year. States are beginning to experience service degradation in the form of call center delays for claimants, waiting times for adjudication of disputed claims, and reductions in program integrity activities, tax collection, and tax audits. While funding in the Consolidated Appropriations Act, 2008 is sufficient to cover the costs of processing 2.4 million Average Weekly Insured Unemployment (AWIU), claims have already climbed above 2.8 million AWIU. The amount provided will compensate States for the claims workload estimated by the Department of Labor up to the point where additional funds are released under a legislated trigger.

CHAPTER 4 - LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

The amended bill provides the customary death gratuity to Annette Lantos, widow of Tom Lantos, late a Representative from the State of California.

TITLE III – VETERANS EDUCATIONAL ASSISTANCE

Title III of the amended bill includes provisions designed to expand the educational benefits for men and women who have served in the armed forces since the terrorist attacks of September 11, 2001. The provisions will closely resemble the educational benefits provided to veterans returning from World War II.

The benefits included in title III would apply to all members of the military who have served on active duty, including activated reservists and National Guard. To qualify, veterans must have served at least three months of qualified active duty, beginning on or after September 11, 2001. The amended bill provides for benefits to be paid in amounts linked to the amount of active duty service.

In addition to tuition and other established charges, the benefit includes a monthly stipend for housing costs as well as tutorial assistance and licensure and certification tests.

The amended bill would create a new program in which the government will agree to match, dollar for dollar, any voluntary additional contributions to veterans from institutions whose tuition is more expensive than the maximum educational assistance provided in the amended bill.

Finally, the amended bill provides for the veterans to have up to fifteen years after they leave active duty to use their educational assistance entitlement. Veterans would be barred from receiving concurrent assistance from this program and another similar program.

TITLE IV – EMERGENCY UNEMPLOYMENT COMPENSATION

The amended bill includes language providing a temporary extension of unemployment benefits to workers who have lost their jobs. Specifically, the amended bill provides up to 13 weeks of extended unemployment benefits in every State to workers exhausting regular unemployment compensation. In States with higher levels of unemployment, defined as a seasonally-adjusted six percent total unemployment rate or a four percent insured unemployment rate, up to an additional 13 weeks would be available. The extended benefits program will terminate on March 31, 2009.

The percentage of workers exhausting unemployment benefits is currently 36 percent, which is higher than at the beginning of any of the past five recessions. The Congressional Budget Office estimates that 3.8 million workers will receive extended benefits under the program given the high rate of workers running out of regular unemployment benefits without finding work. Not only will these workers and their

families benefit from extended benefits, providing this financial assistance also can reduce the severity and duration of an economic downturn. Experts agree that extending unemployment benefits is one of the most cost-effective and fast acting forms of economic stimulus because workers who have lost their paychecks have little choice but to spend these benefits quickly.

TITLE V – MEDICAID PROVISIONS

Section 5001 of the amended bill includes language extending the current moratorium to April 2009 on four Medicaid regulations pertaining to: graduate medical education payments; limits on payments to government safety net providers; rehabilitation services; and school-based administrative and specialized medical transportation services for children. The amended bill also establishes a moratorium for the same period for three Medicaid regulations pertaining to: health care provider taxes; targeted case management; and hospital outpatient services. The cost of the moratoria is fully offset over five and ten years in the amended bill by provisions that extend an asset verification demonstration to all fifty States and reduce balances in the Physician Assistance and Quality Initiative Fund. These provisions are identical to those included in H.R. 5613, which was approved by the House by a 349-62 vote.

The moratorium on these seven regulations is included in the amended bill due to concerns about their potential negative impact on essential medical services for millions of people, particularly for seniors, people with disabilities, and children, and on the providers of these safety net services. These regulations also would have a far-reaching impact on graduate medical education, outreach and supportive services designed to help individuals get the medical care they need, and foster care services.

According to the Congressional Budget Office, these regulatory changes would reduce Federal Medicaid spending by nearly \$18,000,000,000 over the next five years, shifting these costs to States and localities. These cuts would occur during an economic downturn when States and localities are least able to restore services. Further, the authorizing committees indicate that many of these regulations alter longstanding Medicaid policy without specific Congressional authorization.

Additional time is required to examine the potential impact of these regulations. Accordingly, the amended bill includes \$5,000,000 for a study to be completed no later than March 2009 by an independent entity to assess the prevalence of the problems in the Medicaid program the regulations were intended to address and their impact on each State. The amended bill also includes \$25,000,000 for the purpose of reducing fraud and abuse in the Medicaid program.

TITLE VI – ACCOUNTABILITY AND TRANSPARENCY IN GOVERNMENT CONTRACTING

CHAPTER 1—CLOSE THE CONTRACTOR FRAUD LOOPHOLE

Chapter 1 of title VI is identical to the language of H.R. 5712, “Close the Contractor Fraud Loophole Act,” passed by the House on April 23, 2008. It closes a

loophole in a proposed rule so that mandatory fraud reporting requirements would apply to U.S. contractors working overseas as well as to contractors working here at home.

CHAPTER 2—GOVERNMENT FUNDING TRANSPARENCY

Chapter 2 of title VI is identical to the language of H.R. 3928, “Government Funding Transparency Act of 2007,” passed by the House on April 23, 2008. It requires any company or organization receiving at least \$25 million and 80 percent or more of their revenue from federal payments to disclose the salaries of their most highly-compensated officers.

TITLE VII – GI BILL FINANCING PROVISION

This title imposes a surtax of 0.47% on income beyond \$1 million for those filing joint returns and beyond \$500,000 for other filers. The surtax would start in 2009 and continue thereafter.

TITLE VIII – GENERAL PROVISIONS

The amended bill includes the following general provisions:

Section 8001 establishes the period of availability for obligation for appropriations provided in this Act.

Section 8002 provides that, unless otherwise noted, all appropriations in this Act are designated as emergency requirements and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21, the congressional budget resolution for fiscal year 2008.

Section 8003 provides that this Act may be referred to as the “Supplemental Appropriations Act, 2008”.

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

| | Request | Recommended | Recommended vs. Request |
|--|---------|-------------|----------------------------|
| TITLE I | | | |
| MILITARY CONSTRUCTION, VETERANS AFFAIRS, INTERNATIONAL AFFAIRS AND OTHER SECURITY-RELATED MATTERS | | | |
| CHAPTER 1 | | | |
| DEPARTMENT OF AGRICULTURE | | | |
| Foreign Agricultural Service | | | |
| Public Law 480 Title II Grants, FY 2008 (emergency)... | 350,000 | 850,000 | +500,000 |
| Public Law 480 Title II Grants, FY 2009 (emergency)... | 395,000 | 395,000 | --- |
| Total, Chapter 1..... | 745,000 | 1,245,000 | +500,000 |
| CHAPTER 2 | | | |
| DEPARTMENT OF JUSTICE | | | |
| Office of Inspector General (emergency)..... | --- | 4,000 | +4,000 |
| Legal Activities | | | |
| General Legal Activities | | | |
| Salaries and expenses (emergency)..... | 4,093 | 1,648 | -2,445 |
| United States Attorneys | | | |
| Salaries and expenses (emergency)..... | 5,000 | 5,000 | --- |
| United States Marshals Service | | | |
| Salaries and expenses (emergency)..... | 14,921 | 18,621 | +3,700 |
| Total, Legal activities..... | 24,014 | 25,269 | +1,255 |
| Federal Bureau of Investigation | | | |
| Salaries and expenses, FY 2008 (emergency)..... | 101,122 | 92,169 | -8,953 |
| Salaries and expenses, FY 2009 (emergency)..... | 39,062 | 82,600 | +43,538 |
| Total, Federal Bureau of Investigation..... | 140,184 | 174,769 | +34,585 |
| Drug Enforcement Administration | | | |
| Salaries and expenses (emergency)..... | 8,468 | 12,166 | +3,698 |
| Bureau of Alcohol, Tobacco, Firearms and Explosives | | | |
| Salaries and expenses (emergency)..... | 4,000 | 4,000 | --- |
| Federal Prison System | | | |
| Salaries and expenses (emergency)..... | 9,100 | 9,100 | --- |
| Total, Chapter 2..... | 185,766 | 229,304 | +43,538 |

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

| | Request | Recommended | Recommended vs. Request |
|---|-----------|-------------|----------------------------|
| ----- | | | |
| CHAPTER 3 | | | |
| DEPARTMENT OF DEFENSE | | | |
| Military construction, Army (emergency)..... | 1,440,750 | 1,432,700 | -8,050 |
| Military construction, Navy and Marine Corps (emergency)..... | 237,505 | 423,357 | +185,852 |
| Military construction, Air Force (emergency)..... | 305,000 | 409,627 | +104,627 |
| Military construction, Defense-Wide (emergency)..... | 27,600 | 1,009,600 | +982,000 |
| ----- | | | |
| Total, Active Components..... | 2,010,855 | 3,275,284 | +1,264,429 |
| Family housing construction, Navy and Marine Corps (emergency)..... | 11,766 | 11,766 | --- |
| Base realignment and closure account 2005 (emergency). | 415,910 | 1,354,634 | +938,724 |
| ----- | | | |
| Total, Department of Defense..... | 2,438,531 | 4,641,684 | +2,203,153 |
| Department of Veterans Affairs | | | |
| Departmental Administration | | | |
| General operating expenses (emergency)..... | --- | 100,000 | +100,000 |
| Information technology (emergency)..... | --- | 20,000 | +20,000 |
| ----- | | | |
| Total, Department of Veterans Affairs..... | --- | 120,000 | +120,000 |
| ----- | | | |
| Total, Chapter 3..... | 2,438,531 | 4,761,684 | +2,323,153 |
| ----- | | | |
| CHAPTER 4 | | | |
| SUBCHAPTER A | | | |
| SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008 | | | |
| DEPARTMENT OF STATE | | | |
| Administration of Foreign Affairs | | | |
| Diplomatic and consular programs (emergency)..... | 1,708,008 | 1,606,808 | -101,200 |
| Worldwide security protection..... | (162,400) | (210,508) | (+48,108) |
| Office of the Inspector General (emergency)..... | --- | 7,500 | +7,500 |
| Embassy security, construction, and maintenance (emergency)..... | 160,000 | 76,700 | -83,300 |
| ----- | | | |
| Total, Administration of Foreign Affairs..... | 1,868,008 | 1,691,008 | -177,000 |
| International Organizations | | | |
| Contributions to international organizations (emergency)..... | 53,000 | 53,000 | --- |
| Contributions for international peacekeeping activities, current year (emergency)..... | 333,600 | 333,600 | --- |
| ----- | | | |
| Total, International Organizations..... | 386,600 | 386,600 | --- |
| ----- | | | |
| Total, Department of State..... | 2,254,608 | 2,077,608 | -177,000 |
| ----- | | | |
| BILATERAL ECONOMIC ASSISTANCE | | | |
| Funds Appropriated to the President | | | |
| International disaster assistance (emergency)..... | --- | 200,000 | +200,000 |
| Operating expenses of the U.S. Agency for International Development (emergency)..... | 41,000 | 142,000 | +101,000 |
| Operating expenses of the US Agency for International Development, Office of Inspector General (emergency) | --- | 4,000 | +4,000 |

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

| | Request | Recommended | Recommended vs. Request |
|--|-----------|-------------|----------------------------|
| <hr style="border-top: 1px dashed black;"/> | | | |
| Other Bilateral Economic Assistance | | | |
| Economic support fund (emergency)..... | 2,009,000 | 1,747,000 | -262,000 |
| Department of State | | | |
| Democracy Fund (emergency)..... | --- | 75,000 | +75,000 |
| International narcotics control and law enforcement (emergency)..... | 734,000 | 419,300 | -314,700 |
| Migration and refugee assistance (emergency)..... | 30,000 | 300,000 | +270,000 |
| U.S. Emergency Refugee and Migration Assistance Fund (emergency)..... | --- | 25,000 | +25,000 |
| Nonproliferation, anti-terrorism, demining and related programs (emergency)..... | 5,000 | 11,200 | +6,200 |
| MILITARY ASSISTANCE | | | |
| Funds Appropriated to the President | | | |
| Foreign Military Financing Program (emergency)..... | --- | 72,500 | +72,500 |
| General Provisions, this chapter | | | |
| Sec. 1407: | | | |
| (a)(1) World Food Program..... | --- | 20,000 | +20,000 |
| (a)(2) Andean Counterdrug Initiative (rescission)..... | --- | -20,000 | -20,000 |
| (b)(1) International narcotics control and law enforcement (Sudan)..... | --- | 10,000 | +10,000 |
| (b)(2) International narcotics control and law enforcement (prior-year rescission)..... | --- | -10,000 | -10,000 |
| <hr style="border-top: 1px dashed black;"/> | | | |
| Total, General provisions..... | --- | --- | --- |
| <hr style="border-top: 1px dashed black;"/> | | | |
| Total, Subchapter A..... | 5,073,608 | 5,073,608 | --- |
| SUBCHAPTER B | | | |
| BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009 | | | |
| DEPARTMENT OF STATE | | | |
| Administration of Foreign Affairs | | | |
| Diplomatic and consular programs (emergency)..... | 1,064,450 | 737,900 | -326,550 |
| Worldwide security protection..... | (45,800) | (78,400) | (+32,600) |
| Office of the Inspector General (emergency)..... | 16,800 | 57,000 | +40,200 |
| Embassy security, construction, and maintenance (emergency)..... | --- | 41,300 | +41,300 |
| <hr style="border-top: 1px dashed black;"/> | | | |
| Total, Administration of Foreign Affairs..... | 1,081,250 | 836,200 | -245,050 |
| International Organizations | | | |
| Contributions to international organizations (emergency)..... | 40,000 | 75,000 | +35,000 |
| Contributions for international peacekeeping activities, current year (emergency)..... | --- | 150,500 | +150,500 |
| <hr style="border-top: 1px dashed black;"/> | | | |
| Total, International Organizations..... | 40,000 | 225,500 | +185,500 |
| <hr style="border-top: 1px dashed black;"/> | | | |
| Total, Department of State..... | 1,121,250 | 1,061,700 | -59,550 |

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

| | Request | Recommended | Recommended vs. Request |
|---|------------|-------------|----------------------------|
| RELATED AGENCIES | | | |
| Broadcasting Board of Governors | | | |
| International broadcasting operations (emergency)..... | --- | 8,000 | +8,000 |
| BILATERAL ECONOMIC ASSISTANCE | | | |
| Funds Appropriated to the President | | | |
| Global health and child survival (emergency)..... | --- | 75,000 | +75,000 |
| Development assistance (emergency)..... | 210,000 | 200,000 | -10,000 |
| International disaster assistance (emergency)..... | 270,000 | 200,000 | -70,000 |
| Operating expenses of the U.S. Agency for International Development (emergency)..... | 60,000 | 93,000 | +33,000 |
| Operating expenses of the US Agency for International Development, Office of Inspector General (emergency) | --- | 1,000 | +1,000 |
| Other Bilateral Economic Assistance | | | |
| Economic support fund (emergency)..... | 1,297,700 | 1,147,300 | -150,400 |
| Department of State | | | |
| International narcotics control and law enforcement (emergency)..... | 225,000 | 204,500 | -20,500 |
| Migration and refugee assistance (emergency)..... | 191,000 | 350,000 | +159,000 |
| Nonproliferation, anti-terrorism, demining and related programs (emergency)..... | --- | 4,500 | +4,500 |
| MILITARY ASSISTANCE | | | |
| Funds Appropriated to the President | | | |
| Foreign Military Financing Program (emergency)..... | 170,000 | 170,000 | --- |
| Peacekeeping operations (emergency)..... | 60,000 | 85,000 | +25,000 |
| Total, Subchapter B..... | 3,604,950 | 3,600,000 | -4,950 |
| Total, Chapter 4..... | 8,678,558 | 8,673,608 | -4,950 |
| GENERAL PROVISIONS | | | |
| DEPARTMENT OF HOMELAND SECURITY | | | |
| Customs and Border Protection | | | |
| Salaries and expenses (rescission)..... | -50,000 | --- | +50,000 |
| Total, General Provisions..... | -50,000 | --- | +50,000 |
| Total, title I..... | 11,997,855 | 14,909,596 | +2,911,741 |

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

| | Request | Recommended | Recommended vs. Request |
|--|-----------|-------------|----------------------------|
| ----- | | | |
| TITLE II | | | |
| DOMESTIC MATTERS | | | |
| CHAPTER 1 | | | |
| DEPARTMENT OF COMMERCE | | | |
| Bureau of the Census | | | |
| Periodic censuses and programs (emergency)..... | --- | 210,000 | +210,000 |
| DEPARTMENT OF JUSTICE | | | |
| Federal Prison System | | | |
| Salaries and expenses (emergency)..... | --- | 178,000 | +178,000 |
| Total, Chapter 1..... | --- | 388,000 | +388,000 |
| ----- | | | |
| CHAPTER 2 | | | |
| DEPARTMENT OF THE ARMY | | | |
| Corps of Engineers - Civil | | | |
| Construction, FY 2009 (emergency)..... | 5,761,000 | 2,835,000 | -2,926,000 |
| Flood control and coastal emergencies, FY 2009(emerg.) | --- | 2,926,000 | +2,926,000 |
| Total, Chapter 2..... | 5,761,000 | 5,761,000 | --- |
| ----- | | | |
| CHAPTER 3 | | | |
| DEPARTMENT OF LABOR | | | |
| Employment and Training Administration | | | |
| State unemployment insurance and employment service operations (emergency)..... | --- | 110,000 | +110,000 |
| CHAPTER 4 | | | |
| HOUSE OF REPRESENTATIVES | | | |
| Payments to Widows and Heirs of Deceased Members of Congress..... | --- | 169 | +169 |
| Total, title II..... | 5,761,000 | 6,259,169 | +498,169 |
| ===== | | | |
| TITLE III | | | |
| VETERANS EDUCATIONAL ASSISTANCE | | | |
| Veterans educational assistance, FY 2008 (emergency).. | --- | 40,000 | +40,000 |
| Veterans educational assistance, FY 2009 (emergency).. | --- | 676,000 | +676,000 |
| Total, title III..... | --- | 716,000 | +716,000 |
| ===== | | | |

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

| | Request | Recommended | Recommended vs. Request |
|--|--------------|--------------|----------------------------|
| ----- | | | |
| TITLE IV | | | |
| EMERGENCY UNEMPLOYMENT COMPENSATION | | | |
| Federal-State agreements, FY 2008 (emergency)..... | --- | 6,170,000 | +6,170,000 |
| Federal-State agreements, FY 2009 (emergency)..... | --- | 9,440,000 | +9,440,000 |
| | | ===== | ===== |
| Total, title IV..... | --- | 15,610,000 | +15,610,000 |
| | | ===== | ===== |
| TITLE V | | | |
| MEDICAID PROVISIONS | | | |
| Medicaid moratorium, FY 2008 (emergency)..... | --- | 450,000 | +450,000 |
| Medicaid moratorium, FY 2009 (emergency)..... | --- | 1,150,000 | +1,150,000 |
| | | ===== | ===== |
| Total, title V..... | --- | 1,600,000 | +1,600,000 |
| | | ===== | ===== |
| Grand total..... | 17,758,855 | 39,094,765 | +21,335,910 |
| Appropriations..... | --- | (30,169) | (+30,169) |
| Emergency appropriations..... | (17,808,855) | (39,094,596) | (+21,285,741) |
| Rescissions..... | (-50,000) | (-30,000) | (+20,000) |
| | | ===== | ===== |