

Amendment 2 to the Senate Amendment to H.R. 2206

In lieu of titles I and II of House amendment 1 (or, if such amendment has not been agreed to, in lieu of the matter proposed to be inserted by the Senate amendment), insert the following:

1 **TITLE I—SUPPLEMENTAL AP-**
2 **PROPRIATIONS FOR DE-**
3 **FENSE, INTERNATIONAL AF-**
4 **FAIRS, AND OTHER SECU-**
5 **RITY-RELATED NEEDS**

6 **CHAPTER 1**

7 DEPARTMENT OF AGRICULTURE

8 FOREIGN AGRICULTURAL SERVICE

9 PUBLIC LAW 480 TITLE II GRANTS

10 For an additional amount for “Public Law 480 Title
11 II Grants”, during the current fiscal year, not otherwise
12 recoverable, and unrecovered prior years’ costs, including
13 interest thereon, under the Agricultural Trade Develop-
14 ment and Assistance Act of 1954, for commodities sup-
15 plied in connection with dispositions abroad under title II
16 of said Act, \$350,000,000, to remain available until ex-
17 pended.

1 **CHAPTER 2**
2 DEPARTMENT OF JUSTICE
3 LEGAL ACTIVITIES
4 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES
5 For an additional amount for “Salaries and Ex-
6 penses, General Legal Activities”, \$1,648,000, to remain
7 available until September 30, 2008.
8 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS
9 For an additional amount for “Salaries and Ex-
10 penses, United States Attorneys”, \$5,000,000, to remain
11 available until September 30, 2008.
12 UNITED STATES MARSHALS SERVICE
13 SALARIES AND EXPENSES
14 For an additional amount for “Salaries and Ex-
15 penses”, \$6,450,000, to remain available until September
16 30, 2008.
17 NATIONAL SECURITY DIVISION
18 SALARIES AND EXPENSES
19 For an additional amount for “Salaries and Ex-
20 penses”, \$1,736,000, to remain available until September
21 30, 2008.
22 FEDERAL BUREAU OF INVESTIGATION
23 SALARIES AND EXPENSES
24 For an additional amount for “Salaries and Ex-
25 penses”, \$118,260,000, to remain available until Sep-
26 tember 30, 2008.

1 DRUG ENFORCEMENT ADMINISTRATION

2 SALARIES AND EXPENSES

3 For an additional amount for “Salaries and Ex-
4 penses”, \$8,468,000, to remain available until September
5 30, 2008.

6 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND

7 EXPLOSIVES

8 SALARIES AND EXPENSES

9 For an additional amount for “Salaries and Ex-
10 penses”, \$4,000,000, to remain available until September
11 30, 2008.

12 FEDERAL PRISON SYSTEM

13 SALARIES AND EXPENSES

14 For an additional amount for “Salaries and Ex-
15 penses”, \$17,000,000, to remain available until September
16 30, 2008.

17 GENERAL PROVISIONS—THIS CHAPTER

18 SEC. 1201. Funds provided in this Act for the “De-
19 partment of Justice, United States Marshals Service, Sal-
20 aries and Expenses” shall be made available according to
21 the language relating to such account in the joint explana-
22 tory statement accompanying the conference report on
23 H.R. 1591 of the 110th Congress (H. Rept. 110–107).

24 SEC. 1202. Funds provided in this Act for the “De-
25 partment of Justice, Legal Activities, Salaries and Ex-

1 penses, General Legal Activities”, shall be made available
2 according to the language relating to such account in the
3 joint explanatory statement accompanying the conference
4 report on H.R. 1591 of the 110th Congress (H. Rept.
5 110–107).

6

CHAPTER 3

7

DEPARTMENT OF DEFENSE—MILITARY

8

MILITARY PERSONNEL

9

MILITARY PERSONNEL, ARMY

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

12

MILITARY PERSONNEL, NAVY

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

15

MILITARY PERSONNEL, MARINE CORPS

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

18

MILITARY PERSONNEL, AIR FORCE

19 For an additional amount for “Military Personnel,
20 Air Force”, \$1,079,287,000.

21

RESERVE PERSONNEL, ARMY

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

1 RESERVE PERSONNEL, NAVY

2 For an additional amount for “Reserve Personnel,
3 Navy”, \$77,800,000.

4 RESERVE PERSONNEL, AIR FORCE

5 For an additional amount for “Reserve Personnel,
6 Air Force”, \$5,500,000.

7 NATIONAL GUARD PERSONNEL, ARMY

8 For an additional amount for “National Guard Per-
9 sonnel, Army”, \$436,025,000.

10 NATIONAL GUARD PERSONNEL, AIR FORCE

11 For an additional amount for “National Guard Per-
12 sonnel, Air Force”, \$24,500,000.

13 OPERATION AND MAINTENANCE

14 OPERATION AND MAINTENANCE, ARMY

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

17 OPERATION AND MAINTENANCE, NAVY

18 (INCLUDING TRANSFER OF FUNDS)

19 For an additional amount for “Operation and Main-
20 tenance, Navy”, \$4,652,670,000, of which up to
21 \$120,293,000 shall be transferred to Coast Guard, “Oper-
22 ating Expenses”, for reimbursement for activities which
23 support activities requested by the Navy.

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 For an additional amount for “Operation and Main-
3 tenance, Marine Corps”, \$1,146,594,000.

4 OPERATION AND MAINTENANCE, AIR FORCE

5 For an additional amount for “Operation and Main-
6 tenance, Air Force”, \$6,650,881,000.

7 OPERATION AND MAINTENANCE, DEFENSE-WIDE

8 For an additional amount for “Operation and Main-
9 tenance, Defense-Wide”, \$2,714,487,000, of which—

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

14 (2) not to exceed \$200,000,000, to remain
15 available until expended, may be used for payments
16 to reimburse Pakistan, Jordan, and other key co-
17 operating nations, for logistical, military, and other
18 support provided to United States military oper-
19 ations, notwithstanding any other provision of law:
20 *Provided*, That such payments may be made in such
21 amounts as the Secretary of Defense, with the con-
22 currence of the Secretary of State, and in consulta-
23 tion with the Director of the Office of Management
24 and Budget, may determine, in his discretion, based
25 on documentation determined by the Secretary of

1 Defense to adequately account for the support pro-
2 vided, and such determination is final and conclusive
3 upon the accounting officers of the United States,
4 and 15 days following notification to the appropriate
5 congressional committees: *Provided further*, That the
6 Secretary of Defense shall provide quarterly reports
7 to the congressional defense committees on the use
8 of funds provided in this paragraph.

9 OPERATION AND MAINTENANCE, ARMY RESERVE

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

12 OPERATION AND MAINTENANCE, NAVY RESERVE

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

15 OPERATION AND MAINTENANCE, MARINE CORPS

16 RESERVE

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

19 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

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

22 OPERATION AND MAINTENANCE, ARMY NATIONAL

23 GUARD

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

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

4 AFGHANISTAN SECURITY FORCES FUND

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

8 IRAQ SECURITY FORCES FUND

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

12 IRAQ FREEDOM FUND

13 (INCLUDING TRANSFER OF FUNDS)

14 For an additional amount for “Iraq Freedom Fund”,
15 \$355,600,000, to remain available for transfer until Sep-
16 tember 30, 2008: *Provided*, That up to \$50,000,000 may
17 be obligated and expended for purposes of the Task Force
18 to Improve Business and Stability Operations in Iraq.

19 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

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

1 PROCUREMENT

2 AIRCRAFT PROCUREMENT, ARMY

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

6 MISSILE PROCUREMENT, ARMY

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

10 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

11 VEHICLES, ARMY

12 For an additional amount for “Procurement of Weap-
13 ons and Tracked Combat Vehicles, Army”,
14 \$3,404,315,000, to remain available until September 30,
15 2009.

16 PROCUREMENT OF AMMUNITION, ARMY

17 For an additional amount for “Procurement of Am-
18 muniton, Army”, \$681,500,000, to remain available until
19 September 30, 2009.

20 OTHER PROCUREMENT, ARMY

21 For an additional amount for “Other Procurement,
22 Army”, \$9,859,137,000, to remain available until Sep-
23 tember 30, 2009.

10

1 AIRCRAFT PROCUREMENT, NAVY

2 For an additional amount for “Aircraft Procurement,
3 Navy”, \$1,090,287,000, to remain available until Sep-
4 tember 30, 2009.

5 WEAPONS PROCUREMENT, NAVY

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

9 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
10 CORPS

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

14 OTHER PROCUREMENT, NAVY

15 For an additional amount for “Other Procurement,
16 Navy”, \$618,709,000, to remain available until September
17 30, 2009.

18 PROCUREMENT, MARINE CORPS

19 For an additional amount for “Procurement, Marine
20 Corps”, \$989,389,000, to remain available until Sep-
21 tember 30, 2009.

22 AIRCRAFT PROCUREMENT, AIR FORCE

23 For an additional amount for “Aircraft Procurement,
24 Air Force”, \$2,106,468,000, to remain available until
25 September 30, 2009.

1 MISSILE PROCUREMENT, AIR FORCE

2 For an additional amount for “Missile Procurement,
3 Air Force”, \$94,900,000, to remain available until Sep-
4 tember 30, 2009.

5 PROCUREMENT OF AMMUNITION, AIR FORCE

6 For an additional amount for “Procurement of Am-
7 munication, Air Force”, \$6,000,000, to remain available
8 until September 30, 2009.

9 OTHER PROCUREMENT, AIR FORCE

10 For an additional amount for “Other Procurement,
11 Air Force”, \$1,957,160,000, to remain available until
12 September 30, 2009.

13 PROCUREMENT, DEFENSE-WIDE

14 For an additional amount for “Procurement, De-
15 fense-Wide”, \$721,190,000, to remain available until Sep-
16 tember 30, 2009.

17 RESEARCH, DEVELOPMENT, TEST AND
18 EVALUATION

19 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
20 ARMY

21 For an additional amount for “Research, Develop-
22 ment, Test and Evaluation, Army”, \$100,006,000, to re-
23 main available until September 30, 2008.

12

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NAVY

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Navy”, \$298,722,000, to re-
5 main available until September 30, 2008.

6 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
7 AIR FORCE

8 For an additional amount for “Research, Develop-
9 ment, Test and Evaluation, Air Force”, \$187,176,000, to
10 remain available until September 30, 2008.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 DEFENSE-WIDE

13 For an additional amount for “Research, Develop-
14 ment, Test and Evaluation, Defense-Wide”,
15 \$512,804,000, to remain available until September 30,
16 2008.

17 REVOLVING AND MANAGEMENT FUNDS

18 DEFENSE WORKING CAPITAL FUNDS

19 For an additional amount for “Defense Working
20 Capital Funds”, \$1,115,526,000.

21 NATIONAL DEFENSE SEALIFT FUND

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

1 OTHER DEPARTMENT OF DEFENSE PROGRAMS

2 DEFENSE HEALTH PROGRAM

3 For an additional amount for “Defense Health Pro-
4 gram”, \$1,123,147,000.

5 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
6 DEFENSE

7 For an additional amount for “Drug Interdiction and
8 Counter-Drug Activities, Defense”, \$254,665,000, to re-
9 main available until expended.

10 RELATED AGENCIES

11 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

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

14 GENERAL PROVISIONS—THIS CHAPTER

15 SEC. 1301. Appropriations provided in this Act are
16 available for obligation until September 30, 2007, unless
17 otherwise provided herein.

18 (TRANSFER OF FUNDS)

19 SEC. 1302. Upon his determination that such action
20 is necessary in the national interest, the Secretary of De-
21 fense may transfer between appropriations up to
22 \$3,500,000,000 of the funds made available to the De-
23 partment of Defense (except for military construction) in
24 this Act: *Provided*, That the Secretary shall notify the
25 Congress promptly of each transfer made pursuant to the
26 authority in this section: *Provided further*, That the au-

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

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

20 SEC. 1304. None of the funds provided in this Act
21 may be used to finance programs or activities denied by
22 Congress in fiscal years 2006 or 2007 appropriations to
23 the Department of Defense (except for military construc-
24 tion) or to initiate a procurement or research, develop-
25 ment, test and evaluation new start program without prior

1 written notification to the congressional defense commit-
2 tees.

3 (TRANSFER OF FUNDS)

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

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

24 (b) TYPES OF SUPPORT.—

25 (1) Except as specified in subsection (b)(2) of
26 this section, the support that may be provided under

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

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

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

22 (b) QUARTERLY REPORTS.—Not later than 15 days
23 after the end of each fiscal year quarter, the Secretary
24 of Defense shall submit to the congressional defense com-
25 mittees a report regarding the source of funds and the

1 allocation and use of funds during that quarter that were
2 made available pursuant to the authority provided in this
3 section or under any other provision of law for the pur-
4 poses of the programs under subsection (a).

5 SEC. 1308. Section 9010 of division A of Public Law
6 109–289 is amended by striking “2007” each place it ap-
7 pears and inserting “2008”.

8 SEC. 1309. During fiscal year 2007, supervision and
9 administration costs associated with projects carried out
10 with funds appropriated to “Afghanistan Security Forces
11 Fund” or “Iraq Security Forces Fund” in this Act may
12 be obligated at the time a construction contract is award-
13 ed: *Provided*, That for the purpose of this section, super-
14 vision and administration costs include all in-house Gov-
15 ernment costs.

16 SEC. 1310. Section 1005(c)(2) of the National De-
17 fense Authorization Act, Fiscal Year 2007 (Public Law
18 109–364) is amended by striking “\$310,277,000” and in-
19 serting “\$376,446,000”.

20 SEC. 1311. Section 9007 of Public Law 109–289 is
21 amended by striking “20” and inserting “287”.

22 SEC. 1312. From funds made available for the “Iraq
23 Security Forces Fund” for fiscal year 2007, up to
24 \$155,500,000 may be used, notwithstanding any other
25 provision of law, to provide assistance, with the concur-

1 rence of the Secretary of State, to the Government of Iraq
2 to support the disarmament, demobilization, and re-
3 integration of militias and illegal armed groups.

4 (TRANSFER OF FUNDS)

5 SEC. 1313. Notwithstanding any other provision of
6 law, not to exceed \$110,000,000 may be transferred to
7 the “Economic Support Fund”, Department of State, for
8 use in programs in Pakistan from amounts appropriated
9 by this Act as follows:

10 “Military Personnel, Army”, \$70,000,000.

11 “National Guard Personnel, Army”,
12 \$13,183,000.

13 “Defense Health Program”, \$26,817,000.

14 SEC. 1314. (a) FINDINGS REGARDING PROGRESS IN
15 IRAQ, THE ESTABLISHMENT OF BENCHMARKS TO MEAS-
16 URE THAT PROGRESS, AND REPORTS TO CONGRESS.—
17 Congress makes the following findings:

18 (1) Over 145,000 American military personnel
19 are currently serving in Iraq, like thousands of oth-
20 ers since March 2003, with the bravery and profes-
21 sionalism consistent with the finest traditions of the
22 United States Armed Forces, and are deserving of
23 the strong support of all Americans.

24 (2) Many American service personnel have lost
25 their lives, and many more have been wounded in

1 Iraq; the American people will always honor their
2 sacrifice and honor their families.

3 (3) The United States Army and Marine Corps,
4 including their Reserve components and National
5 Guard organizations, together with components of
6 the other branches of the military, are performing
7 their missions while under enormous strain from
8 multiple, extended deployments to Iraq and Afghani-
9 stan. These deployments, and those that will follow,
10 will have a lasting impact on future recruiting, re-
11 tention, and readiness of our Nation's all volunteer
12 force.

13 (4) Iraq is experiencing a deteriorating problem
14 of sectarian and intrasectarian violence based upon
15 political distrust and cultural differences among fac-
16 tions of the Sunni and Shia populations.

17 (5) Iraqis must reach political and economic
18 settlements in order to achieve reconciliation, for
19 there is no military solution. The failure of the
20 Iraqis to reach such settlements to support a truly
21 unified government greatly contributes to the in-
22 creasing violence in Iraq.

23 (6) The responsibility for Iraq's internal secu-
24 rity and halting sectarian violence rests with the sov-
25 ereign Government of Iraq.

1 (7) In December 2006, the bipartisan Iraq
2 Study Group issued a valuable report, suggesting a
3 comprehensive strategy that includes new and en-
4 hanced diplomatic and political efforts in Iraq and
5 the region, and a change in the primary mission of
6 U.S. forces in Iraq, that will enable the United
7 States to begin to move its combat forces out of Iraq
8 responsibly.

9 (8) The President said on January 10, 2007,
10 that “I’ve made it clear to the Prime Minister and
11 Iraq’s other leaders that America’s commitment is
12 not open-ended” so as to dispel the contrary impres-
13 sion that exists.

14 (9) It is essential that the sovereign Govern-
15 ment of Iraq set out measurable and achievable
16 benchmarks and President Bush said, on January
17 10, 2007, that “America will change our approach
18 to help the Iraqi government as it works to meet
19 these benchmarks”.

20 (10) As reported by Secretary of State Rice,
21 Iraq’s Policy Committee on National Security agreed
22 upon a set of political, security, and economic bench-
23 marks and an associated timeline in September 2006
24 that were (A) reaffirmed by Iraq’s Presidency Coun-
25 cil on October 6, 2006; (B) referenced by the Iraq

1 Study Group; and (C) posted on the President of
2 Iraq's Web site.

3 (11) On April 21, 2007, Secretary of Defense
4 Robert Gates stated that "our [American] commit-
5 ment to Iraq is long-term, but it is not a commit-
6 ment to have our young men and women patrolling
7 Iraq's streets open-endedly" and that "progress in
8 reconciliation will be an important element of our
9 evaluation".

10 (12) The President's January 10, 2007 address
11 had three components: political, military, and eco-
12 nomic. Given that significant time has passed since
13 his statement, and recognizing the overall situation
14 is ever changing, Congress must have timely reports
15 to evaluate and execute its constitutional oversight
16 responsibilities.

17 (b) CONDITIONING OF FUTURE UNITED STATES
18 STRATEGY IN IRAQ ON THE IRAQI GOVERNMENT'S
19 RECORD OF PERFORMANCE ON ITS BENCHMARKS.—

20 (1) IN GENERAL.—

21 (A) The United States strategy in Iraq,
22 hereafter, shall be conditioned on the Iraqi gov-
23 ernment meeting benchmarks, as told to mem-
24 bers of Congress by the President, the Sec-
25 retary of State, the Secretary of Defense, and

1 the Chairman of the Joint Chiefs of Staff, and
2 reflected in the Iraqi Government's commit-
3 ments to the United States, and to the inter-
4 national community, including:

5 (i) Forming a Constitutional Review
6 Committee and then completing the con-
7 stitutional review.

8 (ii) Enacting and implementing legis-
9 lation on de-Baathification.

10 (iii) Enacting and implementing legis-
11 lation to ensure the equitable distribution
12 of hydrocarbon resources of the people of
13 Iraq without regard to the sect or ethnicity
14 of recipients, and enacting and imple-
15 menting legislation to ensure that the en-
16 ergy resources of Iraq benefit Sunni Arabs,
17 Shia Arabs, Kurds, and other Iraqi citizens
18 in an equitable manner.

19 (iv) Enacting and implementing legis-
20 lation on procedures to form semi-autono-
21 mous regions.

22 (v) Enacting and implementing legis-
23 lation establishing an Independent High
24 Electoral Commission, provincial elections

1 law, provincial council authorities, and a
2 date for provincial elections.

3 (vi) Enacting and implementing legis-
4 lation addressing amnesty.

5 (vii) Enacting and implementing legis-
6 lation establishing a strong militia disar-
7 mament program to ensure that such secu-
8 rity forces are accountable only to the cen-
9 tral government and loyal to the Constitu-
10 tion of Iraq.

11 (viii) Establishing supporting political,
12 media, economic, and services committees
13 in support of the Baghdad Security Plan.

14 (ix) Providing three trained and ready
15 Iraqi brigades to support Baghdad oper-
16 ations.

17 (x) Providing Iraqi commanders with
18 all authorities to execute this plan and to
19 make tactical and operational decisions, in
20 consultation with U.S commanders, with-
21 out political intervention, to include the au-
22 thority to pursue all extremists, including
23 Sunni insurgents and Shiite militias.

1 (xi) Ensuring that the Iraqi Security
2 Forces are providing even handed enforce-
3 ment of the law.

4 (xii) Ensuring that, according to
5 President Bush, Prime Minister Maliki
6 said “the Baghdad security plan will not
7 provide a safe haven for any outlaws, re-
8 gardless of [their] sectarian or political af-
9 filiation”.

10 (xiii) Reducing the level of sectarian
11 violence in Iraq and eliminating militia
12 control of local security.

13 (xiv) Establishing all of the planned
14 joint security stations in neighborhoods
15 across Baghdad.

16 (xv) Increasing the number of Iraqi
17 security forces units capable of operating
18 independently.

19 (xvi) Ensuring that the rights of mi-
20 nority political parties in the Iraqi legisla-
21 ture are protected.

22 (xvii) Allocating and spending \$10 bil-
23 lion in Iraqi revenues for reconstruction
24 projects, including delivery of essential
25 services, on an equitable basis.

1 (xviii) Ensuring that Iraq's political
2 authorities are not undermining or making
3 false accusations against members of the
4 Iraqi Security Forces.

5 (B) The President shall submit reports to
6 Congress on how the sovereign Government of
7 Iraq is, or is not, achieving progress towards
8 accomplishing the aforementioned benchmarks,
9 and shall advise the Congress on how that as-
10 sessment requires, or does not require, changes
11 to the strategy announced on January 10,
12 2007.

13 (2) REPORTS REQUIRED.—

14 (A) The President shall submit an initial
15 report, in classified and unclassified format, to
16 the Congress, not later than July 15, 2007, as-
17 ssuming the status of each of the specific bench-
18 marks established above, and declaring, in his
19 judgment, whether satisfactory progress toward
20 meeting these benchmarks is, or is not, being
21 achieved.

22 (B) The President, having consulted with
23 the Secretary of State, the Secretary of De-
24 fense, the Commander, Multi-National Forces-
25 Iraq, the United States Ambassador to Iraq,

1 and the Commander of U.S. Central Command,
2 will prepare the report and submit the report to
3 Congress.

4 (C) If the President's assessment of any of
5 the specific benchmarks established above is un-
6 satisfactory, the President shall include in that
7 report a description of such revisions to the po-
8 litical, economic, regional, and military compo-
9 nents of the strategy, as announced by the
10 President on January 10, 2007. In addition,
11 the President shall include in the report, the
12 advisability of implementing such aspects of the
13 bipartisan Iraq Study Group, as he deems ap-
14 propriate.

15 (D) The President shall submit a second
16 report to the Congress, not later than Sep-
17 tember 15, 2007, following the same procedures
18 and criteria outlined above.

19 (E) The reporting requirement detailed in
20 section 1227 of the National Defense Author-
21 ization Act for Fiscal Year 2006 is waived from
22 the date of the enactment of this Act through
23 the period ending September 15, 2007.

24 (3) TESTIMONY BEFORE CONGRESS.—Prior to
25 the submission of the President's second report on

1 September 15, 2007, and at a time to be agreed
2 upon by the leadership of the Congress and the Ad-
3 ministration, the United States Ambassador to Iraq
4 and the Commander, Multi-National Forces Iraq will
5 be made available to testify in open and closed ses-
6 sions before the relevant committees of the Con-
7 gress.

8 (c) LIMITATIONS ON AVAILABILITY OF FUNDS.—

9 (1) LIMITATION.—No funds appropriated or
10 otherwise made available for the “Economic Support
11 Fund” and available for Iraq may be obligated or
12 expended unless and until the President of the
13 United States certifies in the report outlined in sub-
14 section (b)(2)(A) and makes a further certification
15 in the report outlined in subsection (b)(2)(D) that
16 Iraq is making progress on each of the benchmarks
17 set forth in subsection (b)(1)(A).

18 (2) WAIVER AUTHORITY.—The President may
19 waive the requirements of this section if he submits
20 to Congress a written certification setting forth a de-
21 tailed justification for the waiver, which shall include
22 a detailed report describing the actions being taken
23 by the United States to bring the Iraqi government
24 into compliance with the benchmarks set forth in
25 subsection (b)(1)(A). The certification shall be sub-

1 mitted in unclassified form, but may include a classi-
2 fied annex.

3 (d) REDEPLOYMENT OF U.S. FORCES FROM IRAQ.—

4 The President of the United States, in respecting the sov-
5 ereign rights of the nation of Iraq, shall direct the orderly
6 redeployment of elements of U.S. forces from Iraq, if the
7 components of the Iraqi government, acting in strict ac-
8 cordance with their respective powers given by the Iraqi
9 Constitution, reach a consensus as recited in a resolution,
10 directing a redeployment of U.S. forces.

11 (e) INDEPENDENT ASSESSMENTS.—

12 (1) ASSESSMENT BY THE COMPTROLLER GEN-
13 ERAL.—

14 (A) Not later than September 1, 2007, the
15 Comptroller General of the United States shall
16 submit to Congress an independent report set-
17 ting forth—

18 (i) the status of the achievement of
19 the benchmarks specified in subsection
20 (b)(1)(A); and

21 (ii) the Comptroller General's assess-
22 ment of whether or not each such bench-
23 mark has been met.

24 (2) ASSESSMENT OF THE CAPABILITIES OF
25 IRAQI SECURITY FORCES.—

1 (A) IN GENERAL.—There is hereby author-
2 ized to be appropriated for the Department of
3 Defense, \$750,000, that the Department, in
4 turn, will commission an independent, private
5 sector entity, which operates as a 501(c)(3),
6 with recognized credentials and expertise in
7 military affairs, to prepare an independent re-
8 port assessing the following:

9 (i) The readiness of the Iraqi Security
10 Forces (ISF) to assume responsibility for
11 maintaining the territorial integrity of
12 Iraq, denying international terrorists a
13 safe haven, and bringing greater security
14 to Iraq's 18 provinces in the next 12 to 18
15 months, and bringing an end to sectarian
16 violence to achieve national reconciliation.

17 (ii) The training, equipping, com-
18 mand, control and intelligence capabilities,
19 and logistics capacity of the ISF.

20 (iii) The likelihood that, given the
21 ISF's record of preparedness to date, fol-
22 lowing years of training and equipping by
23 U.S. forces, the continued support of U.S.
24 troops will contribute to the readiness of

1 the ISF to fulfill the missions outlined in
2 clause (i).

3 (B) REPORT.—Not later than 120 days
4 after the enactment of this Act, the designated
5 private sector entity shall provide an unclassi-
6 fied report, with a classified annex, containing
7 its findings, to the House and Senate Commit-
8 tees on Armed Services, Appropriations, For-
9 eign Relations/International Relations, and In-
10 telligence.

11 **CHAPTER 4**

12 DEPARTMENT OF ENERGY

13 ATOMIC ENERGY DEFENSE ACTIVITIES

14 NATIONAL NUCLEAR SECURITY ADMINISTRATION

15 DEFENSE NUCLEAR NONPROLIFERATION

16 For an additional amount for “Defense Nuclear Non-
17 proliferation”, \$63,000,000, to remain available until ex-
18 pended.

19 **CHAPTER 5**

20 DEPARTMENT OF DEFENSE

21 MILITARY CONSTRUCTION, ARMY

22 For an additional amount for “Military Construction,
23 Army”, \$1,255,890,000, to remain available until Sep-
24 tember 30, 2008: *Provided*, That notwithstanding any
25 other provision of law, such funds may be obligated and

1 expended to carry out planning and design and military
2 construction projects not otherwise authorized by law:
3 *Provided further*, That of the funds provided under this
4 heading, not to exceed \$173,700,000 shall be available for
5 study, planning, design, and architect and engineer serv-
6 ices: *Provided further*, That of the funds made available
7 under this heading, \$369,690,000 shall not be obligated
8 or expended until the Secretary of Defense submits a de-
9 tailed report explaining how military road construction is
10 coordinated with NATO and coalition nations: *Provided*
11 *further*, That of the funds made available under this head-
12 ing, \$401,700,000 shall not be obligated or expended until
13 the Secretary of Defense submits a detailed stationing
14 plan to support Army end-strength growth to the Commit-
15 tees on Appropriations of the House of Representatives
16 and the Senate: *Provided further*, That of the funds pro-
17 vided under this heading, \$274,800,000 shall not be obli-
18 gated or expended until the Secretary of Defense certifies
19 that none of the funds are to be used for the purpose of
20 providing facilities for the permanent basing of United
21 States military personnel in Iraq.

22 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

23 For an additional amount for “Military Construction,
24 Navy and Marine Corps”, \$370,990,000, to remain avail-
25 able until September 30, 2008: *Provided*, That notwith-

1 standing any other provision of law, such funds may be
2 obligated and expended to carry out planning and design
3 and military construction projects not otherwise author-
4 ized by law: *Provided further*, That of the funds provided
5 under this heading, not to exceed \$49,600,000 shall be
6 available for study, planning, design, and architect and en-
7 gineer services: *Provided further*, That of the funds made
8 available under this heading, \$324,270,000 shall not be
9 obligated or expended until the Secretary of Defense sub-
10 mits a detailed stationing plan to support Marine Corps
11 end-strength growth to the Committees on Appropriations
12 of the House of Representatives and the Senate.

13 MILITARY CONSTRUCTION, AIR FORCE

14 For an additional amount for “Military Construction,
15 Air Force”, \$43,300,000, to remain available until Sep-
16 tember 30, 2008: *Provided*, That notwithstanding any
17 other provision of law, such funds may be obligated and
18 expended to carry out planning and design and military
19 construction projects not otherwise authorized by law:
20 *Provided further*, That of the funds provided under this
21 heading, not to exceed \$3,000,000 shall be available for
22 study, planning, design, and architect and engineer serv-
23 ices.

1 GENERAL PROVISION—THIS CHAPTER

2 SEC. 1501. (a) Funds provided in this Act for the
3 following accounts shall be made available for programs
4 under the conditions contained in the language of the joint
5 explanatory statement of managers accompanying the con-
6 ference report on H.R. 1591 of the 110th Congress (H.
7 Rept. 110–107):

8 “Military Construction, Army”.

9 “Military Construction, Navy and Marine
10 Corps”.

11 “Military Construction, Air Force”.

12 (b) The Secretary of Defense shall submit all reports
13 requested in House Report 110–60 and Senate Report
14 110–37 to the Committees on Appropriations of both
15 Houses of Congress.

16 **CHAPTER 6**

17 DEPARTMENT OF STATE AND RELATED

18 AGENCY

19 DEPARTMENT OF STATE

20 ADMINISTRATION OF FOREIGN AFFAIRS

21 DIPLOMATIC AND CONSULAR PROGRAMS

22 (INCLUDING TRANSFER OF FUNDS)

23 For an additional amount for “Diplomatic and Con-
24 sular Programs”, \$836,555,000, to remain available until
25 September 30, 2008, of which \$64,655,000 for World
26 Wide Security Upgrades is available until expended: *Pro-*

1 *vided*, That of the funds appropriated under this heading,
2 not more than \$20,000,000 shall be made available for
3 public diplomacy programs: *Provided further*, That prior
4 to the obligation of funds pursuant to the previous proviso,
5 the Secretary of State shall submit a report to the Com-
6 mittees on Appropriations describing a comprehensive
7 public diplomacy strategy, with goals and expected results,
8 for fiscal years 2007 and 2008: *Provided further*, That 20
9 percent of the amount available for Iraq operations shall
10 not be obligated until the Committees on Appropriations
11 receive and approve a detailed plan for expenditure, pre-
12 pared by the Secretary of State, and submitted within 60
13 days after the date of enactment of this Act: *Provided fur-*
14 *ther*, That of the amount made available under this head-
15 ing for Iraq, not to exceed \$20,000,000 may be trans-
16 ferred to, and merged with, funds in the “Emergencies
17 in the Diplomatic and Consular Service” appropriations
18 account, to be available only for terrorism rewards.

19 OFFICE OF THE INSPECTOR GENERAL
20 (INCLUDING TRANSFER OF FUNDS)

21 For an additional amount for “Office of Inspector
22 General”, \$35,000,000, to remain available until Decem-
23 ber 31, 2008: *Provided*, That such amount shall be trans-
24 ferred to the Special Inspector General for Iraq Recon-
25 struction for reconstruction oversight.

1 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

2 For an additional amount for “Educational and Cul-
3 tural Exchange Programs”, \$20,000,000, to remain avail-
4 able until expended.

5 INTERNATIONAL ORGANIZATIONS

6 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

7 ACTIVITIES

8 For an additional amount for “Contributions for
9 International Peacekeeping Activities”, \$283,000,000, to
10 remain available until September 30, 2008.

11 RELATED AGENCY

12 BROADCASTING BOARD OF GOVERNORS

13 INTERNATIONAL BROADCASTING OPERATIONS

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

18 BILATERAL ECONOMIC ASSISTANCE

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 UNITED STATES AGENCY FOR INTERNATIONAL

21 DEVELOPMENT

22 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

23 (INCLUDING TRANSFER OF FUNDS)

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

1 standing any other provision of law, if the President deter-
2 mines and reports to the Committees on Appropriations
3 that the human-to-human transmission of the avian influ-
4 enza virus is efficient and sustained, and is spreading
5 internationally, funds made available under the heading
6 “Millennium Challenge Corporation” and “Global HIV/
7 AIDS Initiative” in prior Acts making appropriations for
8 foreign operations, export financing, and related programs
9 may be transferred to, and merged with, funds made avail-
10 able under this heading to combat avian influenza: *Pro-*
11 *vided further*, That funds made available pursuant to the
12 authority of the previous proviso shall be subject to the
13 regular notification procedures of the Committees on Ap-
14 propriations.

15 INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

16 For an additional amount for “International Disaster
17 and Famine Assistance”, \$105,000,000, to remain avail-
18 able until expended.

19 OPERATING EXPENSES OF THE UNITED STATES AGENCY

20 FOR INTERNATIONAL DEVELOPMENT

21 For an additional amount for “Operating Expenses
22 of the United States Agency for International Develop-
23 ment”, \$5,700,000, to remain available until September
24 30, 2008.

1 OTHER BILATERAL ECONOMIC ASSISTANCE

2 ECONOMIC SUPPORT FUND

3 For an additional amount for “Economic Support
4 Fund”, \$2,502,000,000, to remain available until Sep-
5 tember 30, 2008: *Provided*, That of the funds appro-
6 priated under this heading, \$57,400,000 shall be made
7 available to nongovernmental organizations in Iraq for
8 economic and social development programs and activities
9 in areas of conflict: *Provided further*, That the responsi-
10 bility for policy decisions and justifications for the use of
11 funds appropriated by the previous proviso shall be the
12 responsibility of the United States Chief of Mission in
13 Iraq: *Provided further*, That none of the funds appro-
14 priated under this heading in this Act or in prior Acts
15 making appropriations for foreign operations, export fi-
16 nancing, and related programs may be made available for
17 the Political Participation Fund and the National Institu-
18 tions Fund: *Provided further*, That of the funds made
19 available under the heading “Economic Support Fund” in
20 Public Law 109–234 for Iraq to promote democracy, rule
21 of law and reconciliation, \$2,000,000 should be made
22 available for the United States Institute of Peace for pro-
23 grams and activities in Afghanistan to remain available
24 until September 30, 2008.

1 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
2 STATES

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

7 DEPARTMENT OF STATE
8 DEMOCRACY FUND

9 For an additional amount for “Democracy Fund”,
10 \$255,000,000, to remain available until September 30,
11 2008: *Provided*, That of the funds appropriated under this
12 heading, not less than \$190,000,000 shall be made avail-
13 able for the Human Rights and Democracy Fund of the
14 Bureau of Democracy, Human Rights, and Labor, De-
15 partment of State, and not less than \$60,000,000 shall
16 be made available for the United States Agency for Inter-
17 national Development, for democracy, human rights and
18 rule of law programs in Iraq: *Provided further*, That not
19 later than 60 days after enactment of this Act, the Sec-
20 retary of State shall submit a report to the Committees
21 on Appropriations describing a comprehensive, long-term
22 strategy, with goals and expected results, for strength-
23 ening and advancing democracy in Iraq.

39

1 INTERNATIONAL NARCOTICS CONTROL AND LAW
2 ENFORCEMENT

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

6 MIGRATION AND REFUGEE ASSISTANCE

7 For an additional amount for “Migration and Ref-
8 ugee Assistance”, \$71,500,000, to remain available until
9 September 30, 2008, of which not less than \$5,000,000
10 shall be made available to rescue Iraqi scholars.

11 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
12 ASSISTANCE FUND

13 For an additional amount for “United States Emer-
14 gency Refugee and Migration Assistance Fund”,
15 \$30,000,000, to remain available until expended.

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

18 For an additional amount for “Nonproliferation,
19 Anti-Terrorism, Demining and Related Programs”,
20 \$27,500,000, to remain available until September 30,
21 2008.

22 DEPARTMENT OF THE TREASURY

23 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

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

1 MILITARY ASSISTANCE
2 FUNDS APPROPRIATED TO THE PRESIDENT
3 FOREIGN MILITARY FINANCING PROGRAM

4 For an additional amount for “Foreign Military Fi-
5 nancing Program”, \$220,000,000, to remain available
6 until September 30, 2008.

7 PEACEKEEPING OPERATIONS

8 For an additional amount for “Peacekeeping Oper-
9 ations”, \$190,000,000, to remain available until Sep-
10 tember 30, 2008: *Provided*, That not later than 30 days
11 after enactment of this Act and every 30 days thereafter
12 until September 30, 2008, the Secretary of State shall
13 submit a report to the Committees on Appropriations de-
14 tailing the obligation and expenditure of funds made avail-
15 able under this heading in this Act and in prior Acts mak-
16 ing appropriations for foreign operations, export financ-
17 ing, and related programs.

18 GENERAL PROVISION—THIS CHAPTER

19 AUTHORIZATION OF FUNDS

20 SEC. 1601. Funds appropriated by this Act may be
21 obligated and expended notwithstanding section 10 of
22 Public Law 91–672 (22 U.S.C. 2412), section 15 of the
23 State Department Basic Authorities Act of 1956 (22
24 U.S.C. 2680), section 313 of the Foreign Relations Au-
25 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.

1 6212), and section 504(a)(1) of the National Security Act
2 of 1947 (50 U.S.C. 414(a)(1)).

3 **TITLE II—HURRICANE KATRINA**
4 **RECOVERY**

5 DEPARTMENT OF HOMELAND SECURITY

6 FEDERAL EMERGENCY MANAGEMENT AGENCY

7 DISASTER RELIEF

8 For an additional amount for “Disaster Relief”,
9 \$3,400,000,000, to remain available until expended.

If House amendment 1 has not been agreed to, insert after title II of the provisions inserted by this amendment the following:

1 **TITLE III—GENERAL**
2 **PROVISIONS**

3 SEC. 3001. No part of any appropriation contained
4 in this Act shall remain available for obligation beyond
5 the current fiscal year unless expressly so provided herein.

6 SEC. 3002. Amounts in this Act are designated as
7 emergency requirements and necessary to meet emergency
8 needs pursuant to subsections (a) and (b) of section 204
9 of S. Con. Res. 21 (110th Congress), the concurrent reso-
10 lution on the budget for fiscal year 2008.

If House amendment 1 has not been agreed to, insert before title I of the provisions inserted by this amendment the following:

11 **SECTION 1. SHORT TITLE.**

12 This Act may be cited as the “Supplemental Approp-
13 riations Act for Defense, International Affairs, Other Se-
14 curity-Related Needs, and Hurricane Katrina Recovery,
15 2007”.

16 **SEC. 2. TABLE OF CONTENTS.**

17 The table of contents for this Act is as follows:

TITLE I—SUPPLEMENTAL APPROPRIATIONS FOR DEFENSE,
INTERNATIONAL AFFAIRS, AND OTHER SECURITY-
RELATED NEEDS

TITLE II—HURRICANE KATRINA RECOVERY
TITLE III—GENERAL PROVISIONS

1 SEC. 3. STATEMENT OF APPROPRIATIONS.

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

 If House amendment 1 has been agreed to, conform
the table of contents in section 2 to reflect the titles in-
serted by the provisions of this amendment.

 Amend the title so as to read (if not already so
amended by House amendment 1): “An Act making sup-
plemental appropriations for the fiscal year ending Sep-
tember 30, 2007, and for other purposes.”.