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{ REPORT  
108-280

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS  
BILL, 2005

JUNE 17, 2004.—Ordered to be printed

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

**REPORT**

[To accompany S. 2537]

The Committee on Appropriations reports the bill (S. 2537) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes, reports favorably thereon and recommends that the bill do pass.

*Total obligational authority, fiscal year 2005*

Amount of bill as reported to the Senate <sup>2</sup> .....	\$33,085,460,000
Amount of 2004 appropriations acts to date <sup>1</sup> .....	35,048,446,000
Amount of estimates, 2005 <sup>2</sup> .....	32,189,925,000
The bill as recommended to the Senate:	
Under the appropriations provided in 2004 ....	1,962,986,000
Over the estimates for 2005 .....	895,535,000

<sup>1</sup> Includes a 0.59 percent rescission pursuant to Public Law 108-106; \$298,183,000 in emergency supplemental appropriations; and \$4,703,000,000 in advance appropriations for subsequent fiscal years.

<sup>2</sup> Includes \$2,528,000,000 for biodefense countermeasures, and excludes \$400,000,000 for the Strategic National Stockpile transferred to the Department of Health and Human Services.

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## OVERVIEW AND SUMMARY OF THE BILL

The amounts of obligational authority, by title of the bill, are shown on the following table. A detailed tabulation, showing comparisons, appears at the end of this report. Recommendations for individual appropriations for organizations, programs, projects, and activities are carried in this bill under the appropriate account headings.

	Fiscal year 2005 request	Fiscal year 2005 Committee recommendation
Title I—Departmental Management and Operations .....	\$713,604,000	\$632,102,000
Title II—Security, Enforcement, and Investigations .....	20,029,618,000	20,735,931,000
Title III—Preparedness and Recovery .....	9,206,471,000	9,408,297,000
Title IV—Research and Development, Training, Assessments, and Services .....	2,240,232,000	2,309,130,000
Total, new budget (obligational authority) .....	32,189,925,000	33,085,460,000

The Committee recommends total new appropriations of \$33,085,460,000 for the Department of Homeland Security for fiscal year 2005, \$895,535,000 more than the budget request. Of this amount, \$32,000,000,000 is for discretionary programs.

The Committee recommends total appropriations of \$8,767,108,000 for the defense of the Nation’s borders, and investigation and enforcement of immigration and customs laws. For the Bureau of Customs and Border Protection, the Committee provides a total of \$5,008,587,000, including \$449,909,000 for automation modernization. For the Bureau of Immigration and Customs Enforcement, the Committee provides a total of \$3,409,657,000, including \$662,900,000 for the Federal Air Marshals and \$267,535,000 for the Air and Marine Interdiction program. In addition, the Committee recommends \$340,000,000 for the US Visitor and Immigrant Status Indicator Technology project. The Committee also recommends total appropriations of \$140,000,000 for the Bureau of Citizenship and Immigration Services.

The Committee recommends total appropriations of \$5,226,935,000 for the Transportation Security Administration, further providing a commitment to secure all modes of transportation by providing funding for the following: \$161,060,000 for reconfiguration of passenger checkpoints; \$210,000,000 for the procurement of explosive detection systems; \$292,890,000 for airport information technology and support; \$15,000,000 for rail security; \$43,000,000 for air cargo security; \$57,000,000 for research and development of next generation explosive detection systems; and \$75,000,000 for research and development to detect air cargo threats.

The Committee recommends a total of \$7,469,130,000 for the United States Coast Guard, including \$1,090,000,000 for defense-related activities. The Committee recommends \$776,000,000 for the

Integrated Deepwater Systems program, a \$112,000,000 increase from the fiscal year 2004 level.

The Committee recommends a total of \$5,648,216,000 for the Emergency Preparedness and Response Directorate, including: \$2,151,000,000 for disaster relief; \$231,499,000 for preparedness, mitigation, response, and recovery; \$200,000,000 for the flood map modernization activities; \$150,000,000 for mitigation grants; and \$153,000,000 for the emergency food and shelter program. In addition, \$2,528,000,000 in previously appropriated funds will be available for fiscal year 2005 for biodefense countermeasures.

The Committee provides total appropriations of \$875,576,000 for information analysis and infrastructure protection with the following recommendations: \$91,592,000 for critical infrastructure information coordination between the Federal and private sector; \$193,673,000 for protective actions to continue the Buffer Zone Protection Plan; \$11,000,000 for the biosurveillance initiative; \$67,380,000 for cyber security infrastructure monitoring and coordination; and \$140,754,000 for national security and emergency preparedness telecommunications.

For science and technology, the Committee recommends total appropriations of \$1,069,197,000, with the following recommendations: \$118,000,000 for the biosurveillance initiative; \$33,590,000 for high explosives countermeasures, including \$23,890,000 for rail security; \$75,120,000 for rapid prototyping; \$69,048,000 for university programs; \$61,000,000 for the Counter-MANPADS program; \$17,800,000 for cyber security; and \$11,000,000 for communications interoperability programs.

To further strengthen the capacity of the Nation's first responders to prepare for and respond to possible terrorist threats and other emergencies, the Committee provides a total of \$3,750,081,000 for the Office of State and Local Government Coordination and Preparedness, including: \$1,370,000,000 for the State and local basic formula grants, of which \$400,000,000 is for State and local law enforcement terrorism prevention grants; \$1,200,000,000 for urban area security initiative discretionary grants, of which \$150,000,000 is for port security grants and \$150,000,000 is for rail and transit security grants. The Committee also provides \$700,000,000 for firefighter assistance grants and \$180,000,000 for emergency management performance grants, to remain as stand-alone programs.

DEPARTMENT OF HOMELAND SECURITY  
 TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS  
 OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

Appropriations, 2004 <sup>1</sup> .....	\$80,317,000
Budget estimate, 2005 <sup>2</sup> .....	102,623,000
Committee recommendation .....	82,206,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.  
<sup>2</sup> Included in \$405,287,500 consolidated “Departmental Operations” account in lieu of separate “Office of the Secretary and Executive Management” and “Office of the Under Secretary for Management” accounts.

The Office of the Secretary and Executive Management directs and leads the Department and provides policy guidance to operating bureaus within the organization. The specific activities funded by this account include: the Immediate Office of the Secretary of Homeland Security, the Immediate Office of the Deputy Secretary, the Office of Security, the Chief of Staff, the Executive Secretary, the Special Assistant to the Secretary/Private Sector, the Office for National Capital Region Coordination, the Office for State and Local Government Coordination, the Office of International Affairs, the Office of Public Affairs, the Office of Legislative Affairs, the Office of General Counsel, the Office for Civil Rights and Civil Liberties, the Citizenship and Immigration Services Ombudsman, the Homeland Security Advisory Committee, and the Privacy Officer.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$82,206,000 for the Office of the Secretary and Executive Management.  
 The specific levels recommended by the Committee as compared to the fiscal year 2004 and budget request level are as follows:

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT  
 [In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Immediate Office of the Secretary .....	2,126	2,388	2,388
Immediate Office of the Deputy Secretary .....	1,109	1,112	1,112
Office of Security .....	19,782	21,044	21,044
Chief of Staff .....	5,017	5,240	5,240
Executive Secretary .....	5,208	5,190	5,190
Special Assistant to the Secretary/Private Sector .....	3,971	3,781	3,781
Office for National Capital Region Coordination .....	557	1,323	688
Office for State and Local Government Coordination .....	3,077	3,546	( <sup>2</sup> )
Office of International Affairs .....	1,158	1,318	1,318
Office of Public Affairs .....	8,120	10,669	8,120
Office of Legislative Affairs .....	5,872	6,627	5,872
Office of General Counsel .....	8,645	10,821	10,821
Office for Civil Rights and Civil Liberties .....	12,950	15,025	15,025

## OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT—Continued

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Citizenship and Immigration Services Ombudsman .....	1,236	5,858	3,546
Homeland Security Advisory Committee .....	722	1,414	1,287
Privacy Officer .....	767	3,774	3,774
Regions .....		3,493	
Unspecified reduction .....			-7,000
Total, Office of the Secretary and Executive Management .....	80,317	102,623	82,206

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.<sup>2</sup> Funded under the Office of State and Local Government Coordination and Preparedness "Management and Administration" account.

*Consolidation and Co-location of Offices.*—Section 706 of the Homeland Security Act of 2002 requires that not later than 1 year after the date of enactment of that Act, the Secretary develop and submit to the Congress a plan for consolidating and co-locating the regional or field offices of agencies transferred to the Department. Because of the strong interest in this process, the Committee expects to receive regular updates from the Department on the status of this office consolidation/co-location plan and to be notified at least 10 days prior to any public announcement of changes in the location of these offices.

The Department shall submit a report to the Committee no later than February 1, 2005, regarding the feasibility of establishing a separate Homeland Security Pacific Region for the administration of homeland security activities conducted by the Department. The report should assess the particular challenges in the noncontiguous United States, including remoteness, difficulty in providing services caused by the unique geography of these areas, and cultural barriers preventing the successful response to incidents.

*Information Technology Systems.*—The Committee requests, within 60 days after the date of enactment of this Act, and every 3 months thereafter, the Secretary of Homeland Security, in collaboration with the Director of the Office of Management and Budget, shall submit a report to the Committees on Appropriations of the House and Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, and the Select Committee on Homeland Security of the House of Representatives on the status of the Department's efforts to:

- (1) complete an inventory of the Department's entire information technology infrastructure;
- (2) devise and deploy a secure comprehensive enterprise architecture that: (a) promotes interoperability of homeland security information systems, including communications systems, for agencies within and outside the Department; (b) avoids unnecessary duplication; and (c) aids rapid and appropriate information exchange, retrieval, and collaboration at all levels of government;
- (3) consolidate multiple overlapping and inconsistent terrorist watch lists, reconcile different policies and procedures governing whether and how terrorist watch list data are shared with other agencies and organizations, and resolve fun-

damental differences in the design of the systems that house the watch lists so as to achieve consistency and expeditious access to accurate, complete, and current information;

(4) ensure that the Department's enterprise architecture and the information systems leveraged, developed, managed, and acquired under such enterprise architecture are capable of rapid deployment, limit data access only to authorized users in a highly secure environment, and are capable of continuous system upgrades to benefit from advances in technology while preserving the integrity of stored data; and

(5) align common information technology investments within the Department and between the Department and other Federal, State and local agencies responsible for homeland security to minimize inconsistent and duplicate acquisitions and expenditures.

#### OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

Appropriations, 2004 <sup>1</sup> .....	\$130,210,000
Budget estimate, 2005 <sup>2</sup> .....	302,664,000
Committee recommendation .....	245,579,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup> Included in \$405,287,500 consolidated "Departmental Operations" account in lieu of separate "Office of the Secretary and Executive Management" and "Office of the Under Secretary for Management" accounts.

The Under Secretary for Management oversees management and operations of the Department, including financial planning and execution, information systems management, human capital planning and policies, building management, and oversight of standard-setting and all departmental immigration statistical information. The specific activities funded by this account include: the Immediate Office of the Under Secretary for Management, the Office of the Chief Financial Officer, the Office of Procurement, the Office of Human Resources, the Chief Information Officer, and the Office of Administration.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$245,579,000 for the Office of the Under Secretary for Management.

The specific levels recommended by the Committee as compared to the fiscal year 2004 and budget levels are as follows:

#### OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Immediate Office of the Under Secretary .....	1,270	1,434	1,434
Business Transformation Office .....		1,832	1,099
Immigration Statistics .....		5,898	5,898
Office of the Chief Financial Officer .....	10,530	12,275	14,670
Office of Procurement .....	6,135	7,024	7,024
Office of Human Resources .....	6,703	7,706	7,706
Office of the Chief Information Officer .....	60,139	68,396	68,396
Secure Communications for the Secretary .....		747	
Office of Administration .....	25,551	27,271	27,271
Headquarters, renovations and relocation costs .....	19,882	65,081	65,081
Human Resources System .....		102,500	70,000



OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT—Continued  
[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Investment Review Board .....	.....	2,500	.....
Unspecified reduction .....	.....	.....	- 23,000
Total, Office of the Under Secretary for Management ....	130,210	302,664	245,579

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

*DHS Consolidated Headquarters.*—The Committee provides \$65,081,000, as requested, to enable the Department to continue to consolidate and integrate its headquarters operations and specific program components at the Nebraska Avenue Complex [NAC] in Washington, D.C. This is an increase of \$45,199,000 from the fiscal year 2004 level and includes \$19,199,000 to fund physical modifications to existing NAC buildings, communications and security upgrades, and relocation costs to meet the Department's housing requirements; and \$26,000,000 for the relocation of U.S. Navy operations from the NAC to leased facilities, contingent on the enactment into law, as proposed in the budget, of legislation transferring the NAC property from the Department of the Navy to the General Services Administration [GSA].

The Committee is concerned over reports that essential Departmental components, such as the Information Analysis and Infrastructure Protection Directorate, are unable to hire needed personnel due to a lack of available housing. The Department is directed to remedy this situation by providing interim space at the NAC, or by working with the GSA to acquire leased or other space, either on an interim or permanent basis, to enable it to hire the personnel required to fully meet its funded full-time equivalent position levels. The Department is expected to correct this situation expeditiously and to provide regular updates, at least monthly, on the actions being taken by the Department in this regard.

The Committee also expects to be updated on a regular basis on the Department's physical consolidation and on the planned expenditure of the funds made available for the NAC, as well as its plans for a permanent headquarters.

*Human Resources System.*—The Committee includes in its recommendation \$70,000,000 to support the design, detailed program development, and deployment of the new DHS human resources management system. Included in this amount is: (1) \$27,000,000 for detailed systems design and implementation support to ensure that DHS designs a program that appropriately links pay, competencies, and performance; (2) \$28,000,000 for training and communication to ensure that all DHS executives, managers, and supervisors are adequately trained on aspects of the new system and their responsibilities, along with awareness and change management activities to ensure all DHS employees understand system changes; and (3) \$15,000,000 for program management, oversight, and evaluation.

DEPARTMENT-WIDE TECHNOLOGY INVESTMENTS

Appropriations, 2004 <sup>1</sup> .....	\$183,784,000
Budget estimate, 2005 .....	226,000,000
Committee recommendation .....	222,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199 and excludes \$21,000,000 transferred from the Working Capital Fund.

The Department-wide Technology Investments account is for the development and acquisition of information technology equipment, software, services, and the costs of conversion to narrowband communications.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$222,000,000, to be available until expended, for Department-wide technology investments. This includes an increase of \$4,215,000 for pay and other inflationary adjustments.

*Information Technology Services.*—Included in the amount recommended by the Committee is \$91,000,000 for information technology investments to support infrastructure consolidation, collaboration capabilities, web services, physical security access, and management system integration. This reflects a \$4,000,000 reduction from the budget request.

The following table summarizes the Committee’s recommendations as compared to the budget request levels:

INFORMATION TECHNOLOGY SERVICES

[In thousands of dollars]

	Fiscal year 2005 budget	Committee recommendations
Human resources information technology development .....	21,000	21,000
Financial management system, eMERGE development .....	56,000	52,000
Information technology support—enterprise architecture, consolidation, and geospatial initiatives .....	18,000	18,000
Total, Information Technology Services .....	95,000	91,000

*Security Activities.*—Included in the amount recommended by the Committee is \$31,000,000 for continued security activities and the homeland security information technology evaluation program.

The following table summarizes the Committee’s recommendations as compared to the budget request levels:

SECURITY ACTIVITIES

[In thousands of dollars]

	Fiscal year 2005 budget	Committee recommendations
Homeland security information technology evaluation program .....	21,000	21,000
Other security activities .....	10,000	10,000
Total, security activities .....	31,000	31,000

*Wireless Activities.*—Included in the amount recommended by the Committee is \$100,000,000 for expanding and enhancing wireless communications capabilities within the border environment, and

for continuing support of the Wireless Public SAFETy Interoperability COMMUNICATIONS [SAFECOM] program.

The following table summarizes the Committee’s recommendations as compared to the budget request levels:

WIRELESS ACTIVITIES  
[In thousands of dollars]

	Fiscal year 2005 budget	Committee recommendations
Integrated wireless network initiative .....	69,000	69,000
Operations and maintenance for legacy systems .....	17,000	17,000
Technical operations .....	3,000	3,000
SAFECOM .....	11,000	11,000
Total, wireless activities .....	100,000	100,000

*Program and Project Plans.*—The Committee requests the Department to revise its report of April 20, 2004, on program and project plans to include a detailed program plan describing the scope; total estimated cost; cost by year; and the schedule for completion, including significant milestones, for each individual project funded for fiscal year 2004 in the information technology services, security activities, and wireless programs. The initial submission of this report did not include the total estimated costs, or costs by year, for any project; additionally, no discussion of the targeted completion date was provided for most of the projects. This information is important for the Committee to understand the full scope of projects receiving funding. The report should be submitted to the Committee no later than September 1, 2004.

The Committee further directs the Department to submit to the Committee by December 1, 2004, a detailed program plan describing the scope; total estimated cost; cost by year; and the schedule for completion, including significant milestones, for each individual project funded for fiscal year 2005 for information technology services, security activities, and wireless programs.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2004 <sup>1</sup> .....	\$58,318,000
Budget estimate, 2005 .....	82,317,000
Committee recommendation .....	82,317,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199 and excludes \$22,000,000 transfer from Disaster Relief appropriation.

The Homeland Security Act established an Office of Inspector General [OIG] in the Department of Homeland Security by amendment to the Inspector General Act of 1978. This account finances the OIG’s cost of conducting audits inspections, investigations and other reviews of programs and operations of the Department of Homeland Security to promote economy, efficiency, and effectiveness and to prevent and detect fraud, waste, and abuse.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$82,317,000 for the Office of Inspector General for fiscal year 2005. This is \$23,999,000 more than the fiscal year 2004 level and the same as the budget request, includ-

ing \$83,000 in cost savings and an increase of \$2,082,000 for pay and other inflationary adjustments.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

BORDER AND TRANSPORTATION SECURITY

OFFICE OF THE UNDER SECRETARY FOR BORDER AND TRANSPORTATION SECURITY

SALARIES AND EXPENSES

Appropriations, 2004 <sup>1</sup> .....	\$8,058,000
Budget estimate, 2005 .....	10,371,000
Committee recommendation .....	8,864,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

This account provides the funds for the salaries and expenses of the Office of the Under Secretary for Border and Transportation Security which oversees the Bureau of Customs and Border Protection, the Bureau of Immigration and Customs Enforcement, the Transportation Security Administration, and the Federal Law Enforcement Training Center.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$8,864,000 for the activities of the Office of the Under Secretary of Border and Transportation Security [BTS] salaries and expenses account, including an increase of \$806,000 for pay and other inflationary adjustments. This funding level does not include an increase in the authorized staffing level for this office.

*Cargo Container Security.*—Over the past 3 years, Congress has provided in excess of \$200,000,000 in funding for a variety of innovative programs designed to ensure the safe and secure shipment of containerized goods from their initial point of loading to their final place of delivery in the United States. The Department is learning many important lessons from these programs, which include Operation Safe Commerce [OSC], the Container Security Initiative [CSI], and Customs-Trade Partnership Against Terrorism [C-TPAT]. The Committee directs the Under Secretary to submit a report to the Congress no later than February 8, 2005, which identifies: (1) the steps the Department has taken to date to enhance shipping container security, (2) the resources that have been devoted to shipping container security in prior fiscal years and the proposed resources to continue this security, (3) the results of ongoing projects, such as OSC, CSI, C-TPAT and others, (4) which departmental entity has primary responsibility for implementing the needed changes, and (5) the steps the entity with primary responsibility will take to implement these changes, including a specific schedule for the development and issuance of standards, policies, procedures, or regulations.

*Air Marine Assets Review.*—In reviewing the budgets and functions of the agencies within BTS, the Committee notes that there are potential redundancies in the areas of air and marine interdiction, investigation, and protection activities. Except for the United States Coast Guard [USCG], which was transferred intact to the Department, the Department has created two separate air and marine operations within the Bureaus of Customs and Border Protection [CBP] and Immigration and Customs Enforcement [ICE]. The Border Patrol has its own fleet of helicopters, fixed wing-aircraft, and maritime patrol boats, while at the same time ICE has inherited the legacy Customs Service air and marine operations activities. Both bureaus are involved in tests of unmanned aerial vehicles for border protection and surveillance. ICE will assume responsibility for a portion of the costs of operating the former Federal Aviation Administration long-range radar.

The Committee is aware that the Department has initiated a process by which to review and possibly make recommendations on the streamlining of the air and marine activities of the USCG, CBP, and ICE. The departmental review has started slowly and has caused a delay in the necessary planning to replace the aging Vietnam-era aircraft currently in use. The Committee expects the Department to submit a report to the Committee no later than February 15, 2005, on its review of these activities. The report should include a cost/benefit analysis of retrofitting the existing P-3 fleet with new wings and tail to reduce future maintenance costs to extend the life of the aircraft versus procurement of new aircraft. If the review reaches a conclusion about possible consolidation of these assets or missions, the Department should consider using its reorganization authority under the Homeland Security Act of 2002 to re-align resources.

*Visas Mantis Process.*—The Committee requests the Department, in coordination with the Department of State and the FBI, to develop a plan to improve the Visas Mantis process. The plan should include, but not be limited to, actions to: reduce backlogs and the length of the processing time; establish interoperability of information systems; establish a system for priority processing of appropriate applications, such as those for individuals visiting at U.S. Government invitation; and target dates for critical actions to be taken. The plan should be submitted to the Committee within 60 days of enactment of this Act.

*Forced Child Labor.*—The Committee provides funds to CBP and ICE to enforce Section 307 of the Tariff Act of 1930 to prohibit the importation of goods made with forced and indentured child labor. The Committee requests BTS to submit a report by December 15, 2004, on the number of investigations, prosecutions, and other enforcement actions that have resulted from the dedicated funding provided.

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR  
TECHNOLOGY

Appropriations, 2004 <sup>1</sup> .....	\$328,053,000
Budget estimate, 2005 .....	340,000,000
Committee recommendation .....	340,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

The United States Visitor and Immigrant Status Indicator Technology account funds the development of a system to collect, maintain, and share appropriate information through an integrated information technology system which determines the eligibility of aliens for admissions and benefits.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$340,000,000, to be available until expended, as requested, for the United States Visitor and Immigrant Status Indicator Technology [US VISIT]. This appropriation represents full funding of the base request for the technology needs of the project. The US VISIT program office has been given lead responsibility within the Department of Homeland Security to work with the Federal Bureau of Investigation [FBI] on the further integration of the IDENT system and the FBI's Integrated Automated Fingerprint Identification System [IAFIS]. The Committee expects the resources for the IDENT/IAFIS integration project to be funded from this account.

*Biometric Integration.*—As the Department moves forward with constructing a new visa tracking system and enrolling thousands of visitors to the United States into a new biometric database, it is crucial that the Department of Homeland Security take concomitant steps with the Department of Justice [DOJ] to ensure that the growing US VISIT database is able to retrieve, in real time, the existing biometric information contained in the IAFIS database. Further, it is equally essential for the FBI, and State and local law enforcement to have the ability to retrieve the proper level of information out of the IDENT/US VISIT database. The Committee directs the Department of Homeland Security to submit a plan to the Committee no later than February 8, 2005, that details the specific steps it will take to fully integrate into the US VISIT program the FBI's IAFIS database. The plan should identify the sources and funds needed for the integration, as well as a timetable for full integration.

A report issued March 2004 by the DOJ Inspector General provides extensive and compelling details on the critical need to integrate existing biometric databases. The Committee also expects the Department to implement the recommendations of the report and continues to encourage the Department to work closely with the FBI on this effort.

#### CUSTOMS AND BORDER PROTECTION

##### SUMMARY

The Bureau of Customs and Border Protection [CBP] was established by the Secretary of Homeland Security on January 30, 2003, under the statutory authority for reorganization contained in the Homeland Security Act of 2002. CBP is responsible for the enforcing of the laws regarding admission of foreign-born persons into the United States and ensuring that all goods and persons entering and exiting the United States do so legally.

## COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$6,082,587,000, including direct appropriations of \$5,008,587,000, and estimated offsetting collections of \$1,074,000,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

## CUSTOMS AND BORDER PROTECTION—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
<b>Appropriations:</b>			
Salaries and expenses .....	4,370,430	4,580,491	4,466,960
Automation modernization .....	438,520	449,909	449,909
Construction .....	89,830	91,718	91,718
<b>Total, Appropriations .....</b>	<b>4,898,780</b>	<b>5,122,118</b>	<b>5,008,587</b>
<b>Estimated fee collections:</b>			
Immigration inspection user fees .....	509,000	429,000	429,000
Enforcement fines .....	6,000	6,000	6,000
Land border inspection fees .....	28,000	28,000	28,000
COBRA fees .....	302,000	318,000	318,000
APHIS inspection fees .....	194,000	204,000	204,000
Puerto Rico Trust Fund .....	87,200	89,000	89,000
<b>Estimated fee collections, total .....</b>	<b>1,126,200</b>	<b>1,074,000</b>	<b>1,074,000</b>
<b>Total, Available Funding .....</b>	<b>6,024,980</b>	<b>6,196,118</b>	<b>6,082,587</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

## SALARIES AND EXPENSES

Appropriations, 2004 <sup>1</sup> .....	\$4,370,430,000
Budget estimate, 2005 .....	4,580,491,000
Committee recommendation .....	4,466,960,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

The Bureau of Customs and Border Protection [CBP] Salaries and Expenses appropriation provides funds for border security, immigration, customs, and agricultural inspections. In addition to directly appropriated resources, offsetting collections are available for the operations of CBP from the following sources:

*Immigration Inspection User Fees.*—CBP collects user fees to fund the costs of international inspections activities at airports and seaports, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

*Enforcement Fines.*—CBP collects fines from owners of transportation lines and persons for unauthorized landing of aliens, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

*Land Border Inspections Fees.*—CBP collects fees for processing applications for the Dedicated Commuter Lanes program, the Automated Permit Ports program, the Canadian Border Boat Landing program, and both Canadian and Mexican Non-Resident Alien Border Crossing Cards, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

*Consolidated Omnibus Budget Reconciliation Act [COBRA] Fees.*—CBP collects fees for inspection services involving customs



related functions. The COBRA user fee statutory authority (19 U.S.C. 58c) specifies the types of expenses that are to be reimbursed and the order in which these expenses are to be reimbursed.

*Animal and Plant Health Inspection Service [APHIS] Inspection Fees.*—CBP receives as a transfer a distribution of agriculture inspection fees collected by the United States Department of Agriculture. The user fees, as authorized by the Food, Agriculture, Conservation, and Trade Act of 1990, are charged to offset costs for the services related to the importation, entry, or exportation of animals and animal products.

*Puerto Rico Trust Fund.*—Customs duties, taxes, and fees collected in Puerto Rico by CBP are deposited in the Puerto Rico Trust Fund. After providing for the expenses of administering CBP activities in Puerto Rico, the remaining amounts are transferred to the Treasurers of Puerto Rico pursuant to 48 U.S.C. sections 740 and 795.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$4,466,960,000 for salaries and expenses of the Bureau of Customs and Border Protection [CBP] for fiscal year 2005, including \$3,000,000 from the Harbor Maintenance Trust Fund. This includes a decrease of \$859,000, as requested in the budget. The Committee includes language in the bill making available up to \$150,000 for space for preclearance operations; up to \$5,000,000 available for cooperative agreements with States and local governments; and \$1,000,000 for payments to informants. The Committee also includes language in the bill placing a \$30,000 annual limit on overtime paid to any employee; placing a cap of not to exceed \$12,725,000 for activities to enforce laws against forced child labor, of which \$4,000,000 shall remain available until expended. In addition, the Committee recommendation includes a \$23,000,000 reduction, reflecting the transfer of base funding for operations of the Charleston training facility to the Federal Law Enforcement Training Center; as well as a reduction of \$85,532,000, reflecting the redistribution of base resources to the Bureau of Immigration and Customs Enforcement.

*Customs-Trade Partnership Against Terrorism.*—Included in the amount recommended by the Committee is \$37,828,000, an increase of \$15,215,000, as requested, for expansion of the Customs-Trade Partnership Against Terrorism.

*Container Security Initiative.*—Included in the amount recommended by the Committee is \$126,096,000, an increase of \$25,000,000, as requested, for expansion of the Container Security Initiative.

*Systems for Targeting.*—Included in the amount recommended by the Committee is \$37,493,000, an increase of \$20,623,000 and 18 positions, as requested, for systems technology acquisition, to be distributed as follows: automated targeting system/passenger, \$9,592,000; National Targeting Center, \$3,132,000; automated targeting system-inbound, \$2,845,000; automated targeting system-land border, \$1,435,000; automated targeting system-passenger/reservations monitoring, \$2,450,000; and the trend analysis and analytical selectivity program, \$1,169,000.

*Non-Intrusive Inspection Equipment/Radiation Detection.*—Included in the amount recommended is \$115,159,000, a total increase of \$50,000,000 above the enacted level, as requested in the budget, to purchase and deploy radiation detection equipment. The Committee expects CBP to purchase equipment that meets the standards set by the Science and Technology [S&T] Directorate and take advantage of the findings of detector testbeds funded by S&T.

*Integrated Surveillance Information System.*—The Committee recommends \$64,162,000, as requested, to expand and upgrade the technology used in the Integrated Surveillance Information System [ISIS]. The Committee supports the ISIS program—which includes intelligent computer assisted detection, remote video surveillance, and ground sensors—and the incorporation of the latest technology into ISIS.

The Committee expects the Department to submit by December 15, 2004, a master plan for the nationwide deployment of the ISIS program, to include a breakout by sector and installation type, plans for redundancies and digital records, a timeline for implementation, and a total cost estimate. In addition, an analysis of the proper number of Law Enforcement Communication Assistant positions should be included. After submission of the master plan, semi-annual updates should be provided to the Committee.

*Unmanned Aerial Vehicles.*—The Committee recommendation does not include the requested increase for unmanned aerial vehicles within CBP. This funding is provided within the amount recommended for “Air and Marine Interdiction, Operation, Maintenance, and Procurement” account.

*Advanced Training Center.*—Included in the amount recommended by the Committee is an increase of \$5,000,000 from the fiscal year 2004 level to operate and equip the advanced training center. The budget requests funding for the operation of this center in the Federal Law Enforcement Training Center “Salaries and Expenses” account. The Committee expects this to continue to be a CBP facility and that the Department not use its reorganization authority to effectuate its transfer elsewhere.

Pursuant to Public Law 106–246, the training to be conducted at the facility shall be configured in a manner so that it does not duplicate or displace any Federal law enforcement program of the Federal Law Enforcement Training Center. Training currently being conducted at a Federal Law Enforcement Training Center shall not be moved to the new training facility.

*Anti-Dumping Enforcement.*—The Committee has ensured that within the amounts provided for this account, sufficient funds are available to enforce the anti-dumping authority contained in section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c).

The Committee directs CBP to submit a report to the Committee by October 1, 2004, on the status of its implementation of recommendations contained in the U.S. Treasury Department Office of Inspector General report on implementation of the Continued Dumping and Subsidy Offset Act [CDSOA]. The report should address: (1) the proper establishment of special accounts; (2) the need to pay claimants within 60 days after the end of the fiscal year (including the need to prepare and send checks in a timely fashion, and to make certain that the addresses to which they are sent are

correct); (3) the need to address CBP's failure to collect millions of dollars in unliquidated entries (including the need for CBP to conduct timely liquidations upon receipt of liquidation instructions from the Department of Commerce, and for CBP not to liquidate in situations involving tardy notice of suspension of liquidation); (4) the need to address CBP's failure to collect millions of dollars in open (unpaid) duty bills and interest (including a determination of whether required posting of cash deposits rather than bonds would result in increased collections); (5) the need to establish standard operating procedures and adequate internal controls for the proper management of the CDSOA program; and (6) the progress and achievements of the CDSOA working group in addressing systemic issues identified in the report, along with any others relevant to proper administration of CDSOA.

In addition, the Committee is aware that CBP intends to transfer administrative responsibility for the CDSOA program to its Office of Finance. The Committee expects CBP to establish an organization that is accessible and responsive and directs CBP to include in the report a detailed description of which offices have responsibility for external relations, litigation, denials, verifications, and payments.

Further, the Committee directs CBP to work with the Departments of Commerce and Treasury, and the Office of the United States Trade Representative (and all other relevant agencies) to complete a joint report to the Committee by February 8, 2005, that provides a coordinated plan, including legislative or regulatory changes proposed by CBP, if necessary, to increase anti-dumping and countervailing duty collections, particularly related to cases involving unfairly traded Asian imports. The CBP Annual Report for fiscal year 2003 shows a failure to collect \$130,402,706 in assessed duties. The Committee directs CBP to break out the non-collected amounts for each of fiscal years 2001, 2002, and 2003, by order and claimant, along with a description of each of the specific reasons for the non-collection with respect to each order.

*Counterdrug Support Program.*—The Committee notes that National Guard personnel have provided critical intelligence, reconnaissance, and inspection support to CBP as part of the Counterdrug Support Program. The Department of Defense has determined that National Guard personnel shall no longer perform mail and cargo inspection duties under this program. The Committee directs CBP to report no later than March 1, 2005, on the actions taken to make up for the loss of this National Guard support, including the redeployment of inspection personnel along the Nation's borders.

*Vehicle Fleet Management.*—The Committee is aware that CBP is conducting a comprehensive review of its vehicle management plan. The Committee strongly supports efforts to incorporate the Border Patrol vehicle fleet into the CBP fleet management plan. The Committee is concerned that the Border Patrol may be facing a vehicle procurement and management crisis in the long term and believes that properly equipping Border Patrol agents and other CBP personnel is essential to protect our borders. In order to assess the status of current vehicle management, the Committee ex-

pects CBP to submit a detailed vehicle management plan no later than February 8, 2005.

*Agricultural Pests.*—The Committee notes that Hawaii’s globally significant natural environment, as well as the State’s important diversified agricultural industry, are uniquely vulnerable to the introduction of invasive weeds, animals, insects, and diseases. The Committee expects the Department to work with the U.S. Department of Agriculture and the Hawaii Department of Agriculture in sharing information and expertise to ensure their respective inspection and quarantine activities provide coordinated and collaborative bio-security protection for the State.

Included in the amount recommended by the Committee is continued funding at the fiscal year 2004 level for part-time and temporary positions in the Honolulu, Hawaii, Customs District.

The Committee requests CBP to study the feasibility of allowing the National Guard to conduct inspections on behalf of CBP (including agricultural) for all aircraft chartered by the U.S. Armed Forces or the Department of Defense [DOD] with respect to individuals who are members of the U.S. Armed Forces, space-available passengers, retired members of the U.S. Armed Forces, DOD personnel, employees of the U.S. Government, or foreign military passengers, and to submit the findings to the Committee by December 1, 2004.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2004 and budget request levels:

CUSTOMS AND BORDER PROTECTION—SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee rec- ommendations
Salaries and expenses:			
Headquarters management and administration .....	1,364,975	1,347,346	1,261,815
Border security inspections and trade facilitation at ports of entry:			
Inspections, trade & travel facilitation at ports of entry .....	1,240,223	1,255,900	1,255,900
Harbor maintenance fee collection (trust fund) .....	2,823	3,000	3,000
Container security initiative .....	61,390	126,096	126,096
Other international programs .....	56,000	58,300	58,300
Customs-trade partnership against terrorism/free and se- cure trade .....	17,894	41,705	41,705
Inspection & detection technology investments .....	140,225	115,159	115,159
Systems for targeting .....	12,300	29,791	29,791
National targeting center .....	16,000	19,132	19,132
Training .....	18,100	18,300	23,300
Subtotal, border security inspections and trade facilita- tion at ports of entry .....	1,564,955	1,667,383	1,672,383
Border security and control between ports of entry:			
Border security and control between ports of entry .....	1,339,400	1,413,800	1,413,800
Air program operations and maintenance .....	36,700	37,300	37,300
Unmanned aerial vehicles .....		10,000	
Integrated surveillance and intelligence system .....	23,900	64,162	64,162
Training .....	40,500	40,500	17,500
Subtotal, border security and control between ports of entry .....	1,440,500	1,565,762	1,532,762

## CUSTOMS AND BORDER PROTECTION—SALARIES AND EXPENSES—Continued

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee rec- ommendations
Total, Salaries and expenses .....	4,370,430	4,580,491	4,466,960

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

## AUTOMATION MODERNIZATION

Appropriations, 2004 <sup>1</sup> .....	\$438,520,000
Budget estimate, 2005 .....	449,909,000
Committee recommendation .....	449,909,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

The automation modernization account includes funds for major information technology systems and services for the Bureau of Customs and Border Protection, including the Automated Commercial Environment and the International Trade and Data System projects, and connectivity of and integration of existing systems.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$449,909,000, to be available until expended, as requested, for automation modernization. This amount includes an increase of \$6,390,000 for inflationary adjustments.

*International Trade Data Systems.*—Included in the amount recommended is \$16,900,000, an increase of \$5,000,000, as requested, for the international trade data systems. The Committee supports CBP's strategy to implement an integrated, government-wide system for the electronic collection, use, and dissemination of the international trade transaction data required by the various trade-related Federal agencies.

*Expenditure Plan.*—Of the funds recommended, not less than \$321,690,000 is available for the development of the Automated Commercial Environment [ACE]. As requested, this funding is available for ACE only upon the submission of a comprehensive plan from the Secretary of Homeland Security for the ACE program that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget [OMB], including OMB Circular A–11, part 3; (2) complies with acquisition rules, requirements, guidelines, and systems acquisition management practices; (3) is reviewed by the General Accounting Office; and (4) has been approved by the Committees on Appropriations of the Senate and the House of Representatives.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

## AUTOMATION MODERNIZATION

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Automated Commercial Environment .....	316,810	321,690	321,690
Legacy information technology/automated commercial systems ..	121,710	128,219	128,219

AUTOMATION MODERNIZATION—Continued  
[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Total, Automation modernization .....	438,520	449,909	449,909

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

CONSTRUCTION

Appropriations, 2004 <sup>1</sup> .....	\$89,830,000
Budget estimate, 2005 .....	91,718,000
Committee recommendation .....	91,718,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

This appropriation provides funding to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, customs, and alien registration.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$91,718,000 for construction activities of the Bureau of Customs and Border Protection, to be available until expended, as requested. This includes an increase of \$1,888,000 for inflationary adjustments.

The Committee directs the Department to submit a detailed spending plan for the fiscal year 2005 construction account which includes, but should not be limited to, the following information for each project: explanation of the purpose of work, total estimated project cost, amount of funding provided by fiscal year, and a detailed cost breakout for construction, design, planning, project management; and date each phase of the project began or is scheduled to begin and is to be completed.

The Committee expects the Department to continue to work with the General Services Administration on its nationwide strategy to prioritize and address the infrastructure needs at the land border ports-of-entry and to comply with the requirements of the Public Buildings Act of 1959 to seek necessary funding.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SUMMARY

The Bureau of Immigration and Customs Enforcement [ICE] was established by the Secretary of Homeland Security on January 30, 2003, under the statutory authority for reorganization contained in the Homeland Security Act of 2002.

ICE is responsible for enforcing immigration and customs laws, detaining and removing deportable or inadmissible aliens, protecting the air transportation system against attack, and providing security of Federal buildings and property.

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$3,660,032,000, including direct appropriations of \$3,409,657,000 and estimated offsetting collections of \$250,375,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

IMMIGRATION AND CUSTOMS SERVICE—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
<b>Appropriations:</b>			
Salaries and expenses .....	2,084,358	<sup>2</sup> 2,370,906	<sup>3</sup> 2,413,438
Federal Air Marshals .....	622,704	<sup>4</sup> 612,900	<sup>4</sup> 662,900
Federal Protective Service .....	424,211	<sup>5</sup> (478,000)	<sup>5</sup> (478,000)
Automation modernization .....	39,764	39,605	39,605
Air and Marine Interdiction, operation, maintenance and procurement .....	208,960	257,535	267,535
Construction .....	26,617	26,179	26,179
<b>Total, Appropriations .....</b>	<b>3,460,614</b>	<b>3,307,125</b>	<b>3,409,657</b>
<b>Estimated Fee Collections:</b>			
Immigration inspection user fees .....	107,000	90,000	90,000
Immigration examinations fees .....	25,000	.....	25,000
Student and exchange visitor program fees .....	25,000	65,375	65,375
Immigration breached bond/detention fund .....	116,000	70,000	70,000
<b>Total, Estimated fee collections .....</b>	<b>273,000</b>	<b>225,375</b>	<b>250,375</b>
<b>Total, available funding .....</b>	<b>3,679,614</b>	<b>3,532,500</b>	<b>3,660,032</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup> Includes \$5,000,000 for the proposed transfer from the U.S. Secret Service of grant funding for the National Center for Missing and Exploited Children to become part of Operation Predator.

<sup>3</sup> Includes \$5,000,000 grant to the National Center for Missing and Exploited Children.

<sup>4</sup> Reflects a \$10,000,000 transfer to the Science and Technology Directorate of research and development funds.

<sup>5</sup> The Federal Protective Service is fully funded through offsetting collections paid by General Services Administration tenants and directly credited to this appropriation.

SALARIES AND EXPENSES

Appropriations, 2004 <sup>1</sup> .....	\$2,084,358,000
Budget estimate, 2005 <sup>2</sup> .....	2,370,906,000
Committee recommendation <sup>3</sup> .....	2,413,438,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup> Includes \$5,000,000 for the proposed transfer from the U.S. Secret Service of grant funding for the National Center for Missing and Exploited Children to become part of Operation Predator.

<sup>3</sup> Includes \$5,000,000 grant to the National Center for Missing and Exploited Children.

The Bureau of Immigration and Customs Enforcement [ICE] Salaries and Expenses account provides funds for the enforcement of immigration and customs laws, intelligence, detention and removals, and the air and marine interdiction program. In addition to directly appropriated resources, funding is derived from the following offsetting collections:

*Immigration Inspection User Fees.*—ICE derives funds from user fees to support the costs of detention and removals in connection with international inspections activities at airports and seaports, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

*Immigration Examinations Fees.*—ICE derives funds from fees paid by persons applying for immigration benefits to support the cost of investigative and intelligence activities in connection with adjudication of applications, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

*Student Exchange Visitor Program Fees.*—ICE collects fees from foreign students, exchange visitors, and schools and universities to certify and monitor participating schools, and to conduct compliance audits.

*Immigration Breached Bond/Detention Fund.*—ICE derives funds from the recovery of breached cash and surety bonds in excess of \$8,000,000, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356); and from a portion of fees charged under section 245(i) of the Immigration and Nationality Act to support the cost of the detention of aliens.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,413,438,000, for salaries and expenses of the Bureau of Immigration and Customs Enforcement [ICE] for fiscal year 2005. This includes an increase of \$41,331,000 for pay and other inflationary adjustments. The Committee expects that not less than \$102,000 of the total appropriations recommended will be for promotion of public awareness of the child pornography tipline, and not less than \$203,000 shall be for Project Alert.

The Committee includes language in the bill placing a \$30,000 limit on overtime paid to any employee; making up to \$5,000,000 available for special operations; making up to \$1,000,000 available for the payment of informants; making up to \$11,216,000 available to reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens; and making available until expended up to \$2,000,000 of the funds provided for activities to enforce laws against forced child labor.

The Committee also includes bill language making available \$5,000,000 for a grant to the National Center for Missing and Exploited Children. This grant was funded in fiscal year 2004 under the United States Secret Service “Salaries and Expenses” account.

In addition, the Committee’s recommendation includes an increase of \$85,532,000 to reflect a higher level of administrative expenses within ICE as a result of the realignment of base resources between the Bureau of Customs and Border Protection and ICE. A reduction of \$5,000,000 has been applied to ICE to reflect a transfer of funds to the Under Secretary of Management for the collection of immigration statistics.

*Compliance Teams.*—Included in the amount recommended by the Committee is \$26,500,000, an increase of \$16,000,000 and 65 positions, as requested, to expand the compliance enforcement program. This program is responsible for overseeing immigration enforcement efforts under the Student Exchange and Visitor Program and US VISIT.

*Benefit Fraud Investigations.*—The Committee does not recommend the requested appropriations to shift benefit fraud investigations from a fee-funded activity. The Committee believes that this function is properly funded from within the Immigration Examinations Fee account.

*Guest Worker/Worksite Enforcement.*—The Committee does not recommend the requested funding increase for the worksite enforcement initiative. This request is premature until the required



authorizing legislation is passed by the Congress and signed into law and the program is actively being developed.

*International Affairs.*—Included in the amount recommended by the Committee is \$14,000,000 and 90 positions, as requested, for the visa security units.

*Guantanamo Migrant Operations Center.*—The Committee recommends \$6,216,000, as requested, to allow ICE to take over the operations of the Guantanamo Migrant Operations Center from the U.S. Navy.

*Detention Beds in Support of Other Programs.*—Included in the amount recommended by the Committee is \$487,721,000, an increase of \$10,000,000 and 14 positions, to expand the number of detention beds available to support the other programs of ICE and the Department.

*Alternatives to Detention.*—Included in the amount recommended by the Committee is \$14,202,000, an increase of \$11,000,000 and 30 positions, as requested, to expand the alternatives to detention program.

*Institutional Removal Program.*—Included in the amount recommended by the Committee is \$33,413,000, an increase of \$30,000,000 and 140 positions, as requested, to provide for the transfer of the responsibility of the Institutional Removal Program from the Investigations Program to the Detention and Removals Program.

*Fugitive Operations.*—Included in the amount recommended by the Committee is an increase of \$50,000,000 and 118 positions, as requested, to expand the number of fugitive operations teams, to be distributed as follows: personnel, \$24,800,000; bed space, \$14,700,000; and removals, \$10,500,000.

*Immigration Legal Workload.*—Included in the amount recommended by the Committee is \$32,718,000, an increase of \$6,000,000 and 40 positions, as requested, to enhance legal staffing to address the growing immigration workload.

*Cyber Crime Center.*—The Committee provides \$5,000,000 to establish a new regional Cyber Crime Center to keep pace with workload increases. This center is to be located in an existing DHS/ICE office.

*Detention and Removals Reporting.*—The Committee is concerned that an inadequate level of information has been provided to judge the results of increased spending within the Detention and Removals program. The Committee requests ICE to submit a quarterly report to the Committee which compares the number of deportation, exclusion, and removal orders sought and obtained by ICE. The report should be broken down by district in which the removal order was issued; by type of order (deportation, exclusion, removal, expedited removal, and others); by agency issuing the order; by the number of cases in each category in which ICE has successfully removed the alien; and by the number of cases in each category in which ICE has not removed the alien.

*New Orleans District Staffing.*—The Committee is concerned about reports of inadequate staffing for detention and removals within the New Orleans District and requests ICE to review the staffing needs of this District and to advise the Committee of its findings.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

IMMIGRATION AND CUSTOMS ENFORCEMENT—SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Headquarters management and administration:			
Personnel compensation and benefits, other services .....	31,395	45,676	46,676
Information technology .....	118,224	120,119	129,119
Investigations:			
Operations .....	849,955	947,347	963,879
Training programs .....	10,536	15,671	15,671
Intelligence:			
Headquarters reporting center .....	4,810	4,882	4,882
Operations .....	50,374	51,130	55,130
Detention and removals operations:			
Custody management .....	456,056	482,721	487,721
Case management .....	182,052	192,269	192,269
Fugitive operations .....	16,869	35,242	35,242
Institutional removal program .....	6,561	33,719	33,719
Alternatives to detention .....	3,000	14,202	14,202
Transportation removal program .....	294,694	311,492	311,492
Air and Marine Operations .....	113,832	116,436	123,436
Rescission .....	- 54,000		
<b>Total, Salaries and Expenses .....</b>	<b>2,084,358</b>	<b>2,370,906</b>	<b>2,413,438</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

*Immigration Examinations Fee.*—The Committee includes an estimate of \$25,000,000 within ICE to fund the investigations and intelligence needs for Bureau of Citizenship and Immigration Services [CIS]. The Committee does not support the budget request to provide ICE with appropriated dollars for benefit fraud investigations. Investigative and intelligence activities directly in support of CIS responsibilities are an appropriate expense of the examinations fee account. However, the Committee believes that ICE does not adequately provide a detailed accounting of its examinations fee account spending to CIS. It is reasonable for CIS, as the client, to expect that ICE will put into place an adequate system to track investigative time spent on CIS-related cases, and provide that information to CIS in support of the annual bill for services rendered.

FEDERAL AIR MARSHALS

Appropriations, 2004 <sup>1</sup> .....	\$622,704,000
Budget estimate, 2005 <sup>2</sup> .....	612,900,000
Committee recommendation <sup>2</sup> .....	662,900,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup> Transfers \$10,000,000 to the Science and Technology Directorate "Research, Development, Acquisition and Operations" account.

The Federal Air Marshals [FAMs] were transferred to the Bureau of Immigration and Customs Enforcement on November 2, 2003, under the statutory authority for reorganization contained in the Homeland Security Act of 2002. The FAMs are responsible for protecting the air transportation system against terrorist threats, sabotage, and other acts of violence. The FAMs account provides funds for the salaries, benefits, travel, training, and other expenses of the program.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$662,900,000, for salaries and expenses of the Federal Air Marshals for fiscal year 2005.

The Committee has provided an increase of \$50,000,000 from the level requested for pay and other inflationary adjustments. The Committee transfers \$10,000,000 to the Science and Technology Directorate for air-to-ground communications research and development, as proposed in the budget.

The Committee believes that, to the greatest extent practicable, FAMs should be able to remain inconspicuous to fellow air passengers in order to perform their mission. In order to expedite the solution to this problem, the FAMs are authorized to enter the secured areas of airports to gain access to aircraft in the performance of their official duties. The credential and badge approved by the Secretary of Homeland Security that are issued to the FAMs for identification purposes shall be recognized by the Federal Aviation Administration, the Transportation Security Administration, and the controlling airport authority for entering secured areas of airports and for accessing aircraft.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

## FEDERAL AIR MARSHALS

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Management and administration .....	545,204	545,500	595,500
Travel and training .....	67,500	67,400	67,400
Air-to-ground communications .....	10,000	( <sup>2</sup> )	( <sup>2</sup> )
Total, Federal Air Marshals .....	622,704	612,900	662,900

<sup>1</sup>Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup>Transfers \$10,000,000 to the Science and Technology Directorate "Research, Development, Acquisition and Operations" account.

## FEDERAL PROTECTIVE SERVICE

Appropriations, 2004 <sup>1</sup> .....	\$424,211,000
Budget estimate, 2005 <sup>2</sup> .....	478,000,000
Committee recommendation <sup>2</sup> .....	478,000,000

<sup>1</sup>Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup>Fully funded by offsetting collections paid by General Services Administration tenants and credited directly to this appropriation.

The Federal Protective Service [FPS] was established by administrative order on January 11, 1971. Pursuant to the Homeland Security Act of 2002, FPS was transferred to the Department of Homeland Security on March 3, 2003, and incorporated into the Bureau of Immigration and Customs Enforcement. FPS is responsible for the security and protection of Federal property under the control of the General Services Administration [GSA]; and for the enforcement of laws for the protection of persons and property, the prevention of breaches of peace, and enforcement of any rules and regulations made and promulgated by the GSA Administrator. The FPS authority can also be extended by agreement to any area with a significant Federal interest. The FPS account provides funds for

the salaries, benefits, travel, training, and other expenses of the program.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$478,000,000 for salaries and expenses of the Federal Protective Service for fiscal year 2005; this amount is fully offset by collections. This is the same as the budget request and includes an increase of \$53,789,000 for pay and other inflationary adjustments.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

#### FEDERAL PROTECTIVE SERVICE

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget <sup>2</sup>	Committee recommendations <sup>2</sup>
Basic security .....	89,057	106,362	106,362
Building specific security .....	335,154	371,638	371,638
Total, Federal Protective Service .....	424,211	478,000	478,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup> Fully funded by offsetting collections paid by General Services Administration tenants and credited directly to this appropriation.

#### AUTOMATION MODERNIZATION

Appropriations, 2004 <sup>1</sup> .....	\$39,764,000
Budget estimate, 2005 .....	39,605,000
Committee recommendation .....	39,605,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

The Automation Modernization account provides funds for major information technology projects for the Bureau of Immigration and Customs Enforcement.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$39,605,000 for the Automation Modernization account for fiscal year 2005, to be available until expended, as requested in the budget.

#### AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

Appropriations, 2004 <sup>1</sup> .....	\$208,960,000
Budget estimate, 2005 .....	257,535,000
Committee recommendation .....	267,535,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

The Bureau of Immigration and Customs Enforcement [ICE] Air and Marine Operations [AMO] identifies, deters, interdicts, and investigates acts of terrorism and smuggling arising from unlawful movement of people and goods into and out of the United States. AMO conducts missions along the southern borders of the United States, Mexico, South America and the Caribbean. Since September 11, 2001, AMO has established a presence along the northern border and the National Capitol Region of Washington, DC. This account funds the capital procurement and total operations and

maintenance costs of the ICE air and marine program and provides support to other Federal, State, and local agencies.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$267,535,000 for air and marine interdiction, operations, maintenance, and procurement, to be available until expended. Included in this amount is \$8,075,000 for inflationary adjustments.

*Long-Range Radar.*—The Committee provides \$12,500,000, as requested, to enable the Air and Marine Operations [AMO] program to fund its portion of the cost of the long-range radar program operated by the Federal Aviation Administration.

*P-3 Flight Hours.*—Included in the amount recommended by the Committee is \$69,400,000, an increase of \$28,000,000, as requested, to increase the number of flight hours of P-3 aircraft.

*Unmanned Aerial Vehicles.*—The Committee provides \$10,000,000 to initiate development, procurement, deployment, and operation of a system of unmanned aerial vehicles to support ICE and other components of the Department. This funding was requested in the budget under the Bureau of Customs and Border Protection [CBP] “Salaries and Expenses” account. AMO, as the lead agency, should work closely with CBP and the United States Coast Guard on the development of this program.

*Northern Border Resources.*—Included in the amount recommended by the Committee is \$48,000,000, for the Northern border air resources. The Committee directs that \$12,800,000, reflecting one-time costs funded for fiscal year 2004 recurred in the base, be made available for the acquisition of additional aircraft to enhance Northern border air coverage.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2004 and budget request levels:

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT  
[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Operations and maintenance .....	158,760	196,535	199,535
Procurement .....	50,200	61,000	68,000
Total, Air and Marine Operations .....	208,960	257,535	267,535

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

CONSTRUCTION

Appropriations, 2004 <sup>1</sup> .....	\$26,617,000
Budget estimate, 2005 .....	26,179,000
Committee recommendation .....	26,179,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

This appropriation provides funding to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, detention, and alien registration.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$26,179,000, to be available until expended, for activities of the Bureau of Immigration and Customs Enforcement construction account. This is the full amount requested in the budget, including \$438,000 in cost savings.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

## CONSTRUCTION

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee rec- ommendations
Krome, FL, Service Processing Center .....	2,500	.....	.....
Aquadilla, PR, Service Processing Center .....	4,700	.....	.....
El Centro, CA, Service Processing Center .....	6,150	.....	.....
Guantanamo Migrant Operations Center .....	6,000	.....	.....
Port Isabel, TX, 200-bed secure dorm .....	1,650	6,600	6,600
Batavia, NY, 200-bed secure dorm .....	.....	15,000	15,000
Facility repair and alterations .....	5,617	4,579	4,579
<b>Total, Construction .....</b>	<b>26,617</b>	<b>26,179</b>	<b>26,179</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

## TRANSPORTATION SECURITY ADMINISTRATION

The Transportation Security Administration [TSA] was established within the Department of Transportation [DOT] on November 19, 2001, with the enactment of Public Law 107-71, the Aviation and Transportation Security Act [ATSA]. ATSA identified a series of objectives and authorities under which TSA would improve security across all modes of transportation for the American public, and for the first time, made overall aviation security a direct Federal responsibility. Public Law 107-296, the Homeland Security Act of 2002, transferred TSA from DOT to the Department of Homeland Security. TSA is charged with ensuring security across U.S. transportation systems, including aviation, railways, highways, pipelines, and waterways, and safeguarding the freedom of movement of people and commerce. Separate appropriations are provided for the following activities within TSA: aviation security; maritime and land security; intelligence; research and development; and administration.

## COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of \$5,226,935,000 for activities of the Transportation Security Administration for fiscal year 2005.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

## TRANSPORTATION SECURITY ADMINISTRATION—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Aviation Security .....	3,724,112	4,238,164	4,386,083

## TRANSPORTATION SECURITY ADMINISTRATION—FUNDING SUMMARY—Continued

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Maritime and Land <sup>2</sup> .....	261,449	29,000	111,000
Intelligence .....	13,520	14,000	14,000
Research and Development .....	154,285	154,000	181,000
Administration .....	424,679	539,852	534,852
<b>Total, Appropriations .....</b>	<b>4,578,045</b>	<b>4,975,016</b>	<b>5,226,935</b>
Offsetting collections .....	2,070,000	2,223,000	1,890,000
<b>Total, Transportation Security Administration .....</b>	<b>2,508,045</b>	<b>2,752,016</b>	<b>3,336,935</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.<sup>2</sup> Excludes funds for grant programs transferred to the Office of State and Local Government Preparedness and Coordination under the reorganization proposal submitted pursuant to Section 872 of Public Law 107–296.

## AVIATION SECURITY

Appropriations, 2004 <sup>1</sup> .....	\$3,724,112,000
Budget estimate, 2005 .....	4,238,164,000
Committee recommendation .....	4,386,083,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

The Transportation Security Administration aviation security account provides for Federal aviation security by employing the most efficient screening of all passengers and baggage, deployment of on-site law enforcement, continuation of a uniform set of background requirements for airport and airline personnel, deployment of the most current explosive detection technology, and creation of a model workplace.

The aviation security activities include funding for Federal and private contract passenger and baggage screeners, including personnel compensation and benefits, training, and human resource services; passenger checkpoint support; air cargo security; procurement and maintenance of explosive detection systems; and checkpoint support.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$4,386,083,000 for aviation security. The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

## AVIATION SECURITY

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Passenger screening .....	1,801,764	2,026,814	2,076,733
Baggage screening .....	1,315,666	1,377,460	1,437,460
Airport security direction and enforcement .....	701,682	833,890	871,890
Use of prior year balances .....	–95,000	.....	.....
<b>Total, Aviation Security .....</b>	<b>3,724,112</b>	<b>4,238,164</b>	<b>4,386,083</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

Pursuant to Section 118 of Public Law 107–71, the Aviation and Transportation Security Act, fees are collected by TSA for security

previously incurred by the air carriers and now conducted by the Federal Government. The President's budget for fiscal year 2005 assumes that TSA will collect \$750,000,000 in air carrier fees which will be available to directly offset TSA appropriations requirements. The budget includes a legislative proposal to ensure collection of this amount, given the current \$400,000,000 gap between fee estimates and actual fee collections. The Committee has included language in the bill requiring the General Accounting Office to conduct audits of air carriers' actual security costs for passenger and property screening incurred in calendar year 2000. The air carriers have expressed to the Committee their willingness to fully comply and cooperate with audit activities to resolve this issue. If the audits conclude that additional fees are owed to TSA by the air carriers, the Secretary shall undertake all available steps to collect these amounts. The Committee makes any additional fee collections available for security modifications, including Letters of Intent [LOIs], at commercial airports.

#### PASSENGER SCREENING

The Committee recommends \$2,076,733,000 for passenger screening activities. The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

#### PASSENGER SCREENING

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Contract screening airports .....	118,726	129,654	129,654
Passenger screeners .....	1,316,564	1,445,486	1,445,486
Passenger screeners, training, and other .....	113,838	140,614	140,614
Human resource services .....	150,871	150,000	150,000
Checkpoint support .....	61,857	86,060	161,060
Computer Assisted Passenger Pre-screening System (CAPPS II) .....	34,919	60,000	34,919
Registered traveler .....	4,989	15,000	15,000
<b>Total, Passenger Screening .....</b>	<b>1,801,764</b>	<b>2,026,814</b>	<b>2,076,733</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

*Contract Screening Airports.*—The Committee recommends \$129,654,000 for contract screening airports for fiscal year 2005. This amount is \$10,928,000 more than the fiscal year 2004 level and the same as the budget request.

The budget request and recommendation for funding is based on an estimate of resources necessary to maintain the current five pilot airports and does not take into account airports that may opt for private contract screening in lieu of Federal screening. The Committee encourages TSA to expedite the application, review, and award process for airports applying to opt out of using Federal screeners. In the event that additional airports beyond the five pilot airports currently budgeted for are awarded the ability to utilize a private screener workforce, the Committee expects TSA to adhere to the requirements for the reprogramming of funds pursuant to section 502 of this Act.



*Passenger Screeners.*—The Committee recommends \$1,445,486,000 for passenger screener workforce personnel compensation and benefits. This amount is \$128,922,000 more than the fiscal year 2004 level and the same as the budget request.

*Checkpoint Support.*—The Committee recommends \$161,060,000, \$99,203,000 more than the fiscal year 2004 level and \$75,000,000 more than the budget request, for passenger checkpoint support for reconfiguration; purchase, installation, and maintenance of checkpoint equipment; and electronic surveillance of checkpoints. The increase provided above the budget request is made available for the procurement of new checkpoint technologies currently being tested to detect explosives and chemical weapons in the screening of passengers.

The Committee is aware of TSA's efforts to screen passengers' checked baggage by means of explosive detection systems, explosive trace detection, and canine units; however, current deficiencies of screening passengers and their carry-on baggage for explosives continues to warrant concern. No later than July 1, 2005, a detailed report shall be provided to the Committee on TSA's current pilot program to screen passengers and carry-on baggage for explosives, including implementation costs and schedules for purchase, installation, and maintenance of new technologies.

The Committee is concerned that passenger security wait times at airport checkpoints have continued to increase as TSA attempts to maintain adequate staffing of screener personnel as passenger traffic increases. To inform the public of wait times at airports, the Committee encourages TSA to publish monthly high, low and average wait times for the Nation's major airports on its web site beginning in November 2004, and to inform the Committee if this information will not be available by this time.

*Computer Assisted Passenger Pre-screening System.*—The Committee recommends \$34,919,000 for the second generation Computer Assisted Passenger Pre-screening System [CAPPS II]. This amount is the same as the fiscal year 2004 level and \$25,081,000 less than the budget request. The Committee is supportive of the development of CAPPS II to provide an additional layer of aviation security as directed by Public Law 107-71, the Aviation and Transportation Security Act. However, delays in obtaining Passenger Name Record data from air carriers needed for testing have postponed the initial operating capability of the system and, as a consequence, delayed the obligation and expenditure of available funds. The amount recommended by the Committee, together with available carryover balances, will be sufficient to meet fiscal year 2005 program funding requirements. The Committee encourages TSA to commence rulemaking proceedings, and, if needed, issue a security directive at the earliest possible date to require air carriers to release Passenger Name Record data for testing.

#### BAGGAGE SCREENING

The Committee recommends \$1,437,460,000 for baggage screening activities. The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

**BAGGAGE SCREENING**  
[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Baggage screeners .....	772,419	848,860	848,860
Baggage screener training .....	69,340	203,660	203,660
Explosive detection system [EDS]/explosive trace detection [ETD] procurement .....	149,655	150,000	210,000
EDS/ETD installation/airport security modifications, Letters of Intent [LOIs] .....	249,425	( <sup>2</sup> )	( <sup>2</sup> )
EDS/ETD maintenance .....	74,827	174,940	174,940
<b>Total, Baggage Screening .....</b>	<b>1,315,666</b>	<b>1,377,460</b>	<b>1,437,460</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

<sup>2</sup> The budget assumes \$250,000,000 in direct funding fee collections pursuant to Section 605 of Public Law 108–176.

**Baggage Screeners.**—The Committee recommends \$848,860,000 for baggage screener workforce personnel compensation and benefits. This amount is \$76,441,000 more than the fiscal year 2004 level and the same as the budget request.

**Explosive Detection Systems [EDS]/Explosive Trace Detection [ETD] Procurement.**—The Committee recommends \$210,000,000, \$60,345,000 more than the fiscal year 2004 level and \$60,000,000 more than the budget request, for the procurement of explosive detection systems and explosive trace detection machines. The increase will provide for the procurement of next generation in-line explosive detection system technologies made available for deployment that are currently being tested, certified, and piloted.

**Airport Security Modifications.**—The Aviation Security Capital Fund authorized by Public Law 108–176, the Vision 100-Century of Aviation Reauthorization Act, makes \$250,000,000 available for fiscal year 2005 from fee collections to enter into Letters of Intent [LOIs] with airports for the installation of explosive detection systems.

The Committee believes that a strong commitment to LOIs to install explosive detection systems in an in-line system is an important component in improving passenger security. Security improvements will maximize the efficiency of operations to help minimize lobby congestion, decrease passenger-processing time, and allow for reduced screening personnel.

**AIRPORT SECURITY DIRECTION AND ENFORCEMENT**

The Committee recommends \$871,890,000 for airport security direction and enforcement. The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

**AIRPORT SECURITY DIRECTION AND ENFORCEMENT**  
[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Aviation regulation and other enforcement .....	274,766	227,000	227,000
Airport management & staff .....	233,262	284,000	284,000
Airport information technology and other support .....	138,780	267,890	292,890
Federal Flight Deck Officer program .....	24,943	25,000	25,000
Air cargo security .....	29,931	30,000	43,000

## AIRPORT SECURITY DIRECTION AND ENFORCEMENT—Continued

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Flight school background checks <sup>2</sup> .....	.....	<sup>3</sup> (4,600)	<sup>3</sup> (4,600)
Total, Airport Security Direction and Enforcement .....	701,682	833,890	871,890

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

<sup>2</sup> Transferred from the Department of Justice to the Department of Homeland Security pursuant to Section 612 of Public Law 108–176.

<sup>3</sup> Fully funded by offsetting fee collections.

*Aviation Regulation and Other Enforcement.*—The Committee recommends \$227,000,000 for State and local reimbursement agreements for local law enforcement officers. The recommendation reflects flexibility provided for law enforcement personnel in airports by Public Law 108–7.

*Airport Information Technology and Support.*—The Committee recommends \$292,890,000, \$154,110,000 more than the fiscal year 2004 level and \$25,000,000 more than the budget request, to establish adequate information technology connectivity with all airports across the Nation, including Federal Security Director offices and passenger and baggage screener checkpoints, to increase screener performance and enhanced security.

*Federal Flight Deck Officer Program.*—The Committee recommends \$25,000,000, \$57,000 more than the fiscal year 2004 level and the same as the budget request, to support continuation of Federal Flight Deck Officer training of passenger and air cargo pilots to act as the last line of defense against a terrorist attack on an aircraft.

The Committee is encouraged by TSA’s efforts to increase the number of volunteer pilots that are trained as Federal Flight Deck Officers [FFDO]. The Committee understands that TSA has implemented a highly effective training program, in conjunction with the Federal Law Enforcement Training Center [FLETC], and has also taken steps to provide for requalification training at FLETC and at local facilities throughout the country. The Committee encourages TSA to continue to use FLETC facilities, when available, to conduct this training. The Committee directs TSA to assess the cooperation by the air carriers and pilots, in scheduling training for new FFDO candidates so that all pilots who wish to be trained, and qualify, can do so easily.

*Air Cargo Security.*—The Committee recommends \$43,000,000, \$13,069,000 more than the fiscal year 2004 level and \$13,000,000 more than the budget request, for air cargo security activities. Additional funding is provided for developing technologies to secure air cargo in the “Research and Development” account.

The Committee is aware of the commitment of TSA to secure cargo transported on passenger and cargo planes. TSA will work with industry and other Federal agencies to ensure the inspection of 100 percent of high-risk air cargo. The Committee recommends continued funding for the maintenance of the automated “known shipper” database currently being deployed to centralize data submitted by indirect air carriers [IACs] and shippers to provide the ability to immediately verify the status of a specific shipper and to

enhance the ability to determine high-risk air cargo deemed necessary for screening.

With the funds made available, TSA is encouraged to continue coordination of the Bureau of Customs and Border Protection [CBP] Customs-Trade Partnership Against Terrorism with the “known shipper” program to develop a domestic air cargo targeting capability that will promote supply chain security.

The Committee is encouraged by TSA’s initiative to develop a cargo prescreening system in coordination with CBP and industry that will utilize the “known shipper” database, IAC databases, and terrorist watch lists. Until the cargo prescreening system is operational, the Committee encourages increased random screening inspections of air cargo transported on passenger and all-cargo air carriers.

Of the increase provided in fiscal year 2005 for air cargo security, \$10,000,000 is provided for the hiring of 100 regulatory inspectors to ensure industry compliance with current and future air cargo security requirements. This will complement the 100 regulatory inspectors hired in fiscal year 2004 as part of the first phase of a multi-year plan to provide increased inspection and enforcement regulatory oversight. The Committee provides an increase of \$3,000,000 from the budget request for the expansion of the explosives detection canine teams to assist in screening air cargo on passenger and all-cargo aircraft.

The Committee also encourages TSA to expedite the Notice of Proposed Rulemaking to strengthen security requirements for indirect air carriers and to enhance TSA’s ability to take enforcement actions against non-compliant IAC.

*Flight School Background Checks.*—The Alien Pilot Security Assessment Program was transferred to the Department of Homeland Security from the Department of Justice pursuant to Section 612 of Public Law 108–176 and provides authority to assess a fee to conduct background checks on aliens and other individuals determined by the Secretary to present a risk to aviation or national security. The budget assumes \$4,600,000 in fee collections for fiscal year 2005.

*General Aviation.*—The Committee expects TSA to continue funding of the toll-free number 1–866–GA–Secure to reinforce security at the Nation’s 5,400 public use general aviation airports.

MARITIME AND LAND SECURITY

Appropriations, 2004 <sup>1</sup> .....	\$261,449,000
Budget estimate, 2005 <sup>2</sup> .....	29,000,000
Committee recommendation .....	44,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

<sup>2</sup> Excludes funds for grant programs transferred to the Office of State and Local Government Preparedness and Coordination under the reorganization proposal submitted pursuant to Section 872 of Public Law 107–296.

Maritime and land security provides oversight of non-aviation transportation modes, including rail, highway, mass transit, cruise ship and ferries, by issuing regulations and executing security standards established through collaborative efforts between TSA and other relevant Federal, State and local transportation agencies.

The maritime and land security account provides funding for personnel and operational resources to assess the risk of a terrorist at-

tack on non-aviation modes and the need for standards and procedures to address those risks, and to ensure compliance with established regulations and policies.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$44,000,000 for maritime and land security. The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

#### MARITIME AND LAND SECURITY

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Port security grants .....	124,263	( <sup>2</sup> )	( <sup>2</sup> )
Transportation worker identification credentialing [TWIC] .....	49,705	55,000	55,000
Intercity bus security grants .....	9,941	( <sup>2</sup> )	( <sup>2</sup> )
Operation Safe Commerce .....	16,900	( <sup>2</sup> )	( <sup>2</sup> )
Trucking industry security grants .....	21,870	( <sup>2</sup> )	( <sup>2</sup> )
Rail security .....			15,000
Hazardous materials driver license endorsement program .....	6,959	17,000	17,000
Nuclear detection and monitoring .....	3,976		
Staffing .....	27,835	24,000	24,000
Credentialing fee activities .....		-67,000	-67,000
<b>Total, Maritime and Land Security .....</b>	<b>261,449</b>	<b>29,000</b>	<b>44,000</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup> Included under the Office of State and Local Government Coordination and Preparedness.

*Grant Program Consolidation.*—The Secretary provided congressional notification on January 26, 2004, pursuant to Section 872 of Public Law 107-296, of a reorganization to consolidate organizational units within the Department of Homeland Security, including select grant award functions of TSA to be consolidated within the Office of State and Local Government Coordination and Preparedness [SLGCP]. The reorganization of TSA maritime and land security programs from TSA to SLGCP includes port security grants, intercity bus security grants, Operation Safe Commerce, and trucking industry security grants. Despite this consolidation of selected grant award functions, TSA will retain operational subject matter expertise and be fully engaged in the administration of these programs in cooperation with the SLGCP.

*Rail Security.*—The Committee recommends \$15,000,000 for the safety and security of the Nation's railways.

Of the total amount provided, \$10,000,000 is for the deployment of 100 Federal compliance inspectors for mass transit and passenger rail to conduct on-site inspections of transit and passenger rail systems to ensure compliance with minimum standards and recently issued security directives and to identify coverage gaps. The Committee expects TSA Federal compliance inspectors to leverage existing TSA, Federal Railroad Administration, and Federal Transit Authority resources. The Committee also provides \$5,000,000 for the deployment of canine explosives detection teams. Additional funding for rail security is provided under SLGCP, the Science and Technology Directorate, and the Information Analysis and Infrastructure Protection Directorate.

*Transportation Worker Identification Credential.*—The Committee recommends \$55,000,000 for the Transportation Worker Identification Credential [TWIC], as requested in the budget. The funds provided for fiscal year 2005 are provided to make the necessary infrastructure investment and implement the TWIC for targeted high-risk populations of transportation workers based on the evaluation of five card-based technologies carried out in fiscal year 2003 and the prototype conducted in fiscal year 2004.

*Fee Authority.*—Public Law 108–90 (6 U.S.C. 469) authorizes the Secretary to charge reasonable fees for providing credentialing and background investigations of transportation workers. Of the \$55,000,000 provided for TWIC, \$50,000,000 will be generated through fee collections in order for TSA to distribute an estimated 1 million credentials over fiscal years 2005 and 2006 to transportation workers who require access to high-risk areas of the transportation system.

The budget request also assumes the collection of \$17,000,000 in fees for the hazardous materials driver license endorsement program to conduct name and criminal background checks on an estimated 3.5 million commercial drivers currently licensed to carry hazardous materials.

INTELLIGENCE

Appropriations, 2004 <sup>1</sup> .....	\$13,520,000
Budget estimate, 2005 .....	14,000,000
Committee recommendation .....	14,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

The Transportation Security Administration is the primary liaison for transportation security with the intelligence and law enforcement communities to provide current and strategic warnings regarding threats to the Nation’s transportation modes and the identification of trends and changes in assessments of any threats to the safety of transportation.

This account provides funding for the Transportation Security Intelligence Service to analyze and disseminate intelligence information affecting the transportation industry to provide intelligence to transportation security personnel nationwide.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$14,000,000 for intelligence operations, as requested in the budget.

RESEARCH AND DEVELOPMENT

Appropriations, 2004 <sup>1</sup> .....	\$154,285,000
Budget estimate, 2005 .....	154,000,000
Committee recommendation .....	181,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

Research and development activities of the Transportation Security Administration focus on the prevention of terrorist-committed criminal civil aviation and non-aviation security incidents by developing technologies and standards to counter traditional and non-traditional threats.

The research and development account activities include funding for staff and administration at the Transportation Security Laboratory and applied research projects and grants to develop advanced security technology equipment and systems, including next generation explosive detection systems and air cargo security technology research.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$181,000,000 for research and development. The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

#### RESEARCH AND DEVELOPMENT

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Research & development/Transportation Security Laboratory .....	54,874	49,000	49,000
Next generation EDS .....	44,735	50,000	57,000
Air cargo .....	54,676	55,000	75,000
<b>Total, Research and Development .....</b>	<b>154,285</b>	<b>154,000</b>	<b>181,000</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

*Next Generation Explosive Detection Systems.*—The Committee recommends \$57,000,000 to accelerate research and development of next generation Explosive Detection Systems [EDS]. This is \$12,265,000 more than the fiscal year 2004 level and \$7,000,000 more than the budget request. The Committee is encouraged by the progress made by the Transportation Security Laboratory in development of explosive detection equipment that will increase baggage throughput, lower false positive alarm rates, and reduce the size of the equipment installed in airports. With limited funding available for airport security modifications, the Committee believes the evolution of smaller, less expensive systems are essential for airports' installation of in-line solutions without forcing the costly, large-scale redesign and construction of baggage conveyor systems.

*Air Cargo.*—The Committee recommends \$75,000,000, \$20,324,000 more than the fiscal year 2004 level and \$20,000,000 more than the budget request for research and development to investigate technologies to provide more effective and efficient methods of detecting air cargo threats. Additional funding for air cargo security is provided to TSA in the aviation security direction and enforcement activity.

The Committee encourages TSA to continue its efforts on the Air Cargo Inspection Technology Improvement program to pursue new technological solutions for inspecting cargo carried on passenger aircraft. The Committee recognizes the screening capability restrictions due to equipment size limitations and provides \$5,000,000 of the increase for air cargo research and development to accelerate the development of technology to detect explosives in containerized air cargo bound for passenger and all-cargo aircraft.

In the interim, the Committee provides \$15,000,000 for TSA to continue operational testing and evaluation of commercial off-the-shelf explosives detection systems and technologies that will detect

materialized container-specific cargo threats as part of the Air Cargo Inspection pilot program. This will allow for the expansion of the pilot to airports experiencing extreme environmental conditions to ensure equipment durability.

#### ADMINISTRATION

Appropriations, 2004 <sup>1</sup> .....	\$424,679,000
Budget estimate, 2005 .....	539,852,000
Committee recommendation .....	534,852,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

Administration of the Transportation Security Administration provides for financial, human resources, and information technology support; policy development and oversight; performance management and implementation of e-government initiatives; communications, public information and legislative affairs functions; training and quality performance; internal conduct and audit; legal counsel; and the overall administration of TSA headquarters operations.

The administration account provides funding for personnel compensation and benefits; general operating expenses for headquarters and field locations; staff training; and information technology applications.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$534,852,000 for TSA administration, \$5,000,000 less than the amount requested in the budget. The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

#### ADMINISTRATION

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Headquarters support .....	172,675	277,382	277,382
Mission Support Centers .....	39,764	14,000	9,000
Information technology applications .....	196,931	240,470	240,470
Corporate training .....	15,309	8,000	8,000
Total, Administration .....	424,679	539,852	534,852

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

*Headquarters Support.*—The Committee recommends \$277,382,000 for personnel compensation and benefits and general operating expenses of headquarters administration personnel and programs supporting operations at TSA headquarters.

*Mission Support Centers.*—The Committee recommends \$9,000,000 to provide field personnel with immediate operational and technical support. The Committee recommendation reflects the impact of fewer employees assigned to the Mission Support Centers than first envisioned and more current budget assumptions.

*Injury and Illness Rates.*—The Committee is concerned with the January 2004 Occupational Safety and Health Administration report indicating that TSA has a higher personnel injury rate than any other Federal agency. The Committee requests TSA to provide a report to the Committee by March 31, 2005, describing efforts to



reduce injuries of TSA personnel. The report should outline the corrective measures and improvements to equipment made to reduce the number of injury and illness among screeners.

## UNITED STATES COAST GUARD

### SUMMARY

The United States Coast Guard's primary responsibilities are the enforcement of all applicable Federal laws on the high seas and waters subject to the jurisdiction of the United States; promotion of safety of life and property at sea; assistance to navigation; protection of the marine environment; and maintenance of a state of readiness to function as a specialized service in the Navy in time of war, as authorized by sections 1 and 2 of title 14, United States Code.

On March 1, 2003, the United States Coast Guard was transferred in its entirety from the Department of Transportation to the Department of Homeland Security in accordance with the Homeland Security Act of 2002 (Public Law 107-296). The Commandant of the Coast Guard reports directly to the Secretary of the Department of Homeland Security.

### COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$7,469,130,000 for the activities of the Coast Guard for fiscal year 2005. The following table summarizes the Committee's recommendations, as compared to the fiscal year 2004 and budget request levels:

### UNITED STATES COAST GUARD—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2004 enacted	Fiscal year 2005 budget	Committee recommendations
Operating Expenses .....	<sup>1</sup> 24,637,433	5,173,220	5,153,220
Environmental Compliance and Restoration .....	<sup>2</sup> 16,900	17,000	17,000
Reserve Training .....	<sup>2</sup> 94,440	117,000	117,000
Acquisition, Construction, and Improvements .....	<sup>2</sup> 961,492	942,550	1,062,550
Alteration of Bridges .....	<sup>2</sup> 19,136		15,400
Research, Development, Test and Evaluation .....	<sup>2</sup> 14,912	( <sup>3</sup> )	18,500
Retired Pay (mandatory) .....	1,020,000	1,085,460	1,085,460
<b>Total, United States Coast Guard .....</b>	<b>6,764,313</b>	<b>7,335,230</b>	<b>7,469,130</b>

<sup>1</sup> Includes \$71,000,000 rescission pursuant to Public Law 108-90 and \$23,183,000 in emergency supplemental appropriations for costs related to Hurricane Isabel damage pursuant to Public Law 108-106.

<sup>2</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>3</sup> Proposed to be funded under the Science and Technology "Research, Development, Acquisition and Technology" account.

### OPERATING EXPENSES

Appropriations, 2004 <sup>1</sup> .....	\$4,637,433,000
Budget estimate, 2005 .....	5,173,220,000
Committee recommendation .....	5,153,220,000

<sup>1</sup> Includes \$71,000,000 rescission pursuant to Public Law 108-90 and \$23,183,000 in emergency supplemental appropriations for costs related to Hurricane Isabel damage pursuant to Public Law 108-106. Also includes 0.59 percent rescission pursuant to Public Law 108-199.

The Operating Expenses appropriation provides funds for the operation and maintenance of multipurpose vessels, aircraft, and

shore units strategically located along the coasts and inland waterways of the United States and in selected areas overseas. The program activities of this appropriation fall into the following categories:

*Search and Rescue.*—As one of its earliest and most traditional missions, the Coast Guard maintains a nationwide system of boats, aircraft, cutters, and rescue coordination centers on 24-hour alert.

*Aids to Navigation.*—To help mariners determine their location and avoid accidents, the Coast Guard maintains a network of manned and unmanned aids to navigation along the Nation's coasts and on its inland waterways, and operates radio stations in the United States and abroad to serve the needs of the armed services and marine and air commerce.

*Marine Safety.*—The Coast Guard ensures compliance with Federal statutes and regulations designed to improve safety in the merchant marine industry and operates a recreational boating safety program.

*Marine Environmental Protection.*—The primary objectives of the marine environmental protection program are to minimize the dangers of marine pollution and to assure the safety of ports and waterways.

*Enforcement of Laws and Treaties.*—The Coast Guard is the principal maritime enforcement agency with regard to Federal laws on the navigable waters of the United States and the high seas, including fisheries, drug smuggling, illegal immigration, and hijacking of vessels.

*Ice Operations.*—In the Arctic and Antarctic, Coast Guard icebreakers escort supply ships, support research activities and Department of Defense operations, survey uncharted waters, and collect scientific data. The Coast Guard also assists commercial vessels through ice-covered waters.

*Defense Readiness.*—During peacetime, the Coast Guard maintains an effective state of military preparedness to operate as a service in the Navy in time of war or national emergency at the direction of the President. As such, the Coast Guard has primary responsibility for the security of ports, waterways, and navigable waters up to 200 miles offshore.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$5,153,220,000 for Coast Guard Operating Expenses, including \$24,500,000 from the Oil Spill Liability Trust Fund, and \$1,090,000,000 for the Coast Guard's defense-related activities including drug interdiction. The Committee recommendation does not include \$10,000,000 requested in the budget for a pay and performance demonstration project. The Department has informed the Committee that the new pay system will be piloted by another agency within the Department.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

## OPERATING EXPENSES

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
<b>Military pay and related costs:</b>			
Military pay and allowances .....	\$1,981,950	<sup>2</sup> \$2,161,114	\$2,161,114
Military health care .....	462,147	544,785	544,785
Permanent change of stations .....	104,564	106,928	106,928
Federal Employee Compensation Act [FECA]/Unemployment Compensation for ex-Coast Guard Military Members [UCX] .....	4,394	( <sup>3</sup> )	( <sup>3</sup> )
Subtotal, Military pay and related costs .....	2,553,055	2,812,827	2,812,827
<b>Civilian pay and benefits:</b>			
Civilian pay and benefits .....	378,997	<sup>4</sup> 466,110	466,110
Pay parity for civilians .....	4,222	.....	.....
Subtotal, Civilian pay and benefits .....	383,219	466,110	466,110
<b>Training and recruiting:</b>			
Training and education .....	106,009	81,407	81,407
Recruiting .....	20,580	85,034	80,034
Area and district training and education .....	3,976	.....	.....
Command training and education .....	34,893	.....	.....
DHS administration services .....	-2,187	.....	.....
Subtotal, Training and recruiting .....	163,271	166,441	161,441
<b>Operating funds and unit level maintenance:</b>			
Atlantic area command .....	144,854	153,427	153,427
Pacific area command .....	160,587	175,377	175,377
1st district .....	38,480	43,367	43,367
7th district .....	54,177	52,004	52,004
8th district .....	38,919	36,302	36,302
9th district .....	20,737	23,265	23,265
13th district .....	15,955	18,050	18,050
14th district .....	11,454	12,512	12,512
17th district .....	28,682	22,557	22,557
Headquarters offices .....	413,459	317,322	302,322
Headquarters managed units .....	110,653	74,175	74,175
Other activities .....	2,277	767	767
Portable radiation search tools .....	1,491	.....	.....
Travel .....	-3,976	.....	.....
Department of Homeland Security administrative serv- ices .....	-11,134	.....	.....
Centrally-managed account .....	-130,327	.....	.....
Command training and education .....	-34,893	.....	.....
Subtotal, Operating funds and unit level maintenance ..	861,395	929,125	914,125
<b>Centrally-managed accounts:</b>			
Centrally-managed operating expenses .....	130,327	175,438	175,438
DHS administrative services .....	-1,690	.....	.....
Subtotal, Centrally-managed accounts .....	128,637	175,438	175,438
<b>Intermediate and depot level maintenance:</b>			
Aircraft maintenance .....	217,480	222,384	222,384
Electronic maintenance .....	89,359	95,460	95,460
Ocean engineering and shore facility maintenance .....	151,151	151,035	151,034
Vessel maintenance .....	145,536	154,400	154,400
DHS administrative services .....	-7,853	.....	.....
Subtotal, Intermediate and depot level maintenance .....	595,673	623,279	623,279

OPERATING EXPENSES—Continued  
[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Subtotal, Operating expenses .....	4,685,250	5,173,220	5,153,220
Rescission .....	- 71,000	.....	.....
Emergency appropriations .....	23,183	.....	.....
Total, Operating expenses .....	4,637,433	5,173,220	5,153,220

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup> Includes Federal Employee Compensation Act (FECA).

<sup>3</sup> Included in Military pay and allowances and Civilian pay and benefits.

<sup>4</sup> Includes Unemployment Compensation for ex-Coast Guard Military Members (UCX).

*Reprogramming.*—The specific detail in the above table shall serve as the controls for purposes of any reprogramming of funds pursuant to Section 502 of this Act.

*Ballast Water Management Program.*—The Committee continues funding at the fiscal year 2004 and budget request level of \$4,000,000 for ballast water management activities to assist the Coast Guard in transitioning the ballast water management program from a voluntary to a mandatory enforcement of guidelines for the prevention of the introduction of aquatic nuisance species into waters of the United States through the ballast water of ships.

*Coast Guard Yard.*—The Committee recognizes that the Coast Guard Yard at Curtis Bay, Maryland, is a critical component of the Coast Guard's core logistics capability that directly supports fleet readiness. The Committee further recognizes that the Yard has been a vital part of the Coast Guard's readiness and infrastructure for more than 100 years and believes that sufficient industrial work should be assigned to the Yard to maintain this capability.

*Sector Command Center-Joint [SCC-J].*—The Committee is encouraged by the close working relationship that has emerged between the U.S. Navy and the Coast Guard to develop SCC-J Command Centers around key joint use Navy-Civil ports. As the Coast Guard develops its Maritime Domain Awareness architecture, it is important to leverage existing Department of Defense intelligence, surveillance, and reconnaissance capabilities, such as the Navy's Littoral Surveillance System [LSS], to maximize coordination and to eliminate or avoid redundancies.

*Search and Rescue Training.*—The Committee recognizes that the ability to properly and adequately train personnel in the Rescue Swimmer program is vitally important to the Coast Guard's Search and Rescue mission. The Committee is encouraged that the Coast Guard is planning to replace the existing Aquatics Training and Fitness facilities at the Aviation Technical Training Center in Elizabeth City, North Carolina, to sufficiently maintain this capability.

*Marine Fire and Safety Association.*—The Committee remains supportive of efforts by the Marine Fire and Safety Association [MFSA] to provide specialized firefighting training and maintain an oil spill response contingency plan for the Columbia River. The Committee encourages the Secretary to provide funding for MFSA consistent with the authorization.

*Wood Composites for Waterfront Facilities.*—The Committee remains supportive of the ongoing test and evaluation of wood com-

posite materials. Prior-year funding remains available for completion of this project. The Coast Guard is encouraged to consider the results of this research when selecting the most effective materials for maritime construction efforts.

*Quarterly Acquisition and Mission Emphasis Reports.*—The Commandant is directed to continue to submit the quarterly acquisition and mission emphasis reports to the Committee consistent with the deadlines articulated under Section 360 of Division I of Public Law 108–7.

*Performance Goals Report.*—Based on the Coast Guard’s most recent quarterly report to the Committee on mission hours, Coast Guard hours dedicated to traditional, non-homeland security missions, remain significantly below levels prior to September 11, 2001. However, in most cases, the Coast Guard continues to meet or exceed performance goals in those areas. The Committee is concerned with a recent General Accounting Office assessment that the Coast Guard has not developed an approach to link resources and performance results and that without such an approach, the Coast Guard may not be using funds in the most efficient manner to maximize productivity. The Commandant is expected to submit a report to the Committee, within 90 days of enactment of this Act, on plans to develop a system that will provide an accurate representation of the costs necessary to meet performance goals. The report shall include the concept of the system; a timeline for implementation, including milestones and completion dates; and how this system will enable the Coast Guard to tie funding levels to performance results.

*Marine Vessel and Cold Water Safety Education.*—The Committee encourages the Coast Guard to continue existing cooperative agreements and partnerships with organizations that provide marine vessel safety training and cold water immersion education and outreach programs for fishermen and children.

*Maritime Safety and Security Teams.*—The Coast Guard has indicated that the next Maritime Safety and Security Team [MSST] shall be located at the Port of Huntington, West Virginia. The Committee expects funding for this MSST to be included in the President’s fiscal year 2006 budget submission.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

Appropriations, 2004 <sup>1</sup> .....	\$16,900,000
Budget estimate, 2005 .....	17,000,000
Committee recommendation .....	17,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

The Environmental Compliance and Restoration account provides funds to address environmental problems at former and current Coast Guard units as required by applicable Federal, State, and local environmental laws and regulations. Planned expenditures for these funds include major upgrades to petroleum and regulated-substance storage tanks, restoration of contaminated ground water and soils, remediation efforts at hazardous substance disposal sites, and initial site surveys and actions necessary to bring Coast Guard shore facilities and vessels into compliance with environmental laws and regulations.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$17,000,000 for environmental compliance and restoration, as requested in the budget.

## RESERVE TRAINING

Appropriations, 2004 <sup>1</sup> .....	\$94,440,000
Budget estimate, 2005 .....	117,000,000
Committee recommendation .....	117,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

The Secretary of the Department of Homeland Security is required to adequately support the development and training of a Reserve force to ensure that the Coast Guard will be sufficiently organized, manned, and equipped to fully perform its wartime missions. The purpose of the Reserve training program is to provide trained units and qualified persons for active duty in the Coast Guard in time of war or national emergency, or at such other times as the national security requires. Coast Guard reservists must also train for mobilization assignments that are unique to the Coast Guard in times of war, such as port security operations associated with the Coast Guard's Maritime Defense Zone mission, including deployable port security units.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$117,000,000 for Reserve training, as requested in the budget.

## ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2004 <sup>1</sup> .....	\$961,492,000
Budget estimate, 2005 .....	942,550,000
Committee recommendation .....	1,062,550,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

Funding in this account supports the Coast Guard's continuing plans for fleet expansion and improvement. This funding provides for the acquisition, construction, and improvement of vessels, aircraft, information management resources, shore facilities, and aids to navigation required to execute the Coast Guard's missions and achieve its performance goals.

*Vessels.*—The Coast Guard continues to acquire multi-mission platforms that use advanced technology to reduce life-cycle operating costs. The Great Lakes icebreaking replacement project will continue.

*Integrated Deepwater Systems Programs (Deepwater).*—The Deepwater capability replacement project is a multi-year, performance-based acquisition that will replace or modernize the major Coast Guard cutters, offshore patrol boats, fixed wing aircraft, multi-missioned helicopters and the communications equipment, sensors, and logistics systems required to maintain and operate them.

*Other Equipment.*—The Coast Guard invests in numerous management information and decision support systems that will result in increased efficiencies, including Rescue 21, formerly the National Distress and Response System Modernization Project.

*Shore Facilities.*—The Coast Guard invests in modern structures that are more energy-efficient, comply with regulatory codes, mini-

mize follow-on maintenance requirements and replace existing dilapidated structures.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,062,550,000 for acquisitions, construction, and improvements, including \$20,000,000 from the Oil Spill Liability Trust Fund. The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

#### ACQUISITION, CONSTRUCTION AND IMPROVEMENTS

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
<b>Vessels:</b>			
Great Lakes Icebreaker (GLIB) replacement .....	1,988	7,750	7,750
41 foot utility boat replacement .....	11,929	12,000	12,000
Coastal patrol boats .....	52,190	.....	.....
Subtotal, Vessels .....	66,107	19,750	19,750
<b>Aircraft: Armed helicopter equipment, phase I .....</b>			
	.....	1,800	3,800
<b>Other equipment:</b>			
Automatic Identification System .....	23,858	4,000	24,000
Defense message system implementation .....	3,479	.....	.....
Ports and waterway safety system .....	994	.....	.....
Rescue 21 (National Distress and Response System modernization) .....	133,209	161,000	161,000
Subtotal, Other equipment .....	161,540	165,000	185,000
<b>Personnel compensation and benefits:</b>			
Core acquisition costs .....	497	500	500
Direct personnel costs .....	69,090	72,500	72,500
Subtotal, Personnel and related support .....	69,587	73,000	73,000
<b>Integrated Deepwater System:</b>			
<b>Aircraft:</b>			
Maritime patrol aircraft .....	24,852	5,250	15,250
Unmanned aerial vehicles .....	49,705	43,000	43,000
Legacy aircraft sustainment .....	67,301	99,000	139,000
HH-65 reengining .....	.....	(75,000)	(115,000)
HH-60 avionics .....	.....	(15,000)	(15,000)
HC-130 radar .....	.....	(9,000)	(9,000)
Subtotal, Aircraft .....	141,858	147,250	197,250
<b>Surface ships:</b>			
National Security Cutter program .....	206,773	274,500	274,500
Offshore Patrol Cutter program .....	19,881	5,000	55,000
Fast Response Cutter program/110-123 foot pa- trol boat conversion project .....	65,611	60,000	60,000
Short Range Prosecutor program .....	1,591	2,290	2,290
Medium Endurance Cutter program .....	.....	12,500	12,500
Legacy surface ship sustainment .....	6,959	.....	.....
Subtotal, Surface ships .....	300,815	354,290	404,290

## ACQUISITION, CONSTRUCTION AND IMPROVEMENTS—Continued

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance [C4ISR]:			
Command & Control System for Common Operating Picture [COP] .....	57,658	31,010	31,010
Cutter upgrade .....	7,058	15,020	15,020
Shore sites .....	21,970	5,950	5,950
Other contracts/legacy sustainment .....	14,116	1,610	1,610
Subtotal, Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance [C4ISR] .....	100,802	53,590	53,590
Logistics .....	45,132	39,870	39,870
Integrated logistics support .....	19,087	15,140	15,140
Facilities design required for future asset deployments .....	5,467	23,100	23,100
Shore facilities .....	20,578	1,630	1,630
System engineering and integration .....	41,852	45,000	43,000
Government program management .....	33,799	38,000	38,000
Subtotal, Integrated Deepwater System .....	664,258	678,000	776,000
Shore facilities and aids to navigation:			
Survey and design .....		1,000	1,000
Minor AC&I shore construction projects .....		1,600	1,600
Small arms range at ISC Honolulu, HI .....		1,600	1,600
Waterways aids to navigation infrastructure .....		800	800
Subtotal, Shore facilities and aids to navigation .....		5,000	5,000
Total, Acquisitions, Construction and Improvements ..	961,492	942,550	1,062,550

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

*Automatic Identification System.*—Included in the Committee recommendation is \$24,000,000 for the Automatic Identification System [AIS], as requested in the budget. The Maritime Transportation Security Act required vessels entering U.S. ports to have an AIS on board by the end of 2004 that will identify the ship, the size of the ship, and the type of cargo on the ship when entering U.S. ports.

*Capital Investment Plan.*—The Committee has not continued statutory language contained in the fiscal year 2004 Appropriations Act regarding the capital investment plan. A comprehensive capital investment plan for the Coast Guard that included funding for each budget line item for fiscal years 2005 through 2009 was submitted in conjunction with the President's fiscal year 2005 budget. The Committee expects the Coast Guard to continue to submit a comprehensive capital investment plan on an annual basis at the time the President's budget is submitted to the Congress.

*Fisheries Enforcement.*—The Committee was advised in the Coast Guard's March 3, 2004, report to the Committee that “due to the limited support facilities available at Shemya, Galena, Cold Bay, and other western Aleutian Islands, aircraft deployments cannot be maintained throughout the North Pacific Maritime Boundary Line high threat season.” Therefore, the Committee directs the Coast Guard to include in its 2006 budget submission the funds needed



to provide long-term and short-term capabilities to these necessary support facilities.

*Icebreakers.*—The Committee expects the Commandant to enter into an arrangement with the National Academy of Sciences to conduct a comprehensive study of the role of Coast Guard icebreakers in supporting United States operations in the Antarctic and the Arctic. The study should include different scenarios for continuing those operations including service life extension or replacement of existing Coast Guard icebreakers and alternative methods that do not use Coast Guard icebreakers. The study should also address changes in the roles and missions of Coast Guard icebreakers in support of future marine operations in the Arctic that may develop due to environmental change, including the amount and kind of icebreaking support that may be required in the future to support marine operations in the Northern Sea Route and the Northwest Passage; the suitability of the Polar Class icebreakers for these new roles; and appropriate changes in existing laws governing Coast Guard icebreaking operations and the potential for new operating regimes. The study should be submitted to the Committee no later than September 30, 2005.

*Legacy Assets and Replacement Assets.*—The Committee is concerned about the condition of the Coast Guard’s legacy assets. The General Accounting Office notes in its April, 2004, report [GAO–04–636T] that since September 11, 2001, Coast Guard assets are being used 40 percent more resulting in deterioration at a much faster pace than originally anticipated when the Deepwater program was conceived. Hull breaches, engine failures and lost operational days for cutters make it more difficult for the Coast Guard to conduct its normal missions. The Coast Guard is, therefore, expending more Deepwater funding to sustain legacy assets and less on replacement assets. The Committee directs the Coast Guard to submit a report to the Committee by March 1, 2005, on the increased operational requirements since September 11, 2001, and the impact they are having on the legacy asset inventory. The report should be based on fiscal year 2005 funding and shall include the costs associated with sustaining each legacy asset, a timetable for introducing each Deepwater replacement asset, and future funding requests planned by the Coast Guard.

ALTERATION OF BRIDGES

Appropriations, 2004 <sup>1</sup> .....	\$19,136,000
Budget estimate, 2005 .....	
Committee recommendation .....	15,400,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

Under the provisions of the Truman-Hobbs Act of June 21, 1940 (33 U.S.C. 511 et seq.), the Coast Guard, as the Federal Government’s agent, is required to share with owners the cost of altering railroad and publicly-owned highway bridges which obstruct the free movement of navigation on navigable waters of the United States in accordance with the formula established in 33 U.S.C. 516. Alteration of obstructive highway bridges is eligible for funding from the Federal-Aid Highways program.

COMMITTEE RECOMMENDATIONS

The Committee provides \$15,400,000 for the alteration of bridges, of which \$4,400,000 is for the Florida Avenue Bridge, New Orleans, LA; \$3,000,000 for the EJ&E Railroad Bridge, Morris, IL; \$5,000,000 for the Fourteen Mile CSX Railroad Bridge, Mobile, AL; and \$3,000,000 for the Burlington Northern Santa Fe Bridge, Burlington, IA.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Appropriations, 2004 <sup>1</sup> .....	\$14,912,000
Budget estimate, 2005 .....	(2)
Committee recommendation .....	18,500,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup> Proposed to be funded under the Science and Technology "Research, Development, Acquisition and Technology" account.

The Coast Guard's Research and Development program develops techniques, methods, hardware, and systems which directly contribute to increasing the productivity and effectiveness of the Coast Guard's operating missions. This account provides funds to operate and maintain the Coast Guard Research and Development Center.

COMMITTEE RECOMMENDATIONS

The Committee defers approval of the President's budget proposal to fund the Coast Guard's research and development activities within the Science and Technology Directorate pending receipt of the findings of the independent study of the Coast Guard's research and development priorities and receipt of the Coast Guard's review of these findings.

The Committee recommends \$18,500,000 for the Coast Guard's research, development, test and evaluation activities. The Committee provides an additional \$5,000,000 above the President's budget request. This additional amount is to be used to augment research activities in support of traditional Coast Guard mission programs, such as marine environmental protection, living marine resources, search and rescue, aids to navigation, marine safety, and fisheries enforcement. The Committee expects the Commandant of the Coast Guard to continue to coordinate research and development activities with the Under Secretary for Science and Technology.

RETIRED PAY

Appropriations, 2004 .....	\$1,020,000,000
Budget estimate, 2005 .....	1,085,460,000
Committee recommendation .....	1,085,460,000

This account provides for the retired pay of military personnel of the Coast Guard and Coast Guard Reserve, members of the former Lighthouse Service, and for annuities payable to beneficiaries of retired military personnel under the retired serviceman's family protection plan (10 U.S.C. 1431-1446) and survivor benefit plan (10 U.S.C. 1447-1455); payments for career status bonuses under the National Defense Authorization Act; and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C., ch. 55).

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,085,460,000 for retired pay, as requested in the budget.

## UNITED STATES SECRET SERVICE

## SALARIES AND EXPENSES

Appropriations, 2004 <sup>1</sup> .....	\$1,130,570,000
Budget estimate, 2005 <sup>2</sup> .....	1,159,125,000
Committee recommendation <sup>3</sup> .....	1,159,125,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup> Includes proposed transfer of \$5,000,000 in grant funding for the National Center for Missing and Exploited Children to the Bureau of Immigration and Customs Enforcement.

<sup>3</sup> Transfers \$5,000,000 grant for the National Center for Missing and Exploited Children to the Bureau of Immigration and Customs Enforcement.

On March 1, 2003, the United States Secret Service transferred in its entirety from the Department of the Treasury to the Department of Homeland Security in accordance with the Homeland Security Act of 2002 (Public Law 107-296). The Director of the Secret Service reports directly to the Secretary of Homeland Security.

The United States Secret Service is mandated by statute and Executive order to carry out two significant missions: protection and criminal investigations. This account provides funds for the protection of the President, the Vice President, and other dignitaries and designated individuals; enforcement of laws relating to obligations and securities of the United States and financial crimes, such as financial institutions and other fraud; planning and implementation of operational security plans for a designated National Special Security Event [NSSE]; and protection of the White House and other buildings within the Washington, D.C., metropolitan area.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,159,125,000 for salaries and expenses for fiscal year 2005. This is the same as the budget request, including \$58,625,000 for pay annualizations and inflationary adjustments; \$31,726,000 in program savings; and \$16,365,000 for White House mail screening and processing.

The Committee provides \$2,100,000 for the Service's forensic support costs associated with the National Center for Missing and Exploited Children. The Committee transfers \$5,000,000 in grant funding for the National Center for Missing and Exploited Children to the Bureau of Immigration and Customs Enforcement.

*National Special Security Events [NSSEs].*—The Committee is concerned that the Department is not appropriately budgeting for anticipated NSSEs within the Services' base budget. The Committee directs the Service to continue planning for foreseeable NSSEs within its base budget and to rely upon the Department's Counterterrorism Fund for costs of unanticipated NSSEs.

*Electronic Crimes Special Agents Program.*—The Committee commends the Service's efforts to protect economic institutions through the Electronic Crimes Special Agents Program [ECSAP]. The Committee believes that the ECSAP will assist the Service in preventing financial, identity, and electronic crimes. The Committee notes that the Inspector General's report of January 2004 rec-

ommends that the Service examine computer vulnerabilities to critical infrastructure at NSSEs by assigning or detailing ECSAP agents on a permanent basis to its Major Events Division. The Committee encourages the Department of Homeland Security to work with the Service to expand and improve the capabilities of this program to keep pace with workload increases. The Committee encourages the Department to use any savings from the Service's lapsed salaries to fund additional ECSAP agents for fiscal year 2005.

*Foreign Offices.*—The Committee commends the Service for using its foreign offices to aggressively investigate and shut down international counterfeiting operations. The Committee encourages the Department of Homeland Security to work with the Service to develop a strategy to further enhance the capabilities of these offices.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriations, 2004 <sup>1</sup> .....	\$3,558,000
Budget estimate, 2005 .....	3,633,000
Committee recommendation .....	3,633,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

This appropriation provides funding for security upgrades of existing facilities; to continue development of the current Master Plan; to maintain and renovate existing facilities, including the James J. Rowley Training Center; and to ensure efficient and full utilization of the Center.

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$3,633,000 for acquisition, construction, improvements, repair and facilities' improvement expenses of the Secret Service for fiscal year 2005, as requested in the budget.

### TITLE III—PREPAREDNESS AND RECOVERY

#### OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS

##### SUMMARY

The Office of the State and Local Government Coordination and Preparedness, created by the Secretary of Homeland Security under the statutory authority for reorganization contained in the Homeland Security Act of 2002, is responsible for information flow between the Department and State and local governments, for State and local grant award functions, and for building and sustaining the terrorism preparedness of the first responder community.

On March 26, 2004, pursuant to section 872 of Public Law 107–296, the Homeland Security Act of 2002, the Secretary of the Department of Homeland Security consolidated grantmaking authority across the Department in the new Office of State and Local Government Coordination and Preparedness [SLGCP]. The SLGCP will report directly to the Secretary.

Administration and oversight of the following programs were moved to SLGCP from the:

*Emergency Preparedness and Response Directorate.*—Metropolitan medical response system, first responder counter-terrorism training assistance; emergency management performance grants, State and local all-hazards emergency operations planning, Citizens Corps/Community Emergency Response Teams, and interoperable communications equipment.

*Office for Domestic Preparedness.*—State domestic preparedness equipment support program; law enforcement terrorism prevention program; New York equipment replacement program; national exercise program [TOPOFF] grants; multi-state anti-terrorism information exchange project; terrorism early alert and strategic planning system; State Homeland Security Grant Program; and the Urban Area Security Initiative [UASI] Grant Program including UASI port security grants, UASI mass transit security grants, UASI radiological defense systems, and the Firefighter Assistance Grant Program.

*Transportation Security Administration.*—Port Security Grant Program, Intercity Bus Security Grant Program, Operation Safe Commerce, and the Trucking Industry Security Grant Program.

The following chart illustrates the level of funding provided to each of these programs in fiscal year 2004 and the requested level in fiscal year 2005, without respect to the original funding account:

## STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS PROGRAM CONSOLIDATION

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget
Emergency Preparedness and Response Directorate:		
Metropolitan Medical Response System .....	50,000	.....
First responder counter-terrorism training assistance .....	( <sup>2</sup> )	.....
Emergency Management Performance Grants .....	178,938	170,000
State and local all hazards emergency operations planning .....	( <sup>2</sup> )	.....
Citizens Corps/Community Emergency Response Teams .....	39,764	50,000
Interoperable communications equipment .....	( <sup>2</sup> )	.....
Office for Domestic Preparedness:		
State domestic preparedness equipment support program .....	( <sup>2</sup> )	.....
Law Enforcement Terrorism Prevention Program .....	497,100	500,000
New York equipment replacement program .....	( <sup>2</sup> )	.....
National exercise program [TOPOFF] grants .....	49,705	52,000
Multi-state anti-terrorism information exchange project .....	( <sup>2</sup> )	.....
Terrorism early alert and strategic planning system .....	( <sup>2</sup> )	.....
State Homeland Security Grant Program .....	1,689,970	700,000
Urban Area Security initiative [UASI] Grant Program .....	671,018	1,400,000
UASI port security grants .....	.....	46,000
UASI mass transit security grants .....	49,705	.....
UASI radiological defense systems .....	( <sup>2</sup> )	.....
Firefighter assistance grants .....	745,575	500,000
Transportation Security Administration:		
Port security grants .....	125,000	.....
Intercity bus security grants .....	10,000	.....
Operation Safe Commerce .....	17,000	.....
Trucking industry security grants .....	22,000	.....

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.<sup>2</sup> Reflects the transfer of programmatic oversight; no new funds were provided in fiscal year 2004.

## COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$3,750,081,000. The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

## OFFICE OF STATE AND LOCAL GOVERNMENT PREPAREDNESS

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee rec- ommendations
Management and Administration .....	( <sup>2</sup> )	( <sup>3</sup> )	25,000
State and Local Programs .....	<sup>4</sup> 3,267,608	3,061,255	2,845,081
Firefighter Assistance Grants .....	745,575	500,000	700,000
Emergency Management Performance Grants .....	( <sup>5</sup> )	( <sup>6</sup> )	180,000
<b>Total .....</b>	<b>4,013,183</b>	<b>3,561,255</b>	<b>3,750,081</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.<sup>2</sup> Funding of \$3,077,000 was provided for the Office of State and Local Government Coordination for fiscal year 2004 under the "Office of the Secretary and Executive Management" account. Funding of \$29,823,000 was provided under the "State and Local Programs" account.<sup>3</sup> Funding of \$3,546,000 is requested for the Office of State and Local Government Coordination for fiscal year 2005 under the "Departmental Operations" account, and \$38,355,000 is included in the request for the "State and Local Programs" account.<sup>4</sup> Total funding for fiscal year 2004 of \$174,000,000 was provided for transportation grant programs under the Transportation Security Administration "Maritime and Land Security" account.<sup>5</sup> Total funding for fiscal year 2004 of \$178,938,000 was provided under the Emergency Preparedness and Response Directorate "Emergency Management Performance Grants" account.<sup>6</sup> Total funding for fiscal year 2005 of \$170,000,000 included in the request for the "State and Local Programs" account.

MANAGEMENT AND ADMINISTRATION

Appropriations, 2004 .....	(1)
Budget estimate, 2005 .....	(2)
Committee recommendation .....	\$25,000,000

<sup>1</sup> Funding of \$3,077,000 was provided for the Office of State and Local Government Coordination for fiscal year 2004 under the "Office of the Secretary and Executive Management" account. Funding of \$29,823,000 was provided under the "State and Local Programs" account.

<sup>2</sup> Funding of \$3,546,000 is requested for the Office of State and Local Government Coordination for fiscal year 2005 under the "Departmental Operations" account. Funding of \$38,355,000 is requested under the "State and Local Programs" account.

The Management and Administration account provides the funds for salaries and expenses of the Office of State and Local Government Coordination and Preparedness.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$25,000,000 for management and administrative expenses of the Office of the State and Local Government Coordination and Preparedness for fiscal year 2005. This account includes the salaries and expenses for the former Office of State and Local Government Coordinator, previously appropriated to the Office of the Secretary and Executive Management account, and the administration and management funds, previously appropriated to the Office for Domestic Preparedness.

STATE AND LOCAL PROGRAMS

Appropriations, 2004 <sup>1</sup> .....	\$3,267,608,000
Budget estimate, 2005 .....	3,061,255,000
Committee recommendation .....	2,845,081,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

State and local programs provide grants for training, equipment (including interoperable communications equipment), exercises, and technical assistance to improve readiness for potential terrorism incidents. This assistance is for strengthening "first responders"—police, fire, rescue, emergency and other personnel who are first on scene in the event of a terrorist attack. For the purpose of eligibility for funds under this heading, a "local government" will continue to include any county, city, village, borough, parish, town, district, or other political subdivision of any State, and any Indian tribe, with jurisdiction over Indian country. Furthermore, any port authority, transit authority, water district, regional planning commission, or council of government may be considered a local government.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,845,081,000 for State and Local Programs. The funds provided for State and local grants are to be used for purposes consistent with each State's homeland security strategy, including training and exercises; equipment, including interoperable communications equipment; and technical assistance; and may not be used for construction activities.

*Summary.*—The Committee provides \$1,370,000,000 for a formula grant program to be allocated on a per capita basis to the States subject to section 1014 of Public Law 107-56. Not less than 80 percent of funding provided to each State shall be obligated to

local governments within 60 days after the States' receipt of the funds. Of the amount provided for State and local programs, \$30,000,000 is available for Citizen Corps, and \$400,000,000 is for State and local law enforcement terrorism prevention grants.

*Urban Areas Security Initiative Grants.*—The Committee provides \$1,200,000,000 for discretionary grants to high-threat urban areas. No less than 80 percent of discretionary grants provided to any State shall be obligated to local governments within 60 days of the States' receipt of funds. In making grants to State and local governments, the Secretary of Homeland Security shall take into consideration credible threat, vulnerability, population, cooperation of multiple jurisdictions in preparing domestic preparedness plans, and identified needs of public agencies. Grants may be made to single or multiple jurisdictions in the same urban area.

The Committee is concerned with the administration of the funds available to assist those communities most in danger in the United States. The continued expansion of the cities eligible for this funding has the impact of diluting the resources that have been made available, and shortchanging those communities with the most serious quantifiable threat. The Committee believes the Department achieved a more optimal use of funds in fiscal year 2003.

Further, the Committee believes the Department's practice over the past two fiscal years to allocate the full amount appropriated for the program at one time near the beginning of the year leaves the Department with little ability to respond to new or updated intelligence or recent terrorist threats. Consequently, the Committee recommends that at least 10 percent of the funds appropriated for the program be reserved to meet any needs over the course of the fiscal year warranted by more current threat information and intelligence. Any reserve funds remaining at the beginning of the last quarter of the fiscal year shall be released to fiscal year 2005 grant recipients, as determined by the Secretary.

Of the total provided by the Committee for urban area security initiative grants, \$150,000,000 is for port security grants; \$150,000,000 is for rail and transit security grants; \$10,000,000 is for intercity bus security grants for the improvement of ticket identification, the installation of driver shields, the enhancement of emergency communications, and further implementation of passenger screening; and \$15,000,000 is for trucking industry security grants to continue the Highway Watch Grant program, of which \$2,350,000 is made available for emergency planning and exercises.

Use of grant funds for construction is prohibited. However, for those projects that specifically address enhanced security at critical infrastructure facilities (such as improved perimeter security, minor construction or renovation for necessary guard facilities, fencing, and related efforts) project construction or renovation not exceeding \$1,000,000 is allowable, as deemed necessary by the Secretary. Such construction shall be limited. Despite the consolidation of selected grant award functions within the SLGCP, the Transportation Security Administration will retain operational subject matter expertise and will be fully engaged in the administration of transportation related grant programs.

*National Programs.*—Included in the amount recommended is \$275,081,000 for national programs. Included in this amount is:



\$30,000,000 for technical assistance; \$135,000,000 for the existing members of the National Domestic Preparedness Consortium including \$55,000,000 for the Center for Domestic Preparedness; \$55,000,000 for competitive grants for emerging training; \$52,000,000 for exercises; and \$3,081,000 for evaluations and assessments.

The Committee provides \$30,000,000 for direct technical assistance to State and local governments. Of this amount, \$20,000,000 is for the Interoperable Communication Technical Assistance program to enhance interoperability of public safety communications. The Committee encourages the Department to consider designating SLGCP the lead organization within the Department of Homeland Security in providing technical assistance for interoperable communications.

The Committee does not agree with the President's proposal to reduce funding to the National Domestic Preparedness Consortium.

The Committee believes that the SLGCP needs to look more broadly to find innovative emerging training capabilities, and recommends that demonstration and pilot projects be included in consideration for grants from the competitive training grant program. Further, the Committee wishes to make clear the intent of the competitive training grants program; that is, that all of the funds appropriated to this program are to be distributed through a competitive peer reviewed process. The allowance included for fiscal year 2004 by House Report 108-280 continued funding for previous training commitments, providing the necessary one-time transition to this new program. The Committee recognizes the critical role of multi-disciplinary all-hazards training and emergency operations activities and directs the Department to review training activities with the relevant States on the west coast and report back to the Committee by March 31, 2005.

*Eligibility.*—The Committee included clarifying language in House Report 108-280 accompanying the Department of Homeland Security Appropriations Act, 2004, but continues to hear anecdotal reports that port authorities and tribal authorities are not being considered as proper grant recipients or their unique jurisdictional boundaries are not being taken into consideration. The Committee urges the Department to work with State and local governments to ensure that regional authorities, such as port, transit, or tribal authorities, are given due consideration in the distribution of State formula grants. Further, the Committee wishes to clarify that the funds available to State and local governments may be used to support security efforts, including security upgrades and increased protection, of non-profit, community, cultural, and religious facilities identified as a priority in the State or local application or the State Homeland Security Plan.

*Emergency Medical Services.*—The Committee is concerned that, according to a recent bulletin issued by SLCGP, emergency medical service [EMS] systems have received less than 4 percent of the funding provided for State and local first responder grant programs in fiscal years 2002 and 2003. In conjunction with police and fire, EMS is the primary first responder for medical assistance in the event of a terrorist attack. The Committee encourages SLCGP to work with national EMS organizations to establish guidelines and

requirements for EMS preparedness and support under SLGCP grant programs. Further, no later than February 1, 2005, the Department is to report to the Committee on the use of State and local, urban area security initiative, and firefighter assistance grant funds for EMS.

*Best Practices.*—The Committee recognizes the need to create a central collection and dissemination point for lessons learned and best practices that would allow States and localities to gain knowledge, expertise, and experience from the efforts of other States and localities. The Committee supports the SLGCP's effort to continue the development of the Lessons Learned Information System and the Homeland Security Best Practices program to assist response professionals to communicate and share information effectively and securely.

*TOPOFF Participation.*—State participation in the TOPOFF exercises is critical to gaining experience and developing protocols for crisis response among the various levels of top Government officials. The Committee directs the SLGCP to prepare a report recommending ways to provide incentives to State and local jurisdictions to participate in the TOPOFF exercises.

*Use of Funds.*—The Department is to submit a report to the Committee by March 31, 2005, detailing what State and local governments have purchased with fiscal year 2002–2004 homeland security formula grants and urban area security initiative grants; whether these expenditures have complied with State homeland security plans; and how homeland security has been enhanced by such expenditures. The Committee also expects the SLGCP to comply with the Inspector General's recommendation in "An Audit of Distributing and Spending 'First Responder' Grant Funds" to accelerate the development of Federal guidelines for first responder capabilities, equipment, training, and exercises and for its March 31, 2005, report to the Committee to include a report on the progress it has made in establishing these standards and a schedule for implementing them in the report.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

#### STATE AND LOCAL PROGRAMS

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee rec- ommendations
State and local grants:			
State and local grants .....	1,689,970	700,000	940,000
Law enforcement terrorism prevention grants .....	497,050	500,000	400,000
Citizen Corps .....	39,764	50,000	30,000
Emergency management performance grants .....		170,000	
Subtotal, State and local grants .....	2,226,784	1,420,000	1,370,000
Urban area security initiative grants:			
High-threat, high density urban area grants .....	671,018	1,446,000	875,000
Port security grants .....	( <sup>2</sup> )		150,000
Rail and transit security grants .....	49,705		150,000
Inter-city bus security grants .....	( <sup>2</sup> )		10,000
Trucking industry security grants .....	( <sup>2</sup> )		15,000

## STATE AND LOCAL PROGRAMS—Continued

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee rec- ommendations
Subtotal, Urban area security initiative grants .....	720,723	1,446,000	1,200,000
National programs:			
Technical assistance .....	29,823	7,600	30,000
Center for Domestic Preparedness .....	54,204	50,000	55,000
National Domestic Preparedness Consortium .....	80,000	30,000	80,000
Competitive training grants .....	59,646	3,000	55,000
National exercise program .....	49,705	52,000	52,000
Equipment and testing .....	16,900		
Evaluation and assessments .....		14,300	3,081
Management and administration .....	29,823	38,355	( <sup>3</sup> )
Subtotal, National programs .....	320,101	195,255	275,081
Total, State and local programs .....	3,267,608	3,061,255	2,845,081

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.<sup>2</sup> Total funding for fiscal year 2004 of \$174,000,000 for transportation related grants was provided under the Transportation Security Administration "Maritime and Land Security" account.<sup>3</sup> Funded under separate "Management and Administration" account.

## FIREFIGHTER ASSISTANCE GRANTS

Appropriations, 2004 <sup>1</sup> .....	\$745,575,000
Budget estimate, 2005 .....	500,000,000
Committee recommendation .....	700,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

The firefighter assistance grants, as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229), provide assistance to local fire fighting departments for the purpose of protecting the health and safety of the public and fire fighting personnel, including volunteers and emergency medical service personnel, against fire and fire-related hazards.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$700,000,000 for firefighter assistance grants, to remain available until September 30, 2006.

The Committee has not included bill language requested in the budget to prioritize applications within the Firefighter Assistance Grant program based on "enhancing terrorism preparedness." The Committee directs the Department to continue the present practice of funding applications according to local priorities and those established by the United States Fire Administration; to reinstate firefighter safety and health as a funding area; and to make \$3,000,000 available for implementation of section 205(c) of Public Law 108–169, the United States Fire Administration Reauthorization Act of 2003. The Committee further expects the Department to continue direct funding to fire departments, the peer review process for determining funding awards, and the practice of allowing the Alaska Village Initiatives to apply for grants on behalf of Alaskan communities.

The Committee is concerned that data from the National Fire Protection Association and the Emergency Preparedness and Response Directorate shows that many of our smaller firehouses have an urgent, critical need for additional firefighting equipment, per-

sonal protection equipment and other emergency apparatus. The Committee also notes that older and damaged surplus equipment that is no longer in use resides in many larger departments. This equipment, if repaired or refurbished, could be of great assistance to departments in other jurisdictions that have significant needs. The Committee encourages the Department to explore the possibility of refurbishing and redirecting surplus fire equipment.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

Appropriations, 2004 .....	(1)	
Budget estimate, 2005 .....	(2)	
Committee recommendation .....		\$180,000,000

<sup>1</sup>Funding of \$178,000,000 appropriated under the Emergency Preparedness and Response “Emergency Management Performance Grants” account transferred to the Office of State and Local Government Coordination and Preparedness on March 26, 2004, pursuant to Section 872 of Public Law 107–296.

<sup>2</sup>Total funding for fiscal year 2005 of \$170,000,000 included in the request for the “State and Local Programs” account.

Funding requested in this account provides support to the Nation’s all-hazards emergency management system and helps to build State and local emergency management capability.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$180,000,000 for emergency management performance grants [EMPG].

EMPG remains a vital source of funding for State and local emergency management. EMPG is one of the few remaining programs at the Department with an all-hazards mission; as such, it is a fundamental tool to local emergency management. EMPG is an essential source of funds to help State emergency managers reduce the threat of floods, assist victims of floods when they occur and to prepare for potential chemical spills. The all-hazards approach to emergency management is a critical tool for State officials. Last fiscal year, there were 56 major disaster declarations, 19 emergency declarations, and 46 fire suppression declarations. State and local governments currently have productive relationships with Emergency Preparedness and Response Directorate regional emergency managers that are critical to maintain an all-hazards response capability. The Committee expects these relationships to continue. Despite the consolidation of selected grant award functions within the SLGCP, the Emergency Preparedness and Response Directorate will retain operational subject matter expertise and will be fully engaged in the administration of this program.

EMPG is a well regarded and effective program. The Committee believes that this should remain a separate grant program within the Department of Homeland Security, and not be combined with any other grant program. The Committee directs the Department to continue the practice of funding personnel costs, and does not agree with the administration’s proposal to cap these costs at 25 percent. In addition, not to exceed 3 percent may be used for administrative expenses.

## COUNTERTERRORISM FUND

Appropriations, 2004 .....	\$9,941,000
Budget estimate, 2005 .....	20,000,000
Committee recommendation .....	10,000,000

The Counterterrorism Fund provides a means to cover unbudgeted and unanticipated critical costs associated with providing support to counter, investigate, or pursue domestic or international terrorism, including payment of rewards in connection with these activities; and to re-establish the operational capability of an office, facility, or other property damaged or destroyed as a result of any domestic or international terrorist incident. The Fund enables operating entities of the Department of Homeland Security and other Federal agency participants to be reimbursed for unforeseen expenses arising from the prevention of or response to terrorist attacks over and above normal operations. The Fund also is available to provide reimbursement to the U.S. Secret Service and other Federal agencies for unbudgeted expenses related to a National Special Security Event [NSSE] designated by the Secretary of Homeland Security in accordance with Presidential Directive [PDD] 62.

## COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$10,000,000 for the Counterterrorism Fund. These funds are provided for responding to unforeseen emergencies not budgeted for in the regular process. These funds are to be made available at the direction of the Secretary of Homeland Security with advance written notification provided to the Committee.

The Committee also expects the Secretary to provide written notification to the Committee upon the designation of a NSSE. The written notification shall include the following information: location and date of the event, Federal agencies involved in the protection and planning of the event, the estimated costs of the event, and the source of funding to cover the anticipated expenditures.

## EMERGENCY PREPAREDNESS AND RESPONSE

### SUMMARY

The Emergency Preparedness and Response [EP&R] Directorate was created on March 1, 2003, when the Federal Emergency Management Agency was transferred to the Department of Homeland Security. The mission of EP&R is to lead the Nation to prepare for, mitigate the effects of, respond to, and recover from major domestic disasters, both natural and man-made, including incidents of terrorism.

### COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$5,648,216,000 for the activities of the Emergency Preparedness and Response Directorate for fiscal year 2005. The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

### EMERGENCY PREPAREDNESS AND RESPONSE—SUMMARY

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee rec- ommendations
Office of the Under Secretary for Emergency Preparedness and Response .....	3,430	4,211	4,211
Preparedness, Mitigation, Response and Recovery [PMRR]:			
Operating Activities .....	164,027	201,499	201,499
Urban Search and Rescue Teams .....	59,646	7,000	30,000
Subtotal, Preparedness, Mitigation, Response and Recovery .....	223,673	208,499	231,499
Administrative and Regional Operations .....	166,015	196,939	196,939
Public Health Programs:			
Strategic National Stockpile .....	397,640	(2)	(2)
National Disaster Medical System .....	33,799	34,000	34,000
Metropolitan Medical Response System .....	49,705		
Subtotal, Public Health Programs .....	481,144	<sup>2</sup> 34,000	<sup>3</sup> 34,000
Biodefense Countermeasures .....	<sup>4</sup> 5,587,749	<sup>5</sup> 2,528,000	<sup>5</sup> 2,528,000
Radiological Emergency Preparedness .....	(6)	<sup>7</sup> -1,000	<sup>7</sup> -1,000
Disaster Relief .....	<sup>8</sup> 2,042,380	2,151,000	2,151,000
Disaster Assistance Direct Loan Program Account .....	557	567	567
National Pre-Disaster Mitigation Fund .....	149,115	(9)	(10)
Flood Map Modernization Fund .....	198,820	200,000	200,000
National Flood Insurance Fund .....	110,472	<sup>11</sup> (112,593)	<sup>11</sup> (112,593)
National Flood Mitigation Fund .....	<sup>12</sup> 20,000	(13)	(14)
Mitigation Grants .....	(15)	<sup>16</sup> 150,000	<sup>16</sup> 150,000
Emergency Management Performance Grants .....	178,938	(17)	(18)
Emergency Food and Shelter .....	152,097	<sup>19</sup> 153,000	153,000
Cerro Grande Fire Claims .....	37,837		

**EMERGENCY PREPAREDNESS AND RESPONSE—SUMMARY—Continued**  
 [In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee rec- ommendations
Total, Emergency Preparedness and Response .....	20 9,351,227	5,625,216	5,648,216

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

<sup>2</sup> \$400,000,000 for the Strategic National Stockpile proposed for transfer to Department of Health and Human Services.

<sup>3</sup> Excludes funding for the Strategic National Stockpile.

<sup>4</sup> Limitation on fiscal year 2004 obligations pursuant to Public Law 108–90, including 0.59 percent rescission pursuant to Public Law 108–199.

<sup>5</sup> Public Law 108–90 appropriates \$5,593,000,000 (reduced to \$5,587,749,000 by 0.59 percent rescission pursuant to Public Law 108–90), to remain available until September 30, 2013, of which not to exceed \$3,418,000,000 is available for obligation during fiscal years 2004 through 2008. This is the estimate of advance appropriations pursuant to Public Law 108–90 available for obligation for fiscal year 2005.

<sup>6</sup> Costs estimated to equal fee collections.

<sup>7</sup> Fee collections are estimated to exceed costs.

<sup>8</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199 and \$22,000 transfer to the Office of Inspector General. Excludes \$500,000,000 emergency supplemental appropriations pursuant to Public Law 108–106 and \$225,000,000 rescission of these funds pursuant to Public Law 108–199.

<sup>9</sup> Budget proposes combining this program with the National Flood Mitigation Fund into a new “Mitigation Grants” account.

<sup>10</sup> Funded under “Mitigation Grants” account.

<sup>11</sup> Fully offset by fee collections.

<sup>12</sup> By transfer from the National Flood Insurance Fund.

<sup>13</sup> Proposed to be funded under the new “Mitigation Grants” account by transfer from the National Flood Insurance Fund.

<sup>14</sup> Funded under “Mitigation Grants” account.

<sup>15</sup> Funded under “National Pre-Disaster Mitigation Fund” and “National Flood Mitigation Fund” accounts.

<sup>16</sup> Excludes \$20,000,000 transfer from National Flood Insurance Fund.

<sup>17</sup> Transferred to the Office of State and Local Government Coordination and Preparedness on March 26, 2004 pursuant to Section 872 of Public Law 107–296.

<sup>18</sup> Funded under the Office of State and Local Government Coordination and Preparedness.

<sup>19</sup> Budget proposes legislation to transfer this program to the Department of Housing and Urban Development.

<sup>20</sup> Total may not add due to rounding.

**OFFICE OF THE UNDER SECRETARY FOR EMERGENCY PREPAREDNESS  
AND RESPONSE**

Appropriations, 2004 <sup>1</sup> .....	\$3,430,000
Budget estimate, 2005 .....	4,211,000
Committee recommendation .....	4,211,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

The Office of the Under Secretary for Emergency Preparedness and Response is responsible for providing the Federal Government’s response to terrorist attacks, major disasters, and other emergencies and aiding in the recovery from such incidents; helping to ensure the effectiveness of emergency response providers to terrorist attacks, major disasters, and other emergencies; and building a comprehensive national incident management system to respond to such attacks, disasters and emergencies with Federal, State, and local government personnel, agencies and authorities.

**COMMITTEE RECOMMENDATIONS**

For the Office of the Under Secretary for Emergency Preparedness and Response, the Committee recommends \$4,211,000, as requested in the budget.

**PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY**

Appropriations, 2004 <sup>1</sup> .....	\$223,673,000
Budget estimate, 2005 .....	208,499,000
Committee recommendation .....	231,499,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

This appropriation funds the operating expenses to prepare for, mitigate against, respond to and recover from emergencies and disasters.

## COMMITTEE RECOMMENDATIONS

The Committee provides \$231,499,000 to support activities related to preparedness, mitigation, response and recovery, as requested in the budget. Included in the Committee recommendation is \$30,000,000, an increase of \$23,000,000 from the budget request, to support the 28 existing Urban Search and Rescue [USAR] teams, of which no more than \$2,566,000 shall be used to administer, support and train task forces.

The Committee appreciates the commitment the USAR teams have made as first responders to both natural disasters and acts of terrorism. The Committee is concerned with the pace at which the Department is making funds available to the USAR teams, especially for the purchase of a second equipment cache for each of the 28 USAR teams. The Committee believes that second equipment caches are an essential component of an effective USAR response. The Committee directs the Department to obligate funds provided in fiscal years 2003 and 2004 for the second equipment caches by September 1, 2004, and December 1, 2004, respectively. Further, the Department is directed to report by March 1, 2005, on all obligations, planned and completed, for the USAR teams for fiscal years 2003, 2004 and 2005. The report should include the progress made to complete second caches at the 28 sites; an accounting of what the primary and secondary equipment caches currently contain; an accounting of what the caches will contain after fiscal year 2005 funds are expended; and how this complies with what has been recommended by the USAR advisory board.

The Committee understands the importance of the National Dam Safety Program in reducing risks to life and property from dam failure in the United States. The Committee strongly encourages the Emergency Preparedness and Response Directorate to continue funding the National Dam Safety Program at the fiscal year 2004 level of \$5,500,000.

## ADMINISTRATIVE AND REGIONAL OPERATIONS

Appropriations, 2004 <sup>1</sup> .....	\$166,015,000
Budget estimate, 2005 .....	196,939,000
Committee recommendation .....	196,939,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

Administrative and Regional Operations coordinates between headquarters and regional offices all policy, managerial, resource, and administrative actions; maintains programs to address public information issues; and builds partnerships among State and local governments, non-governmental organizations, business and industry.

## COMMITTEE RECOMMENDATIONS

The Committee provides \$196,939,000 for administrative and regional operations, as requested in the budget.



## PUBLIC HEALTH PROGRAMS

Appropriations, 2004 <sup>1</sup> .....	\$481,144,000
Budget estimate, 2005 <sup>2</sup> .....	34,000,000
Committee recommendation <sup>3</sup> .....	34,000,000

<sup>1</sup>Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup>\$400,000,000 for the Strategic National Stockpile proposed for transfer to Department of Health and Human Services.

<sup>3</sup>Excludes funding for the Strategic National Stockpile.

## COMMITTEE RECOMMENDATIONS

Public Health Programs provide medical and support capability for State and local personnel to provide emergency medical care during a disaster.

## COMMITTEE RECOMMENDATIONS

The Committee provides \$34,000,000 for public health programs to fund Disaster Medical Assistance Teams, as requested in the budget. The Committee agrees with the President's budget request to transfer the Strategic National Stockpile to the Department of Health and Human Services.

## BIODEFENSE COUNTERMEASURES

Appropriations, 2004 <sup>1</sup> .....	\$884,749,000
Budget estimate, 2005 <sup>2</sup> .....	2,528,000,000
Committee recommendation <sup>2</sup> .....	2,528,000,000

<sup>1</sup>Limitation on fiscal year 2004 obligations pursuant to Public Law 108-90, including 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup>Public Law 108-90 appropriates \$5,593,000,000 (reduced to \$5,587,749,000 by 0.59 percent rescission pursuant to Public Law 108-90), to remain available until September 30, 2013, of which not to exceed \$3,418,000,000 is available for obligation during fiscal years 2004 through 2008. This is the estimate of advance appropriations pursuant to Public Law 108-90 available for obligation for fiscal year 2005.

This program supports the government's efforts to secure protections and countermeasures to strengthen the Nation's preparedness against chemical, radiological, or nuclear agents that may be used in a terrorist attack against the United States by pre-purchasing critically needed vaccines and other countermeasures for bio-defense.

## COMMITTEE RECOMMENDATIONS

Advance appropriations for biodefense countermeasures were provided by the Department of Homeland Security Appropriations Act, 2004 (Public Law 108-90), to remain available until September 20, 2013. The budget estimates that \$2,528,000,000 of this amount will be made available for obligation for fiscal year 2005.

## RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

Appropriations, 2004 .....	( <sup>1</sup> )
Budget estimate, 2005 <sup>2</sup> .....	-\$1,000,000
Committee recommendation <sup>2</sup> .....	-1,000,000

<sup>1</sup>Costs estimated to equal fee collections.

<sup>2</sup>Fee collections are estimated to exceed costs.

The Radiological Emergency Preparedness [REP] program assists State and local governments in the development of offsite radiological emergency preparedness plans within the emergency plan-

ning zones of commercial nuclear power facilities licensed by the Nuclear Regulatory Commission [NRC]. The fund is financed from fees assessed and collected from the NRC licensees to recover the amounts anticipated by the EP&R to be obligated in the next fiscal year for expenses related to REP program activities.

#### COMMITTEE RECOMMENDATIONS

The Committee provides for the receipt and expenditure of fees collected, as authorized by Public Law 105–276. The budget estimates fee collections to exceed expenditures by \$1,000,000 in fiscal year 2005.

#### DISASTER RELIEF

Appropriations, 2004 <sup>1</sup> .....	\$1,789,380,000
Budget estimate, 2005 .....	2,151,000,000
Committee recommendation .....	2,151,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199 and \$22,000 transfer to the Office of Inspector General. Excludes \$500,000,000 emergency supplemental appropriations pursuant to Public Law 108–106 and \$225,000,000 rescission of these funds pursuant to Public Law 108–199.

Through the Disaster Relief Fund [DRF], the Department of Homeland Security provides a significant portion of the total Federal response to victims in Presidentially-declared major disasters and emergencies. Major disasters are declared when a State requests Federal assistance and proves that a given disaster is beyond the State's capacity to respond. Under the DRF, EP&R will continue to operate the primary assistance programs: Federal assistance to individuals and households; and public assistance, which includes the repair and reconstruction of State, local, and non-profit infrastructure. The post-disaster hazard mitigation set-aside that is provided to States will continue as part of the Disaster Relief Fund, working as a companion piece to the National Pre-Disaster Mitigation Fund.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,151,000,000 for disaster relief, as requested in the budget.

#### DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

Appropriations, 2004 <sup>1</sup> .....	\$557,000
Budget estimate, 2005 .....	567,000
Committee recommendation .....	567,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

Disaster assistance loans authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162) are loans to States for the non-Federal portion of cost sharing funds, and community disaster loans to local governments incurring substantial loss of tax and other revenues as a result of a major disaster. The funds requested for this program include direct loans and a subsidy based on criteria including loan amount and interest charged. As required by the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), this account records, for this program, the subsidy costs associated with the direct loans obligated in 1992 and beyond (including modifications of direct loans), as well as adminis-

trative expenses of the program. The subsidy amounts are estimated on a present value basis; the administrative expenses are estimated on a cash basis.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$567,000 for the disaster assistance direct loan program account, as requested in the budget.

NATIONAL PRE-DISASTER MITIGATION FUND

Appropriations, 2004 <sup>1</sup> .....	\$149,115,000
Budget estimate, 2005 .....	( <sup>2</sup> )
Committee recommendation .....	( <sup>3</sup> )

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.  
<sup>2</sup> President's budget request proposes combining this program with the National Flood Mitigation Fund into a new "Mitigation Grants" account.  
<sup>3</sup> Funded under "Mitigation Grants" account.

The national pre-disaster mitigation fund is dedicated to competitive pre-disaster mitigation activities to reduce the risk of flood damage to structures.

COMMITTEE RECOMMENDATIONS

The Committee agrees with the budget request to combine this program with the National Flood Mitigation Fund into a new "Mitigation Grants" account.

FLOOD MAP MODERNIZATION FUND

Appropriations, 2004 <sup>1</sup> .....	\$198,820,000
Budget estimate, 2005 .....	200,000,000
Committee recommendation .....	200,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

Funding in this account will support the functions necessary to modernize and digitize flood maps. The flood maps are used to determine appropriate risk-based premium rates for the National Flood Insurance Program, complete flood hazard determinations required of the Nation's lending institutions, and to develop appropriate disaster response plans for Federal, State, and local emergency management personnel.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$200,000,000 for the Flood Map Modernization Fund, as requested in the budget, and includes bill language which makes up to 3 percent of the funds available for administrative purposes.

The Committee encourages FEMA to continue its practice of providing funds to communities, States and regions with a demonstrated commitment to digitizing and improving the accuracy of area flood maps. Flood map modernization funds should be provided through the most efficient approach to updating the Nation's flood maps, and projects identified as "high risk" by States should be funded, when possible, without adversely impacting the overall goal of completing the flood map modernization project within 5 years.

The Committee urges the Emergency Preparedness and Response Directorate to consider utilizing available high resolution elevation

models to develop flood hazard data to support flood map modernization for counties that have experienced flooding disasters.

The National Service Provider [NSP] and its subcontractors shall avoid any conflicts of interest relating to the Multi-Hazard Flood Map Modernization program or other FEMA contracts. To assure this goal, neither the prime contractor nor any subcontractor of the NSP team shall pursue contracts for flood mapping work with FEMA Regional Offices under the Multi-Hazard Flood Map Modernization program, if they are involved in any activity as a member of the NSP team that creates an unfair advantage for that firm.

NATIONAL FLOOD INSURANCE FUND

Appropriations, 2004 .....	\$110,472,000
Budget estimate, 2005 <sup>1</sup> .....	112,593,000
Committee recommendation <sup>1</sup> .....	112,593,000

<sup>1</sup> Fully offset by fee collections.

The National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) authorizes the Federal Government to provide flood insurance on a national basis. Flood insurance may be sold or continued in force only in communities which enact and enforce appropriate floodplain management measures. Communities must participate in the program within 1 year of the time they are identified as flood-prone in order to be eligible for flood insurance and some forms of Federal financial assistance for acquisition or construction purposes. In addition, federally-regulated funding institutions can not provide loans to non-participating communities with an identified flood hazard.

Under the emergency program, structures in identified flood-prone areas are eligible for limited amounts of coverage at subsidized insurance rates. Under the regular program, studies must be made of different flood risks in flood-prone areas to establish actuarial premium rates. These rates are charged for insurance on new construction. Coverage is available on virtually all types of buildings and their contents in amounts up to \$350,000 for residential and \$1,000,000 for other types.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$112,593,000 for the National Flood Insurance Fund, and provides that up to \$20,000,000 may be transferred to the National Flood Mitigation Fund for expenses under section 1366 of the National Flood Insurance Act (42 U.S.C. 4104c), as requested in the budget.

NATIONAL FLOOD MITIGATION FUND

Appropriations, 2004 <sup>1</sup> .....	\$20,000,000
Budget estimate, 2005 .....	( <sup>2</sup> )
Committee recommendation .....	( <sup>3</sup> )

<sup>1</sup> By transfer from the National Flood Insurance Fund.

<sup>2</sup> Proposed to be funded under the new "Mitigation Grants" account by transfer from the National Flood Insurance Fund.

<sup>3</sup> Funded under "Mitigation Grants" account.

A portion of the fees generated from collections by the National Flood Insurance Fund are transferred into the National Flood Miti-

gation Fund and then transferred into the National Pre-Disaster Mitigation Fund for pre-disaster mitigation activities to reduce the risk of flood damage to structures.

COMMITTEE RECOMMENDATIONS

The Committee provides for the transfer of up to \$20,000,000 from the National Flood Insurance Fund to the new “Mitigation Grants” account, as requested in the budget.

MITIGATION GRANTS

Appropriations, 2004 .....	(1)
Budget estimate, 2005 <sup>2</sup> .....	\$150,000,000
Committee recommendation <sup>2</sup> .....	150,000,000

<sup>1</sup>Funded under “National Pre-Disaster Mitigation Fund” and “National Flood Mitigation Fund” accounts.

<sup>2</sup>Excludes \$20,000,000 transfer from National Flood Insurance Fund.

This new account consolidates funding previously provided through the National Pre-Disaster Mitigation Fund and the National Flood Mitigation Fund. These funds are used for pre-disaster mitigation activities to reduce the risk of flood damage to structures and are awarded on a competitive basis, based on the criteria in section 203(g) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(g)). Post disaster mitigation grants are funded through the Disaster Relief Fund.

COMMITTEE RECOMMENDATIONS

The Committee combines the National Pre-Disaster Mitigation Fund with the National Flood Mitigation Fund into a new “Mitigations Grants” account and recommends \$150,000,000, as requested in the budget. Language is included in the bill to make up to 3 percent of the funds available for administrative purposes.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

Appropriations, 2004 .....	\$178,938,000
Budget estimate, 2005 .....	(1)
Committee recommendation .....	(2)

<sup>1</sup>Transferred to the Office of State and Local Government Coordination and Preparedness on March 26, 2004 pursuant to Section 872 of Public Law 107–296.

<sup>2</sup>Funded under the Office of State and Local Government Coordination and Preparedness.

Funding in this account provides support to the Nation’s all-hazards emergency management system, and helps to build State and local emergency management capability.

COMMITTEE RECOMMENDATIONS

The Committee recommends funding for this program as a separate account under the Office of State and Local Government Coordination and Preparedness.

EMERGENCY FOOD AND SHELTER

Appropriations, 2004 <sup>1</sup> .....	\$152,097,000
Budget estimate, 2005 <sup>2</sup> .....	153,000,000
Committee recommendation .....	153,000,000

<sup>1</sup>Includes 0.59 percent rescission pursuant to Public Law 108–199.

<sup>2</sup>Budget proposes legislation to transfer this program to the Department of Housing and Urban Development.

The Emergency Food and Shelter program provides grants to non-profit and faith-based organizations at the local level to supplement their programs for emergency food and shelter to provide for the immediate needs of the homeless.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$153,000,000 for the emergency food and shelter program. The Committee believes that the program is administered appropriately by EP&R and does not shift this program to the Department of Housing and Urban Development, as requested in the budget.

CERRO GRANDE FIRE CLAIMS

Appropriations, 2004 .....	\$37,837,000
Budget estimate, 2005 .....	
Committee recommendation .....	

The Office of Cerro Grande Fire Claims was established by Public Law 106-246 to provide expeditious consideration and settlement of claims arising from the Cerro Grande prescribed fire. Funds for administration of the compensation process and for the payment of claims are available until expended.

COMMITTEE RECOMMENDATIONS

The Committee recommends no funding for this account. Funding provided in previous fiscal years is expected to satisfy all remaining Cerro Grande fire claims. The Committee notes that EP&R is working to complete the payment of claims under the Cerro Grande Fire Assistance Act of 2000, and requests a report on the status of the Cerro Grande Fire Assistance Act claims process within 60 days of enactment of this Act.

TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING,  
ASSESSMENTS, AND SERVICES

CITIZENSHIP AND IMMIGRATION SERVICES

Appropriations, 2004 <sup>1</sup> .....	\$234,733,000
Budget estimate, 2005 .....	140,000,000
Committee recommendation .....	140,000,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

The Bureau of Citizenship and Immigration Services [CIS] was established by the Homeland Security Act of 2002 to deliver immigration services to the public in a timely, consistent, and fair manner. CIS is responsible for the administration of laws and providing services related to people seeking to enter, reside, work, and naturalize in the United States. In addition to directly appropriated resources, offsetting collections are available for the operations of CIS.

*Immigration Examinations Fees.*—The Bureau collects fees from persons applying for immigration benefits to support the adjudication of applications, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

COMMITTEE RECOMMENDATIONS

The Committee recommends \$140,000,000 for backlog reduction activities of the CIS for fiscal year 2005. This is the same as the budget request, and reflects a reduction of \$154,733,000 that realigns the activities of CIS between the directly appropriated resources and the fee-generated resources.

*Backlog Reduction.*—Included in the amount recommended by the Committee is \$140,000,000, an increase of \$60,000,000, as requested, to support the plan to attain a 6-month processing time standard for all immigration benefit applications by fiscal year 2006.

*Immigration Examinations Fees.*—The Committee understands that the estimated level of \$1,546,000,000 in spending from the Immigration Examinations Fee includes \$20,000,000 collected from premium processing fees to continue efforts to reduce the backlog of applications. CIS is expected to provide updates to the Committee regarding the progress being made in meeting the targets of its five-year backlog reduction plan. These reports should continue to be submitted while the backlog reduction plan is being updated. The Committee expects that of the fees collected, no less than \$25,000,000 be made available to the Bureau of Immigration and Customs Enforcement to support the investigative and intelligence needs of CIS.

The Committee expects CIS to review the staffing levels and location of offices in Maine to ensure the most efficient and practical delivery of services across the State.

The following table, which includes appropriations and estimated fee collections, summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

**CITIZENSHIP AND IMMIGRATION SERVICES—PROGRAM SUMMARY**

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
<b>Adjudication Services:</b>			
Pay and benefits .....	659,173	621,000	621,000
<b>Operating expenses:</b>			
District operations .....	255,000	244,000	224,000
Service Center operations .....	219,000	197,000	192,000
Asylum, refugee and international operations .....	72,000	73,000	73,000
Records operations .....	72,000	65,000	65,000
<b>Total, Adjudication Services .....</b>	<b>1,277,173</b>	<b>1,200,000</b>	<b>1,175,000</b>
<b>Backlog Reduction Initiatives:</b>			
Contracting services .....	80,000	120,000	120,000
Other .....	20,000	20,000	20,000
<b>Total, Backlog Reduction Initiatives .....</b>	<b>100,000</b>	<b>140,000</b>	<b>140,000</b>
<b>Information and Customer Services:</b>			
Pay and benefits .....	91,000	78,000	78,000
<b>Operating expenses:</b>			
National Customer Service Center .....	55,000	46,000	46,000
Information services .....	19,000	14,000	14,000
<b>Total, Information and Customer Services .....</b>	<b>165,000</b>	<b>138,000</b>	<b>138,000</b>
<b>Administration:</b>			
Pay and benefits .....	53,000	43,000	43,000
Operating expenses .....	203,000	190,000	190,000
<b>Total, Administration .....</b>	<b>256,000</b>	<b>233,000</b>	<b>233,000</b>
<b>Total, Citizenship and Immigration Services .....</b>	<b>1,798,733</b>	<b>1,711,000</b>	<b>1,686,000</b>

**FEDERAL LAW ENFORCEMENT TRAINING CENTER**

**SALARIES AND EXPENSES**

Appropriations, 2004 <sup>1</sup> .....	\$154,506,000
Budget estimate, 2005 <sup>2</sup> .....	158,440,000
Committee recommendation .....	181,440,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

<sup>2</sup> Includes proposed transfer of \$2,000,000 for operations of the Advanced Training Center from the Bureau of Customs and Border Protection.

The Federal Law Enforcement Training Center [FLETC] provides the necessary facilities, equipment, and support services for conducting recruit, advanced, specialized, and refresher training for Federal law enforcement personnel. FLETC personnel conduct the instructional programs for the basic recruit and some advanced training. This appropriation is for operating expenses of FLETC, for research in law enforcement training methods, and curriculum content. In addition, FLETC has a reimbursable program to accommodate the training requirements of various Federal agencies. As funds are available, law enforcement training is provided to certain



State, local, and foreign law enforcement personnel on a space-available basis.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$181,440,000 for salaries and expenses of the Federal Law Enforcement Training Center [FLETC] for fiscal year 2005. The Committee recommendation includes \$2,313,000 in savings and an increase of \$4,247,000 in annualizations and inflationary adjustments, as requested in the budget; and \$2,000,000 for a pay for performance demonstration project to train supervisory personnel in administering a performance-based pay system.

The Committee recommendation does not include a transfer of \$2,000,000 to FLETC for operating costs at the Bureau of Customs and Border Protection [CBP's] Advanced Training Center, as proposed in the budget. The Committee continues to fund operations of the Advanced Training Center under CBP.

The Committee provides an increase of \$23,000,000 for the transfer of funding for operations of the Charleston, South Carolina, training facility from the CBP to FLETC. The Committee directs the FLETC to provide, no later than February 1, 2005, a report regarding the feasibility of establishing a maritime and port security training program at the Charleston, South Carolina, training campus.

The FLETC is the Federal Government's principal provider of interagency law enforcement training. The Committee expects the Director of FLETC to ensure that all training centers are operated at the highest capacity feasible throughout the fiscal year. The Committee also expects the Director of the FLETC to maintain training at or near capacity before entering into new leases with private contractors or establishing new leases with partner organizations.

To assist the FLETC in meeting its State, local, and other training needs, the Committee encourages FLETC to continue existing institutional partnerships prior to initiating new partnerships.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriations, 2004 <sup>1</sup> .....	\$37,137,000
Budget estimate, 2005 .....	37,917,000
Committee recommendation .....	42,917,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.

This account provides for the acquisition and related costs for expansion and maintenance of facilities of the Federal Law Enforcement Training Center. This includes funding for the facilities' Master Plan, minor construction and maintenance, firearms environmental restoration and reconstruction, environmental compliance, and installation of fiber optics communications systems. The Master Plan provides a long-range blueprint for expansion of facilities to meet the training requirements of participating organizations. Minor construction and maintenance provides alterations and maintenance funding for buildings at four locations (Glynco, Georgia; Artesia, New Mexico; Cheltenham, Maryland; Charleston, South Carolina). The firearms environmental restoration and re-

construction funds the clean-up of existing outdoor ranges and reconstruction. The environmental compliance funds are to ensure compliance with Environmental Protection Agency and State environmental laws and regulations. The fiber optics funds allow replacement of the existing antiquated twisted copper wire telecommunications system with a state-of-the-art fiber optic telecommunications cable system.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$42,917,000 for acquisition, construction, improvements, and related expenses for expansion and maintenance of facilities of the Federal Law Enforcement Training Center [FLETC].

The Committee notes that an updated facilities Master Plan that identifies unfunded training facility needs has not been submitted for the Committee’s consideration for fiscal year 2005. However, the Committee provides an increase of \$5,000,000 above the budget request to provide for identified perimeter security and firearms range needs at FLETC’s Artesia, New Mexico, campus.

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

MANAGEMENT AND ADMINISTRATION

Appropriations, 2004 <sup>1</sup> .....	\$124,263,000
Budget estimate, 2005 .....	162,064,000
Committee recommendation .....	157,064,000

<sup>1</sup> Includes 0.59 percent rescission pursuant Public Law 108–199.

The Office of the Under Secretary for Information Analysis and Infrastructure Protection is responsible for collecting and disseminating terrorist threat information; fusing and integrating data with foreign intelligence to produce a comprehensive picture of threats; and developing and implementing an action plan to mitigate terrorist threats and national vulnerabilities.

COMMITTEE RECOMMENDATIONS

For salaries and expenses of the Office of the Under Secretary and for management and administration of programs and activities carried out by the Information Analysis and Infrastructure Protection [IAIP] Directorate, the Committee recommends \$157,064,000, \$5,000,000 less than the budget request.

Of the amount provided, \$5,864,000 is for the immediate Office of the Under Secretary and \$116,200,000 is provided for the salaries and expenses for administering IAIP activities.

The Committee recommends \$35,000,000 for the Homeland Security Operations Center [HSOC] which serves as the focal point for sharing information across all levels of government and the private sector. Within the funds provided for the HSOC, the Committee provides funding for the Homeland Security Information Network to continue to provide for real-time, secure threat information to the State and local governmental entities at the sensitive-but-unclassified level.

Funding is provided for fiscal year 2005 for the training, evaluation, and improvement of the Continuity of Operations Plan effort

initiated in fiscal year 2004. Also included in the Committee's recommendation is \$10,000,000 for renovations and upgrades of the current HSOC and \$4,000,000 to allow for the consolidation of activities of the HSOC previously funded in evaluations and studies, as requested in the budget.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION—MANAGEMENT AND  
ADMINISTRATION

[In thousands of dollars]

	Fiscal year 2004 enacted	Fiscal year 2005 budget	Committee recommendations
Management and Administration:			
Office of the Under Secretary .....	4,772	5,864	5,864
Other salaries and expenses .....	99,609	121,200	116,200
Homeland Security Operations Center .....	19,882	35,000	35,000
Total, Management and Administration .....	124,263	162,064	157,064

ASSESSMENTS AND EVALUATIONS

Appropriations, 2004 .....	\$710,084,000
Budget estimate, 2005 .....	702,512,000
Committee recommendation .....	718,512,000

The Directorate of Information Analysis and Infrastructure Protection was established by Public Law 107–296, the Homeland Security Act of 2002, to identify and assess current and future threats to the homeland, map threat information against current vulnerabilities, issue timely warnings, and take preventive and protective action. IAIP continues to work with Federal, State, local, and private stakeholders to develop and implement an integrated national plan for the physical and cyber protection of critical infrastructures and key assets.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$718,512,000 for information analysis and infrastructure protection assessments and evaluations.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION—ASSESSMENTS AND EVALUATIONS

[In thousands of dollars]

	Fiscal year 2004 enacted	Fiscal year 2005 budget	Committee recommendations
Assessments and Evaluations:			
Critical infrastructure outreach and partnerships .....	71,271	71,592	91,592
Critical infrastructure identification and evaluation .....	64,479	77,861	64,730
National Infrastructure Simulation and Analysis Center (NISAC) .....	27,000	16,000	23,105
Protective actions .....	192,919	191,647	193,673
Biosurveillance .....		11,000	11,000
Cyber security .....	65,233	67,380	67,380
National security and emergency preparedness tele- communications .....	140,168	140,754	140,754
Competitive analysis and evaluation .....	18,788	18,868	18,868

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION—ASSESSMENTS AND  
EVALUATIONS—Continued  
[In thousands of dollars]

	Fiscal year 2004 enacted	Fiscal year 2005 budget	Committee recommendations
Threat determination and assessment .....	28,232	21,943	21,943
Infrastructure vulnerability and risk assessment .....	83,703	71,080	71,080
Evaluations and studies .....	18,291	14,387	14,387
Total, Assessments and Evaluations .....	710,084	702,512	718,512

*Critical Infrastructure Outreach and Partnerships.*—The Committee recommends \$91,592,000 for the Infrastructure Coordination Division to ensure reliable and timely communication in building the capacity to allow the Department to share data with infrastructure owners and operators, and to allow the owners and operators to provide updates to the Department on the status of their components of the Nation's critical infrastructure. The increase provided for critical infrastructure outreach and partnerships is provided for computer hosting of departmental applications, network connectivity, and critical data storage under the direction of the Department's Chief Information Officer.

Funds are made available for critical infrastructure outreach and partnerships for development, implementation, and support of the Protected Critical Infrastructure Information program to facilitate the voluntary submission of infrastructure information by the private sector to the Federal Government to assist in reducing its vulnerability to terrorist attacks.

Also, within funds made available for fiscal year 2005, the Committee supports development of the National Infrastructure Coordination Center to create a communications, tools-based and informational framework for the cross-sector identification and coordination of critical infrastructure information.

The Committee provides continued funding for the Critical Infrastructure Warning Information Network to provide for the expansion of the number of network nodes to ensure connectivity across the government in the event of a major cyber attack.

*Critical Infrastructure Identification and Evaluation.*—The Committee recommends \$64,730,000 for infrastructure protection activities carried out by the Protective Security Division [PSD] to deploy a critical infrastructure database, to identify critical infrastructure and their vulnerabilities, to assess risks identified, and to reduce vulnerabilities.

Continued funding is provided for the National Asset Database to collect and catalogue the Nation's critical infrastructure and key assets.

The Committee expects PSD to conduct vulnerability field assessments of high-value targets and soft targets to determine site susceptibility to terrorist attacks in order to collect data on common industry-specific vulnerabilities; to collate and communicate this information to all affected stakeholders; and to assist individual owners and operators and local law enforcement officials in preparing plans that will improve security at, and in the vicinity of, their sites.

The Committee also expects PSD to carry out identification of vulnerabilities at approximately 400 high-value targets in fiscal year 2005 in addition to the 150 expected to be completed in fiscal year 2004. The Committee is aware of specific high-threat cities scheduled for site visits for soft target vulnerability identification to be completed by the end of fiscal year 2004 and expects approximately 150 additional site visits to be completed in fiscal year 2005.

Funding is continued for fiscal year 2005 for risk analysis activities to identify potential methods of attack, the probabilities of success, and the consequences of attack, including the second- and third-order cascade effects of supply chain failures due to market interdependencies.

The Committee is encouraged by the initial interaction between the Office for Domestic Preparedness and the PSD and expects that coordination between the PSD and the newly-created Office of State and Local Government Coordination and Preparedness [SLGCP] will continue to improve. In particular, the Committee expects the PSD to be a full partner in the grant award process and in the determination of the Nation's high-threat urban areas, and other terrorism prevention needs. The Committee expects the PSD to provide guidance for prioritization of protective measures, to develop and provide specific recommendations as part of the grant award process to minimize duplication of efforts and to review grant requests related to terrorism prevention.

*National Infrastructure Simulation and Analysis Center.*—The Committee recommends \$23,105,000 to continue support for the National Infrastructure Simulation and Analysis Center [NISAC] to provide comprehensive modeling and simulation capabilities for the analysis of critical infrastructure, their interdependencies, complexities, and the consequences of disturbances. This is an increase of \$3,105,000 above the base funding of \$20,000,000 for fiscal year 2004. The fiscal year 2004 funding level reflects the carryover of \$7,000,000 in previously appropriated funds for the construction of the NISAC facility at Kirtland Air Force Base in Albuquerque, New Mexico. The Committee expects Sandia and Los Alamos National Laboratories to continue to develop NISAC and to be the lead entities in this initiative to secure the Nation's critical infrastructure.

The Committee is aware that funding in the amount of \$27,500,000 was made available by Public Law 108-7, the Consolidated Appropriations Resolution, 2003, for NISAC. The Committee expects PSD to obligate the funds provided and available for the construction of NISAC at Kirtland Air Force Base in Albuquerque, New Mexico, at the earliest date possible.

*Protective Actions.*—The Committee recommends \$193,673,000 for protective actions activities carried out by PSD for developing and implementing protective programs for the Nation's critical infrastructures and to assist Federal, State, local, and private sector organizations to devise protection strategies, programs, and best practices.

Within the funds provided for protective actions, the Committee expects the PSD to continue to carry out the Buffer Zone and Site Security Program to provide State homeland security officials, local law enforcement, and infrastructure owners and operators with a

variety of services to implement protective measures across at-risk infrastructures, sectors, segments, and individual sites.

The Committee is aware of the actions already taken to implement the Buffer Zone Protection Plan [BZPP] for chemical facilities, nuclear power plants, nuclear spent fuel storage facilities, petroleum refineries, liquefied natural gas storage facilities, water treatment facilities, railroad bridges, subways, and tunnels to share information with infrastructure/asset owners in order to provide an understanding of the threat, capabilities, and tactics of terrorists to cause damage to critical infrastructures.

The Committee recognizes the rapid stand-up of PSD and is encouraged by its efforts in fiscal year 2004 to ensure additional protective actions are implemented at 360 of the most hazardous chemical sites in accordance with the BZPP. With funds made available for fiscal year 2005, the Committee expects PSD to continue protective actions to include an additional 350 to 400 chemical sites per year that would have the effect of a weapon of mass destruction if the chemical site was targeted and attacked by terrorists. In addition to the implementation of the BZPP, the Committee expects PSD to assign responsibility to field personnel (Protective Security Advisors) to conduct annual site security verification visits at 4,000 of the most hazardous chemical sites identified by the Department.

The Committee expects the Department to continue the BZPP efforts to increase security at all of the Nation's critical infrastructure and key resources at a rate of 2,000 sites per year with particular emphasis on (1) sites that, if attacked, would have the effect of a weapon of mass destruction; (2) soft targets and public gathering areas; and (3) public transportation systems.

The Committee is aware of the PSD efforts to secure the Nation's railways from a terrorist attack by conducting simulations, site assist visits [SAVs], and vulnerability assessments of the most critical areas. The Committee expects the PSD to continue SAVs of rail stations, railroad bridges, railroad yards, tunnels, subways, and rail corridors and to prioritize vulnerabilities in order to implement protective measures. Additional funding for rail security is provided within the funding recommended for SLGCP, the Science and Technology [S&T] Directorate, and the Transportation Security Administration.

*Biosurveillance.*—The Committee recommends \$11,000,000, as requested in the budget, for the IAIP's role in the biosurveillance initiative to rapidly identify and characterize a potential bioterrorist attack.

Under the biosurveillance initiative, the S&T will receive response guidance attack assessments from the National Biosurveillance Group to enhance S&T's BioWatch environmental biodetection program, the Department of Health and Human Services [HHS] proposed BioSense program, HHS and the United States Department of Agriculture [USDA] current joint separate food security surveillance efforts, and the USDA's agricultural surveillance efforts. Funds are provided for IAIP to be the lead agency in developing a national system to detect biological and chemical attacks and coordinate the real-time integration of biosurveillance data collected from HHS, USDA, and S&T. Additional funding is provided

for the biosurveillance initiative within the S&T, “Research, Development, Acquisition and Operations” account.

*Cyber Security.*—The Committee recommends \$67,380,000 for cyber security program activities carried out by the National Cyber Security Division to support efforts to capitalize on existing capabilities of IAIP and to invest in new capabilities to monitor for, predict, and prevent cyber attacks and to minimize the damage from and efficiently recover from attacks.

Funding is provided for fiscal year 2005 to continue support of the United States-Computer Emergency Readiness Team to serve as the U.S. Government coordination point for collaboration of public and private sector institutions to advance computer security preparedness and response to cyber attacks and incidents. The Committee expects the Department to continue to fund the Global Early Warning Information System for the measurement of traffic flow and activity on the Internet and the reporting of potential cyber attacks or disruptions to Government and industry. Funding is provided within the amount recommended for the cyber security program for the Combined Cyber Operations Center to track and analyze cyber incidents nationwide and to coordinate local and/or national response.

Also included is \$3,500,000 for “live wire” cyber exercises to build upon previous similar terrorist attacks on the Nation’s cyber infrastructure to demonstrate the impact of a cyber-based attack on critical infrastructures and to highlight the interdependencies among critical infrastructures and underscore the requirement for enhanced cross-sector cooperation.

The Committee expects the National Cyber Security Division, in consultation with nongovernmental organizations with assigned responsibilities under national preparedness and response incident management plans, to identify critical assets and interdependencies; to perform vulnerability assessments; and to identify necessary resources to implement protective measures to ensure continuity of operations, product protection, and redundancy of critical biomedical systems.

*National Security and Emergency Preparedness Telecommunications.*—The Committee recommends \$140,754,000 for National Security and Emergency Preparedness Telecommunications activities administered by the National Communications System. This includes funding for telecommunications priority services programs, including the Government Emergency Telecommunications Service, the Wireless Priority Service [WPS], the Telecommunications Service Priority program, and the Special Routing Arrangement Services.

The Committee recommends \$88,000,000 for development and deployment of nationwide WPS solutions for Global System for Mobile Communications [GSM] and Code Division Multiple Access [CDMA] wireless technology platforms to ensure national leadership can communicate during periods of extreme telecommunications network congestion and times of national crisis.

*Competitive Analysis and Evaluation.*—The Committee recommends \$18,868,000 for competitive risk assessment analysis, validation, evaluation, and exercises and methodologies.

The Committee makes funds available for the establishment of physical and cyber target risk analysis teams using analytic “red cell” and operational “red team” procedures to evaluate protective measures implemented by other components of IAIP in the protection of key assets and critical infrastructure. Funding for fiscal year 2005 is also provided for product and process evaluation, customer satisfaction, and a senior stakeholders panel. Within the amount made available for competitive analysis and evaluation, the Committee provides funding to coordinate and manage interagency and tabletop exercises to test policies, processes, procedures, capabilities, and areas of responsibilities of IAIP.

*Threat Determination and Assessment.*—The Committee recommends \$21,943,000 for information analysis activities for the detection and identification of terrorist threats, assessment of the nature and scope of terrorist threats, and to provide the ability to recognize terrorist threats with regard to actual and potential vulnerabilities within critical infrastructures and key assets.

For fiscal year 2005, funding is provided to carry out current activities to constantly structure terrorist threat situational awareness, perform execution of intelligence activities, and focus on coordination of intelligence activities within the Department and the Intelligence Community, and with States and local municipalities and tribal entities.

The Committee recommendation includes a reduction of \$6,400,000, as requested in the budget, for programs previously funded in threat determination and assessments for the Terrorist Threat Integration Center [T-TIC] and the Terrorist Screening Center [TSC] to provide for the establishment of a joint center focused on integrating threat data with the Department of Justice [DOJ].

*Infrastructure Vulnerability and Risk Assessment.*—The Committee recommends \$71,080,000 for activities for the development of a comprehensive National infrastructure profile and risk analysis; development of analytic tools to evaluate critical infrastructure and key assets; and the coordination and development of a national threat vulnerability and asset database to access, integrate, correlate, and store information.

Funding for fiscal year 2005 will allow IAIP to produce more timely, significant threat information, accompanied by protective measures and mitigation strategy recommendations to industry to enhance their value to the private sector, minimizing the issuance of “general” warnings. Funds are also provided for continued collaboration with S&T to acquire the most advanced technology for translating vast amounts of diverse data into common and usable information and to provide for the coordination, development, and maintenance of a single database of the Nation’s critical infrastructures through a shared process involving all stakeholders.

The Committee recommendation includes a reduction of \$12,900,000, as requested in the budget, for programs previously funded in infrastructure vulnerability and risk assessment for the T-TIC and the TSC to provide for the establishment of a joint center focused on integrating threat data with the DOJ.

*Evaluations and Studies.*—The Committee recommends \$14,387,000 for information analysis activities for the management



and administration of the Homeland Security Advisory System to provide continuous monitoring and alerts of potential terrorist threats or ongoing activities. The Committee recommends funding for submitting collection requests for threat information to the Intelligence Community and law enforcement organizations; disseminating guidance to other Departmental components; developing analyses on the nature and scope of the threat; identifying potential terrorist targets within the United States; and publishing threat advisories, bulletins, and warnings at different levels of classification prior to distribution to the relevant stakeholders.

The Committee recommendation includes a reduction of \$4,000,000, as requested in the budget, to allow for the consolidation of activities of the HSOC previously funded in the “Evaluations and Studies” account.

The Committee is supportive of the Department’s intent to use the National Weather Service [NWS] radio system as the foundation for the Homeland Security Advisory System. However, the Committee has been advised that only 15 percent of Americans have access to NWS radio broadcasts. Fiscal year 2004 funding of \$10,000,000 was provided for the distribution of NWS radios. The Committee provides this level of funding for fiscal year 2005 for further distribution of NWS radios to schools throughout the country on a priority basis.

The Committee has been informed that the Department of Homeland Security must negotiate separately with each radio and television broadcaster and with other providers of telecommunications services, such as cable, cell phone, satellite, and e-mail transmissions, for national alerts to be carried by such entities. The Committee believes this is an extremely inefficient means of ensuring communications with the public, and directs the Secretary to work with the Chairman of the Federal Communications Commission to develop a legislative solution to this issue.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

Appropriations, 2004 .....	\$43,908,000
Budget estimate, 2005 .....	52,550,000
Committee recommendation .....	52,550,000

The Office of the Under Secretary for Science and Technology is responsible for ensuring the Nation’s homeland security by developing a national policy and strategic plan to coordinate the Federal Government’s civilian efforts for identifying priorities, goals, objectives and policies to develop countermeasures to chemical, biological, radiological, nuclear, and other emerging terrorist threats. The responsibilities of the Under Secretary also include oversight and coordination responsibilities; basic and applied research; and development, demonstration, testing, and evaluation activities relevant to any or all elements of the Department in collaboration and coordination with other appropriate executive agencies to reduce duplication and to identify unmet needs.

## COMMITTEE RECOMMENDATIONS

For salaries and expenses of the Office of the Under Secretary and for management and administration of programs and activities carried out by the Science and Technology Directorate [S&T], the Committee recommends \$52,550,000, as requested in the budget. Of the amount provided, \$6,315,000 is for the immediate Office of the Under Secretary and \$46,235,000 is provided for the salaries and expenses for managing and administering S&T activities.

The following table summarizes the Committee's recommendations for the management and administration of science and technology activities as compared to the fiscal year 2004 and budget request levels:

## SCIENCE AND TECHNOLOGY—MANAGEMENT AND ADMINISTRATION

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Management and Administration:			
Office of the Under Secretary .....	5,138	6,315	6,315
Other salaries and expenses .....	38,770	46,235	46,235
Total, Management and Administration .....	43,908	52,550	52,550

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

## RESEARCH, DEVELOPMENT, ACQUISITION AND OPERATIONS

Appropriations, 2004 <sup>1</sup> .....	\$868,844,000
Budget estimate, 2005 .....	986,749,000
Committee recommendation .....	1,016,647,000

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108–199.

The Science and Technology Directorate [S&T] was established by Congress by Public Law 107–296, the Homeland Security Act of 2002, to support the advance of homeland security through basic and applied research; fabrication of prototypes and full-scale preproduction hardware; and procurement of products, systems and other capital equipment necessary for the provision and upgrading of capabilities to detect, destroy, dispose, and mitigate the effects of weapons of mass destruction. The S&T also supports other directorates and activities of the Department in developing, acquiring and fielding equipment and procedures necessary for performing their missions.

## COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,016,647,000 for research, development, acquisition and operations of the Science and Technology Directorate for fiscal year 2005.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2004 and budget request levels:

## SCIENCE AND TECHNOLOGY—RESEARCH, DEVELOPMENT, ACQUISITION AND OPERATIONS

[In thousands of dollars]

	Fiscal year 2004 enacted <sup>1</sup>	Fiscal year 2005 budget	Committee recommendations
Biological countermeasures .....	197,329	407,000	346,310
National Biodefense Analysis and Countermeasures Center .....	87,481	.....	35,000
Nuclear and radiological countermeasures .....	126,251	129,300	127,810
Chemical countermeasures .....	51,693	53,000	52,400
High explosives countermeasures .....	9,444	9,700	33,590
Threat and vulnerability, testing and assessment .....	92,948	101,900	68,100
Conventional missions in support of DHS .....	33,799	34,000	34,000
Additional program consolidations .....	.....	<sup>2</sup> 24,150	<sup>3</sup> 10,650
Rapid prototyping program .....	74,558	76,000	75,120
Standards .....	38,770	39,699	39,239
Emerging threats .....	20,876	21,000	10,750
Critical infrastructure protection .....	<sup>4</sup> 66,108	.....	14,830
University programs/homeland security fellowship programs .....	69,587	30,000	69,048
Counter-MANPADS .....	( <sup>5</sup> )	61,000	61,000
SAFETY Act .....	.....	( <sup>6</sup> )	10,000
Cyber security .....	( <sup>7</sup> )	( <sup>7</sup> )	17,800
Interoperability and communications .....	.....	.....	11,000
<b>Total, Research, Development, Acquisition and Operations .....</b>	<b>868,844</b>	<b>986,749</b>	<b>1,016,647</b>

<sup>1</sup> Includes 0.59 percent rescission pursuant to Public Law 108-199.<sup>2</sup> Includes proposed increase of \$10,000,000 for Federal Air Marshals research and development; \$650,000 for Emergency Preparedness and Response; and \$13,500,000 for Coast Guard research and development.<sup>3</sup> Includes \$10,000,000 for Federal Air Marshals research and development and \$650,000 for Emergency Preparedness and Response.<sup>4</sup> Includes \$60,640,000 for counter-MANPADS.<sup>5</sup> Funded in fiscal year 2004 under "critical infrastructure protection" subactivity.<sup>6</sup> Funding of \$10,000,000 proposed through across-the-board assessment on all Science and Technology portfolios.<sup>7</sup> Funded and requested in "threat and vulnerability, testing and assessment" subactivity.

*Biological Countermeasures.*—The Committee provides \$346,310,000 for the deployment of effective measures to deter, detect, and mitigate acts of biological terrorism against the United States population, infrastructure, or agricultural system. Biological countermeasures are being developed to examine alternative architectures to provide for technology development and to assess the performance of prototypes and test systems for continued improvement as larger scale systems are deployed.

Within the funds made available for biological countermeasures, the Committee provides \$118,000,000, including an increase of \$65,000,000 from the fiscal year 2004 level, for the integrated biosurveillance initiative. This amount includes funding to significantly expand the BioWatch program by increasing the number of sample collectors in the highest threat cities. The Committee is aware of the aerosolized biological surveillance currently in place in several major, high threat cities and expects S&T to expand surveillance in public transit systems, airports, stadiums, and other public areas in these cities that could be subject to a biological attack. Funds are also provided for biosurveillance for the pilot of a BioWarning and Incident Characterization System in two BioWatch cities to integrate BioWatch data with medical surveillance and intelligence data, and with hazard prediction tools to provide decision makers not only with the earliest possible warning of an attack but also to provide a situational awareness to guide initial response actions. The Committee also provides funding for advanced rapid detection systems in support of next generation BioWatch systems and research and development on detection systems for the monitoring of critical food nodes.

The Committee includes \$34,900,000, an increase of \$14,900,000 from the fiscal year 2004 level, of which \$12,900,000 is made available to correct physical security deficiencies at the Plum Island Animal Disease Center identified in the September 2003 General Accounting Office report.

*National Biodefense Analysis and Countermeasures Center.*—The Committee provides \$35,000,000 for final year construction funding of the National Biodefense Analysis Countermeasures Center [NBACC] to provide coordination of applied technology programs through interagency partnering to avoid unnecessary duplication and maximize partner laboratory contributions. Funding in the amount of \$86,804,000 was provided in fiscal year 2004 for construction of the NBACC and \$5,000,000 was provided in fiscal year 2003 for construction planning. The NBACC hub will serve as the Department of Homeland Security component of the Fort Detrick, Maryland, biodefense campus, partnering with the Department of Defense, the Federal Bureau of Investigation, the Intelligence Community, the National Institutes of Health, and the United States Department of Agriculture.

*Nuclear and Radiological Countermeasures.*—The Committee provides \$127,810,000 to rapidly develop and transition enhanced capability to deployed detectors and systems and to rapidly incorporate recent advances in prototype technologies into the near commercial assistance of radiological and nuclear detectors and systems for use in operational environments.

Existing technologies being deployed by agencies at ports-of-entry, including the United States Coast Guard [USCG] and the Bureau of Customs and Border Protection, provide an effective nuclear countermeasure system. However, continued focused development can considerably extend these capabilities in order to develop technologies for application to specific locations, including those in the intermodal transportation system, in the maritime domain, at border ports-of-entry, and in the aviation industry. The Committee expects a significant expansion of the Countermeasures Test Bed being conducted with the Port Authority of New York and New Jersey in testing technologies to detect radiation/nuclear threats to include railway, general aviation facility monitoring, expanded roadways coverage, and an additional seaport.

The Committee is aware of technology proposals developed with national laboratories to facilitate the inspection of containerized cargo for fissile materials as a part of the normal off-loading process at the Nation's seaports. The Committee understands this process would not increase normal cargo off-loading process time and would provide a detection capability not currently in place. The Committee encourages the Department to investigate the feasibility of such technology as a part of its efforts to secure our Nation's ports.

*Chemical Countermeasures.*—The Committee provides \$52,400,000 for the development and demonstration of technologies and systems necessary for defense of civilian populations from attacks with chemical warfare agents or toxic industrial chemicals. Funding is provided for the continuation of research and development on the numerous chemical threats and targets, development and testing of new detection and forensic technologies, and develop-

ment of integrated protective systems for high-value facilities including airports, subways, and railways.

The Committee expects S&T to build upon the significant amount of work already carried out by the Department of Defense on chemical protection and to incorporate next-generation detection technologies and lessons previously learned to advance and implement facilities protection architectures.

The Committee is aware of S&T's intention to integrate chemical, biological, nuclear, and radiological [CBNR] countermeasure detection devices to counteract all CBNR threats within focused regional areas. The Committee encourages the Under Secretary for Science and Technology to build on current research and development efforts to support a pilot program for advanced weapons of mass destruction detection and a high-speed, high-volume alert system at multiple regional locations in order to advance preparedness and response.

*High Explosives Countermeasures.*—The Committee provides \$33,590,000 to significantly increase the probability of interdicting an explosives attack on buildings, all modes of transportation, critical infrastructure, and the Nation's civilian population, an increase of \$23,890,000 from the budget request. The additional amount provided for high explosives countermeasures is to develop and conduct simulated real-world exercises to validate a training program for the use of commercially-available equipment against suicide bombers in commuter and passenger rail environments. Funding is provided to disseminate this training package to local law enforcement to provide recommended equipment and operational procedures. Prototype detection systems are to be developed with the funding made available to significantly improve the ability of law enforcement to detect potential suicide bombers at a distance, and to disrupt their operations while minimizing risk to law enforcement and the general population. The Committee directs that initial test and evaluation of those systems to be conducted, and systems down selected for further development. In addition, the Committee expects commercially available systems for rail track surveillance and limited transgression detection capability to be operationally evaluated at particularly vulnerable locations.

*Threat and Vulnerability, Testing and Assessment.*—The Committee provides \$68,100,000 to evaluate extensive amounts of diverse threat information; detect and document terrorist intent; couple threat information with knowledge of complex, interdependent critical infrastructure vulnerabilities; conduct risk assessments; draw timely insights; and distribute warnings from the information.

Funding of \$17,800,000 for cyber security and \$14,830,000 for critical infrastructure protection requested in threat and vulnerability, testing and assessment are funded in separate subactivities of this account.

*Conventional Missions in Support of the Department of Homeland Security.*—The Committee recommends \$44,650,000 for coordination and integration of research, development, demonstration, testing, and evaluation activities to support conventional missions of the Department and to reduce the possibility of duplication and redundancy. This amount includes an increase of \$10,650,000 for the

further consolidation of research, development, testing, and evaluation activities conducted within the Department.

The Committee recommends that the funding provided for support activities be distributed as follows: \$9,000,000 for Emergency Preparedness and Response [EP&R]/State and Local research and development to strengthen the ability of first responders to rapidly deploy and mitigate any attack or natural disaster; \$23,000,000 for Border and Transportation Security support/Immigration and Customs Enforcement [ICE] research and development to focus on preventing terrorists and terrorist weapons from entering the United States; \$2,000,000 for research and development to support the United States Secret Service [USSS] to prevent attacks on protectees and high-visibility venues; \$10,000,000 to support ICE Federal Air Marshal Service [FAMS] Air-to-Ground Communication System prototype development to enhance aviation security and the FAMS ability to conduct operations while in the aircraft; and \$650,000 to support EP&R's research, development, testing, and evaluation of United States Fire Administration activities.

The Committee does not provide funding for the requested transfer of the USCG research and development activities to the S&T. Funding for the support of operations and maintenance and for salaries of assigned science staff for the USCG Research and Development Center is provided in the USCG "Research, Development, Test, and Evaluation" account. The Committee expects the Under Secretary of Science and Technology to continue to coordinate collaborative research and development activities with the Commandant of the United States Coast Guard.

The Committee also expects the Under Secretary of Science and Technology to provide the USCG Research and Development Center with continued opportunities to compete for Science and Technology funding.

*Rapid Prototyping.*—The Committee recommends \$75,120,000 for research, development, testing, evaluation and timely transition of homeland security capabilities to Federal, State, and local operational end-users. The Committee expects the rapid prototyping program to continue to provide a mechanism for accelerated development of technologies relevant to homeland security by accelerating the time to develop and commercialize relevant technologies in order to provide the operational end-user the ability to prevent terrorist attacks, reduce the Nation's vulnerability, and minimize the damage and assistance in recovery if attacks occur.

*Standards.*—The Committee provides \$39,239,000 for development of consistent and verifiable standards in terms of basic functionality, task appropriateness and adequacy, interoperability, efficiency, and sustainability to improve the quality and usefulness of homeland security systems and technologies by actively engaging the Federal, State, and local first responder.

The Committee expects standards development and implementation projects for biological, chemical, high explosives, nuclear and radiological, terrorist intent, cyber security, and critical infrastructure protection to develop guidelines as a collaborative effort among vulnerability analysts, tool developers, users, and standards experts.

*Emerging Threats.*—The Committee provides \$10,750,000 to develop the capability to use innovative, crosscutting, out-of-the-box approaches for identifying, anticipating, and responding to new and emerging threats. The Committee expects S&T to leverage activities implemented in fiscal year 2004 that established partnerships with the Intelligence Community and with the USSS in order to leverage ongoing activities in support of over-the-horizon assessment and continue to focus on developing the capability to use these approaches for anticipating and responding to new and emerging threats and to develop revolutionary technologies to combat them.

*Critical Infrastructure Protection.*—The Committee provides \$14,830,000 to significantly improve the capabilities of the Nation to physically protect its critical infrastructure and key assets and to develop design concepts for advanced infrastructure systems that are inherently more robust and resilient, self defending, and self correcting.

The Committee consolidates funding for critical infrastructure protection previously provided in threat and vulnerability, testing and assessment.

*University Programs/Homeland Security Fellowship Programs.*—The Committee provides \$69,048,000, an increase of \$39,048,000 from the budget request, to fund existing and future Homeland Security Centers of excellence and to continue the university fellows program. The Committee encourages the Department to consider all colleges and universities that meet the requirements of 6 U.S.C. 188 in the selection of university-based centers, including historically black colleges and universities, tribal colleges, Hispanic-serving institutions, Native Hawaiian-serving institutions, and Alaskan Native-serving institutions.

*Counter Man-Portable Air Defense Systems.*—The Committee provides \$61,000,000, as requested in the budget, for systems development, aircraft integration analysis, and modeling and simulation performance assessment to protect the Nation's commercial aircraft against the threat of man-portable air defense systems [MANPADS]. Funding is made available to continue Phase II of the counter-MANPADS Program, to include development of prototype demonstrations using existing military or commercial technology which will be subjected to a rigorous test and evaluation process.

The Committee expects the counter-MANPADS Special Program Office to continue coordination with the Department of Defense, Transportation Security Administration, Department of State, Department of Treasury, and the Federal Aviation Administration to support the Department's efforts to adapt existing military technology for use in commercial aviation.

*SAFETY Act.*—The Committee provides \$10,000,000 for the development of a comprehensive program to solicit, receive, track, evaluate, and maintain records associated with the Support Antiterrorism by Fostering Effective Technologies [SAFETY] Act technology applications. The Department funded the SAFETY Act Office for fiscal year 2004 from funds made available from other S&T portfolios.

*Cyber Security.*—The Committee provides \$17,800,000 for research and development of the most appropriate technologies for

next generation cyber threat characterization, cyber threat detection, and cyber threat origination.

The Committee expects that cyber security efforts for critical infrastructure protection and homeland security needs will be coordinated with the National Cyber Security Division and the National Communications System, as well as with external stakeholders.

*Interoperability and Communications.*—The Committee provides an increase of \$11,000,000 from the fiscal year 2004 and budget request levels, for public safety communications and interoperability.

The Wireless Public SAFETY Interoperability COMMUNICATIONS [SAFECOM] Program, is the umbrella initiative to coordinate all Federal, State, local, and tribal users to achieve national wireless communications interoperability.

The lack of true interoperability within public safety communications remains a critical stumbling block to effective response in multi-discipline, multi-jurisdictional emergencies. Under the auspices of the Association of Public Safety Communications Officers, the public safety community has worked cooperatively with the private sector to develop open architecture standards for voice communications, known as Project 25.

The timely completion of the Project 25 standards for all of the relevant communications systems equipment is essential to the public safety community. The Committee is concerned that the functional standards that specify key Project 25 system interfaces (such as the Inter-RF Subsystem Interface, Console Interface, and the Fixed Station Interface) have not been developed or approved, as well as the standards that define how the interfaces should be tested and evaluated.

The Committee encourages the SAFECOM Program to work with the Office of Law Enforcement Standards of the National Institute of Standards and Technology and the Department of Justice to consider the issuance of interim standards that can be used to specify the required functionality and testing validation characteristics.



## TITLE V—GENERAL PROVISIONS

Section 501. The Committee includes a provision limiting the expenditure of funds to the current fiscal year unless expressly provided otherwise in the Act.

Section 502. The Committee includes a provision providing authority to reprogram appropriations within an account and to transfer not to exceed 5 percent between appropriations accounts with 15-day advance notification of the Committees on Appropriations.

The Committee expects the Department to submit reprogramming requests on a timely basis, and to provide complete explanations of the reallocations proposed, including detailed justifications of the increases and offsets, and any specific impact the proposed changes will have on the budget request for the following fiscal year and future-year appropriations requirements. Each request submitted to the Committee should include a detailed table showing the proposed revisions at the account, program, project, and activity level to the funding and staffing (full-time equivalent position) levels for the current fiscal year and to the levels requested in the President's budget for the following fiscal year.

The Committee expects the Department to manage its programs and activities within the levels appropriated. The Committee is concerned with the number of reprogramming proposals submitted for consideration by the Department and reminds the Department that reprogramming or transfer requests should be submitted only in the case of an unforeseeable emergency, or situation that could not have been predicted when formulating the budget request for the current fiscal year. Further, the Committee notes that when the Department submits a reprogramming or transfer request to the Committees on Appropriations and does not receive identical responses from the House and Senate, it is the responsibility of the Department to reconcile the House and Senate differences before proceeding, and if reconciliation is not possible, to consider the reprogramming or transfer request unapproved.

This Committee would also like to clarify that this section applies to the Department's Working Capital Fund and that no funds may be obligated from the Working Capital Fund to fund programs, projects or activities for which appropriations have been specifically rejected by the Congress, to initiate new programs or activities, or to augment the funds or personnel for any program, project, or activity above the levels appropriated by this Act.

The Department is not to propose a reprogramming or transfer of funds within 45 days of the end of the fiscal year unless there are exceptional or emergency circumstances.

Section 503. The Committee includes a provision making not to exceed 50 percent of unobligated balances remaining at the end of the fiscal year 2005 from appropriations for salaries and expenses

available through fiscal year 2006 in the account and for the purpose for which the funds were provided, and the obligation of such funds subject to the statutory requirements for the reprogramming of funds.

Section 504. The Committee includes a provision providing that funds made available by the Act for intelligence activities are deemed to be specifically authorized until the enactment of an Act authorizing intelligence activities for fiscal year 2005.

Section 505. The Committee includes a provision directing the Federal Law Enforcement Training Center to establish an accrediting body to establish standards for measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

Section 506. The Committee includes a provision requiring notification of the Committees on Appropriations at least three business days in advance of the Department announcement of any grant allocation, discretionary grant award, or letter of intent, or contract totaling in excess of \$1,000,000.

Section 507. The Committee includes a provision that, with certain specific exceptions, no agency shall purchase, construct, or lease additional facilities for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations.

Section 508. The Committee includes a provision requiring the Director of the Federal Law Enforcement Training Center to ensure that all training facilities are operated at the highest capacity throughout the fiscal year.

Section 509. The Committee includes a provision prohibiting the use of funds for any construction, repair, alteration, or acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, has not been approved.

Section 510. The Committee includes a provision prohibiting funds from being used to require airport sponsors to provide building modifications, utilities and expenses, or space to the Transportation Security Administration without cost for services related to aviation security, unless an agreement has been reached on "below-market" rates, or the space is necessary for security checkpoints.

Section 511. The Committee includes a provision prohibiting the use of funds in contravention of the Buy American Act.

Section 512. The Committee includes a provision regarding the inspection of air cargo.

Section 513. The Committee includes a provision requiring 15 days advance notification prior to contracting out of a funded full-time equivalent position. The Department is to provide a report to the Committee by February 8, 2005, identifying any funded full-time equivalent positions of the Department which were filled by contractors during fiscal year 2004.

Section 514. The Committee includes a provision to prohibit the obligation of funds for the Computer Assisted Passenger Pre-screening System until a study by the General Accounting Office is submitted to the Committees on Appropriations.

## PROGRAM, PROJECT, AND ACTIVITY

The following information provides the definition of the term “program, project, and activity” for the directorates, bureaus, agencies, and other organizations of the Department of Homeland Security under the jurisdiction of the Homeland Security Subcommittee of the Committee on Appropriations. The term “program, project, and activity” shall include the most specific level of budget items identified in the Department of Homeland Security Appropriations Act, 2005, the House and Senate Committee reports, and the conference report and accompanying joint explanatory statement of the managers of the committee of conference.

If a percentage reduction is necessary, in implementing that reduction, directorates, bureaus, agencies, and other organizations of the Department of Homeland Security shall apply any percentage reduction required for fiscal year 2005 to all items specified in the justifications submitted to the Committees on Appropriations of the House and Senate in support of the fiscal year 2005 budget estimates, as amended, for such organizations and directorates, as modified by congressional action.

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

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

The Committee recommends funding for the following programs or activities which currently lack authorization for fiscal year 2005:

Department-Wide Technology Investments;

Customs and Border Protection, Salaries and Expenses, Automation Modernization, Construction;

Immigration and Customs Enforcement, Salaries and Expenses, Federal Air Marshals, Air and Marine Operations, Automation Modernization, Construction;

United States Coast Guard, Operating Expenses; Environmental Compliance and Restoration; Reserve training; Acquisition, Construction, and Improvements; and Retired Pay;

Counterterrorism Fund;

Federal Law Enforcement Training Center, Salaries and Expenses; and Acquisitions, Construction, and Improvements;

Office of State and Local Government Coordination and Preparedness, Management and Administration, State and Local Programs;

Emergency Preparedness and Response, Preparedness, Mitigation, Response, and Recovery; Flood Map Modernization Fund; Mitigation Grants; Emergency Food and Shelter; and National Flood Insurance Fund;

Citizenship and Immigration Services;

Information Analysis and Infrastructure Protection, Management and Administration; Assessments and Evaluations; and

Science and Technology, Management and Administration; Research, Development, Acquisition and Operations.

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

Pursuant to paragraph 7(c) of rule XXVI, on June 17, 2004, the Committee ordered reported S. 2537, an original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, subject to amendment, by a recorded vote of 29–0, a quorum being present. The vote was as follows:

Yeas

Nays

Chairman Stevens  
Mr. Cochran

Mr. Specter  
Mr. Domenici  
Mr. Bond  
Mr. McConnell  
Mr. Burns  
Mr. Shelby  
Mr. Gregg  
Mr. Bennett  
Mr. Campbell  
Mr. Craig  
Mrs. Hutchison  
Mr. DeWine  
Mr. Brownback  
Mr. Byrd  
Mr. Inouye  
Mr. Hollings  
Mr. Leahy  
Mr. Harkin  
Ms. Mikulski  
Mr. Reid  
Mr. Kohl  
Mrs. Murray  
Mr. Dorgan  
Mrs. Feinstein  
Mr. Durbin  
Mr. Johnson  
Ms. Landrieu

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

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

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

With respect to this bill, no changes are required to be reported.

## BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC.  
308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the Budget Resolution for 2005: Subcommittee on Homeland Security				
Discretionary .....	NA	32,000	NA	29,729
Mandatory .....	NA	867	NA	863
Projection of outlays associated with the recommendation:				
2005 .....				18,383
2006 .....				6,327
2007 .....				2,704
2008 .....				1,002
2009 and future years .....				628
Financial assistance to State and local governments for 2005 .....	NA	5,855	NA	771

<sup>1</sup> Includes outlays from prior-year budget authority.

<sup>2</sup> Excludes outlays from prior-year budget authority.

NA: Not applicable.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2004 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2005  
(In thousands of dollars)

Item	2004 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with budget estimate (+ or -)	
				2004 appropriation	Budget estimate
<b>DEPARTMENT OF HOMELAND SECURITY</b>					
<b>TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS</b>					
Departmental Operations					
Office of the Secretary and Executive Management .....	80,317	102,623	82,206	+ 1,889	- 20,417
Office of the Under Secretary for Management .....	130,210	302,664	245,579	+ 115,369	- 57,085
Total, Departmental operations .....	210,527	405,287	327,785	+ 117,258	- 77,502
Department-wide technology investments .....	183,784	226,000	222,000	+ 38,216	- 4,000
Office of Inspector General					
Operating expenses .....	58,318	82,317	82,317	+ 23,999	.....
(By transfer) .....	(22,000)	.....	.....	(- 22,000)	.....
Total, Office of Inspector General .....	(80,318)	(82,317)	(82,317)	(+ 1,999)	.....
Total, title I, Departmental Management and Operations: New budget (obligational) authority .....	452,629	713,604	632,102	+ 179,473	- 81,502
(By transfer) .....	(22,000)	.....	.....	(- 22,000)	.....
<b>TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS</b>					
Office of the Under Secretary for Border and Transportation Security					
U.S. Visitor and Immigrant Status Indicator Technology .....	8,058	10,371	8,864	+ 806	- 1,507
Customs and Border Protection	328,053	340,000	340,000	+ 11,947	.....
Salaries and expenses .....	4,367,430	4,577,491	4,463,960	+ 96,530	- 113,531
Harbor maintenance fee collection (trust fund) .....	3,000	3,000	3,000	.....	.....
Automation modernization .....	438,520	449,909	449,909	+ 11,389	.....
Construction (border patrol) .....	89,830	91,718	91,718	+ 1,888	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2004 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2005—Continued

[In thousands of dollars]

Item	2004 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with budget estimate (+ or -)	
				2004 appropriation	Budget estimate
Total, Direct appropriations .....	4,898,780	5,122,118	5,008,587	+109,807	-113,531
Fee accounts .....	(1,126,200)	(1,074,000)	(1,074,000)	(-52,200)	.....
Total, Customs and border protection .....	(6,024,980)	(6,196,118)	(6,082,587)	(+57,607)	(-113,531)
Immigration and Customs Enforcement					
Salaries and expenses .....	2,138,358	2,370,906	2,413,438	+275,080	+42,532
Rescission .....	-54,000	.....	.....	+54,000	.....
Federal air marshals .....	622,704	612,900	662,900	+40,196	+50,000
Federal protective service .....	424,211	478,000	478,000	+53,789	.....
Offsetting fee collections .....	.....	-478,000	-478,000	-478,000	.....
Automation modernization .....	39,764	39,605	39,605	-159	.....
Air and marine interdiction, operations, maintenance, and procurement .....	208,960	257,535	267,535	+58,575	+10,000
Construction .....	26,617	26,179	26,179	-438	.....
Total, Direct appropriations .....	3,406,614	3,307,125	3,409,657	+3,043	+102,532
Fee accounts .....	(273,000)	(225,375)	(250,375)	(-22,625)	(+25,000)
Total, Immigration and customs enforcement .....	(3,679,614)	(3,532,500)	(3,660,032)	(-19,582)	(+127,532)
Transportation Security Administration					
Aviation security .....	3,724,112	4,238,164	4,386,083	+661,971	+147,919
Maritime and land security .....	261,449	29,000	44,000	-217,449	+15,000
Credentialing activities .....	.....	67,000	67,000	+67,000	.....
Intelligence .....	13,520	14,000	14,000	+480	.....
Research and development .....	154,285	154,000	181,000	+26,715	+27,000
Administration .....	424,679	539,852	534,852	+110,173	-5,000
Aviation security capital fund .....	.....	(250,000)	(250,000)	(+250,000)	.....
Subtotal, Transportation Security Administration (gross) .....	4,578,045	5,042,016	5,226,935	+648,890	+184,919



Offsetting fee collections:									
Aviation security fees									+ 400,000
Credentiaiting fees									- 67,000
Subtotal, offsetting collections	- 2,070,000	- 2,223,000	- 1,823,000	+ 247,000					
Total, Transportation Security Administration (net)	- 2,070,000	- 2,290,000	- 1,890,000	+ 180,000					+ 400,000
United States Coast Guard									
Operating expenses	2,508,045	2,752,016	3,336,935	+ 828,890					+ 584,919
Defense function	4,347,256	4,833,220	4,063,220	- 284,036					- 770,000
(By transfer from the Defense Bill)	337,994	340,000	1,090,000	+ 752,006					+ 750,000
Emergency appropriations (Public Law 108-106)									
Rescissions	23,183			- 23,183					
	- 71,000			+ 71,000					
Subtotal, Operating expenses	4,637,433	5,173,220	5,153,220	+ 515,787					- 20,000
Environmental compliance and restoration	16,900	17,000	17,000	+ 100					
Reserve training	94,440	117,000	117,000	+ 22,560					
Acquisition, construction, and improvements	961,492	942,550	1,062,550	+ 101,058					+ 120,000
Alteration of bridges	19,136		15,400	- 3,736					+ 15,400
Research, development, test, and evaluation	14,912		18,500	+ 3,588					+ 18,500
Subtotal, U.S. Coast Guard discretionary	5,744,313	6,249,770	6,383,670	+ 639,357					+ 133,900
Retired pay (mandatory)	1,020,000	1,085,460	1,085,460	+ 65,460					
Total, United States Coast Guard	6,764,313	7,335,230	7,469,130	+ 704,817					+ 133,900
United States Secret Service									
Salaries and expenses	1,130,570	1,159,125	1,159,125	+ 28,555					
Acquisition, construction, improvements, and related expenses	3,558	3,633	3,633	+ 75					
Total, United States Secret Service	1,134,128	1,162,758	1,162,758	+ 28,630					
Total, title II, Security, Enforcement, and Investigations:									
New budget (obligational) authority	19,047,991	20,029,618	20,735,931	+ 1,687,940					+ 706,313
Appropriations	(19,149,808)	(20,029,618)	(20,735,931)	(+ 1,586,123)					(+ 706,313)
Emergency appropriations	(23,183)			(- 23,183)					
Rescissions	(- 125,000)			(+ 125,000)					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2004 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2005—Continued  
(In thousands of dollars)

Item	2004 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with budget estimate (+ or -)	
				2004 appropriation	Budget estimate
TITLE III—PREPAREDNESS AND RECOVERY					
Office for State and Local Government Coordination and Preparedness					
Salaries and expenses .....			25,000	+25,000	+25,000
State and local programs .....	3,061,295	3,061,295	2,845,081	-422,527	-216,174
Firefighter assistance grants .....	745,575	500,000	700,000	-45,575	+200,000
Emergency management planning grants .....			180,000	+180,000	+180,000
Total, Office of State and Local Government Coordination and Preparedness .....	4,013,183	3,561,295	3,750,081	-263,102	+188,826
Counterterrorism fund .....	9,941	20,000	10,000	+59	-10,000
Emergency Preparedness and Response					
Office of the Under Secretary for Emergency Preparedness and Response .....	3,430	4,211	4,211	+781	.....
Operating expenses (rescission) .....	-3,000	.....	.....	+3,000	.....
Preparedness, mitigation, response, and recovery .....	223,673	208,499	231,499	+7,826	+23,000
Administrative and regional operations .....	166,015	146,939	146,939	-19,076	.....
Defense function .....	.....	50,000	50,000	+50,000	.....
Subtotal, Administrative and regional operations .....	166,015	196,939	196,939	+30,924	.....
Public health programs .....	481,144	34,000	34,000	-447,144	.....
Biodefense countermeasures .....	884,749	.....	.....	-884,749	.....
Advance appropriations .....	4,703,000	.....	.....	-4,703,000	.....
Advance appropriations, fiscal year 2005 .....	.....	2,528,000	2,528,000	+2,528,000	.....
Subtotal, Biodefense countermeasures .....	5,587,749	2,528,000	2,528,000	-3,059,749	.....
Disaster relief .....	1,789,380	2,151,000	2,151,000	+361,620	.....
(Transfer to Office of the Inspector General) .....	(-22,000)	.....	.....	(+22,000)	.....
Emergency appropriations (Public Law 108-106) .....	500,000	.....	.....	-500,000	.....
Emergency rescission (Public Law 108-199) .....	-225,000	.....	.....	+225,000	.....

Disaster assistance direct loan program account:							
(Limitation on direct loans) .....	(25,000)	(25,000)	(25,000)				
Administrative expenses .....	557	567	567				+ 10
Flood map modernization fund .....							
Radiological emergency preparedness program .....	198,820	200,000	200,000				+ 1,180
National flood insurance fund:							
Salaries and expenses .....	32,663	33,336	33,336				+ 673
Flood mitigation .....	77,809	79,257	79,257				+ 1,448
Offsetting fee collections .....							
(Transfer to Mitigation grants) .....							
(Transfer to National flood mitigation fund) .....							
	(- 20,000)	(- 20,000)	(- 20,000)				(- 20,000)
							(+ 20,000)
Subtotal, National flood insurance fund .....	110,472						- 110,472
National flood mitigation fund (by transfer) .....	(20,000)						(- 20,000)
National pre-disaster mitigation fund .....	149,115						- 149,115
Mitigation grants .....		150,000	150,000				+ 150,000
(By transfer) .....		(20,000)	(20,000)				(+ 20,000)
Subtotal, Mitigation grants .....		(170,000)	(170,000)				(+ 170,000)
Emergency management performance grants .....	178,938						- 178,938
Emergency food and shelter .....	152,097	153,000	153,000				+ 903
Cerro Grande fire claims .....	37,837						- 37,837
Total, Emergency Preparedness and Response .....	9,351,227	5,625,216	5,648,216				- 3,703,011
							+ 23,000
Total, title III, Preparedness and Recovery:							
New budget (obligational) authority .....							
Appropriations .....	13,374,351	9,206,471	9,408,297				- 3,966,054
Emergency appropriations .....	(8,399,351)	(6,678,471)	(6,880,297)				(- 1,519,054)
Advance appropriations .....	(500,000)						(- 500,000)
Rescissions .....	(4,703,000)	(2,528,000)	(2,528,000)				(- 2,175,000)
Emergency rescissions .....							(+ 3,000)
(Limitation on direct loans) .....							(+ 225,000)
(Transfer out) .....	(25,000)	(25,000)	(25,000)				
(By transfer) .....	(- 42,000)	(- 20,000)	(- 20,000)				(+ 22,000)
	(20,000)	(20,000)	(20,000)				

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2004 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
 FOR FISCAL YEAR 2005—Continued  
 [In thousands of dollars]

Item	2004 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with budget estimate (+ or -)	
				2004 appropriation	Budget estimate
TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, ASSESSMENTS, AND SERVICES					
Citizenship and Immigration Services					
Operating expenses .....	234,733	140,000	140,000	-94,733	.....
Fee accounts .....	(1,564,000)	(1,571,000)	(1,546,000)	(-18,000)	(-25,000)
Total, Citizenship and immigration services .....	(1,798,733)	(1,711,000)	(1,686,000)	(-112,733)	(-25,000)
Federal Law Enforcement Training Center					
Salaries and expenses .....	154,506	158,440	181,440	+26,934	+23,000
Acquisition, construction, improvements, and related expenses .....	37,137	37,917	42,917	+5,780	+5,000
Total, Federal Law Enforcement Training Center .....	191,643	196,357	224,357	+32,714	+28,000
Information Analysis and Infrastructure Protection					
Management and administration .....	124,263	162,064	157,064	+32,801	-5,000
Assessments and evaluations .....	710,084	561,758	577,758	-132,326	+16,000
Defense function .....	.....	140,754	140,754	+140,754	.....
Subtotal, Assessments and evaluations .....	710,084	702,512	718,512	+8,428	+16,000
Total, Information Analysis and Infrastructure Protection .....					
.....	834,347	864,576	875,576	+41,229	+11,000
Science and Technology					
Management and administration .....	43,908	52,550	52,550	+8,642	.....
Research, development, acquisition, and operations .....	868,844	579,749	630,647	-238,197	+50,898
Defense function .....	.....	407,000	386,000	+386,000	-21,000
Subtotal, Research, development, acquisition, and operations .....	868,844	986,749	1,016,647	+147,803	+29,898

Total, Science and Technology .....	912,752	1,039,299	1,069,197	+ 156,445	+ 29,898
Total, title IV, Research and Development, Training, Assessments, and Services:					
New budget (obligational) authority .....	2,173,475	2,240,232	2,309,130	+ 135,655	+ 68,898
Grand total, Department of Homeland Security:					
New budget (obligational) authority .....	35,048,446	32,189,975	33,085,460	- 1,962,986	+ 895,535
Appropriations .....	(30,175,263)	(29,661,925)	(30,557,460)	(+ 382,197)	(+ 895,535)
Emergency appropriations .....	(523,183)	.....	.....	(- 523,183)	.....
Advance appropriations .....	(4,703,000)	.....	(2,528,000)	(- 2,175,000)	.....
Rescissions .....	(- 128,000)	.....	.....	(+ 128,000)	.....
Emergency rescissions .....	(- 225,000)	.....	.....	(+ 225,000)	.....
(Limitation on direct loans) .....	(25,000)	(25,000)	(25,000)	.....	.....
(Transfer out) .....	(- 42,000)	(- 20,000)	(- 20,000)	(+ 22,000)	.....
(By transfer) .....	(42,000)	(20,000)	(20,000)	(- 22,000)	.....

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