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HOUSE OF REPRESENTATIVES
REPORT
108–773

MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, FAMILY HOUSING, AND BASE REALIGNMENT AND CLOSURE FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2005, AND FOR OTHER PURPOSES

OCTOBER 9, 2004.—Ordered to be printed

Mr. KNOLLENBERG, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 4837]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4837) "making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act, 2005".

SEC. 2. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

DIVISION A—MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2005

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for military construction, family housing, and base realignment and closure functions adminis-

tered by the Department of Defense, for the fiscal year ending September 30, 2005, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSIONS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,981,084,000, to remain available until September 30, 2009: Provided, That of this amount, not to exceed $156,999,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Army" under Public Law 107–249, $7,276,000 are rescinded: Provided further, That of the funds appropriated for "Military Construction, Army" under Public Law 107–64; $3,924,000 are rescinded: Provided further, That of the funds appropriated for "Military Construction, Army" under Public Law 106–246, $7,776,000 are rescinded.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,069,947,000, to remain available until September 30, 2009: Provided, That of this amount, not to exceed $90,830,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Navy" under Public Law 108–132, $24,000,000 are rescinded.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $866,331,000, to remain available until September 30, 2009: Provided, That of this amount, not to exceed $130,711,000 shall be available for study, planning, design, and architect and engineer

services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law, 108–106, $21,800,000 are rescinded.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS AND RESCISSIONS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $686,055,000, to remain available until September 30, 2009: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $62,800,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 107–249, $16,737,000 are rescinded: Provided further, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 107–64, $6,000,000 are rescinded.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $446,748,000, to remain available until September 30, 2009.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

(INCLUDING RESCISSION)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $243,043,000, to remain available until September 30, 2009: Provided, That of the funds appropriated for "Military Construction, Air National Guard" under Public Law 108–132, $5,000,000 are rescinded.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $92,377,000, to remain available until September 30, 2009.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $44,246,000, to remain available until September 30, 2009.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $123,977,000, to remain available until September 30, 2009.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

(INCLUDING RESCISSION)

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $165,800,000, to remain available until expended: Provided, That of the funds appropriated for "North Atlantic Treaty Organization Security Investment Program" under Public Law 108–132, $5,000,000 are rescinded.

FAMILY HOUSING CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $636,099,000, to remain available until September 30, 2009: Provided, That of the funds appropriated for "Family Housing Construction, Army" under Public Law 107–249, $21,000,000 are rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $926,507,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSIONS)

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $139,107,000, to remain available until September 30, 2009: Provided, That of the funds appropriated for "Family Housing Construction, Navy and Marine Corps" under Public Law 108–132, $6,737,000 are rescinded: Provided further, That of the funds appropriated for "Family Housing Construction, Navy and Marine Corps" under Public Law 107–64, $5,564,000 are rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $696,304,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSIONS)

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $846,959,000, to remain available until September 30, 2009: Provided, That of the funds appropriated for "Family Housing Construction, Air Force" under Public Law 108–132, $6,000,000 are rescinded: Provided further, That of the funds appropriated for "Family Housing Construction, Air Force" under Public Law 107–64, $25,720,000 are rescinded: Provided further, That of the funds appropriated for "Family Housing Construction, Air Force" under Public Law 106–246, $13,451,000 are rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $853,384,000.

FAMILY HOUSING CONSTRUCTION, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $49,000, to remain available until September 30, 2009.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $49,575,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

(INCLUDING RESCISSIONS)

For the Department of Defense Family Housing Improvement Fund, $2,500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities: Provided, That of the funds appropriated for "Department of Defense Family Housing Improvement Fund" under Public Law 108–132, $8,301,000 are rescinded: Provided further, That of the funds appropriated for "Department of Defense Family Housing Improvement Fund" under Public Law 107–249, $10,808,000 are rescinded.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $81,886,000, to remain available until September 30, 2009: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation to which transferred.

BASE REALIGNMENT AND CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $246,116,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 101. None of the funds made available in this Act shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this Act may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this Act shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or his designee; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this Act shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds made available in this Act for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this Act may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this Act may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this Act may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this Act for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occur-

ring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the funds made available in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. The Secretary of Defense is to provide the Committees on Appropriations of both Houses of Congress with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Sea to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(TRANSFER OF FUNDS)

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available

for the same purposes and for the same period of time as amounts appropriated directly to the Fund, or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 121. None of the funds made available in this Act may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

SEC. 122. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(TRANSFER OF FUNDS)

SEC. 123. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 124. Notwithstanding this or any other provision of law, funds made available in this Act for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the appro-

priate Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 125. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 126. None of the funds made available in this Act under the heading "North Atlantic Treaty Organization Security Investment Program", and no funds appropriated for any fiscal year before fiscal year 2005 for that program that remain available for obligation, may be obligated or expended for the conduct of studies of missile defense.

SEC. 127. Section 128(b)3(A) of Public Law 108–132 is amended by striking the words "December 31, 2004" and replacing with "August 15, 2005".

SEC. 128. Whenever the Secretary of Defense or any other official of the Department of Defense is requested by the Subcommittee on Military Construction of the Committee on Appropriations of either House of Congress to respond to a question or inquiry submitted by the chairman or another member of that subcommittee pursuant to a subcommittee hearing or other activity, the Secretary (or other official) shall respond to the request, in writing, within 21 days of the date on which the request is transmitted to the Secretary (or other official).

SEC. 129. Amounts contained in the Ford Island Improvement Account established under 10 U.S.C. 2814(h) are appropriated and shall be available until expended for the purposes specified in 10 U.S.C. 2814(i)(1) or until transferred pursuant to the provisions of 10 U.S.C. 2814(i)(3).

SEC. 130. The fitness center at Homestead Air Reserve Base, Florida, shall be known and designated as the "Sam Johnson Fitness Center". Any reference to such facility in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Sam Johnson Fitness Center.

SEC. 131. (a) TRANSFER OF CERTAIN EXCESS PROPERTY AT FORT HUNTER LIGGETT, CALIFORNIA.—

(1) Notwithstanding any other provision of law, whenever the Secretary of the Army determines that any portion of real property consisting of approximately 165,000 acres at Fort Hunter Liggett, California, is excess to the military needs of the Army, and the Secretary of Defense concurs that the property is not needed to meet other Department of Defense requirements, the Secretary of the Army shall first offer the property to the Secretary of Agriculture.

(2) If the Secretary of Agriculture determines, pursuant to negotiations with the Secretary of the Army, to accept the property offered under paragraph (1), the Secretary of the Army

shall transfer administrative jurisdiction of such property to the Secretary of Agriculture.

(b) MANAGEMENT OF TRANSFERRED PROPERTY.—

(1) The Secretary of Agriculture shall manage any property transferred under subsection (a) as part of the National Forest System under the Act of March 1, 1911 (commonly known as "Weeks Law") (16 U.S.C. 480 et seq.), and other laws relating to the National Forest System.

(2) Any property managed under paragraph (1) shall be subject to the concurrent jurisdiction of the State of California.

(c) ADJUSTMENT OF BOUNDARIES.—

(1) Effective upon the transfer of property under subsection (a), the boundaries of Los Padres National Forest shall be modified to incorporate such property. The Chief of the United States Forest Service shall file and make available for public inspection in the Office of the Chief of the United States Forest Service in Washington, District of Columbia, a map reflecting any modification of the boundaries of Los Padres National Forest pursuant to the preceding sentence.

(2) Any property incorporated within the boundaries of Los Padres National Forest under this section shall be deemed to have been within the boundaries of Los Padres National Forest as of January 1, 1965, for purposes of section 7(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9(a)).

(d) ENVIRONMENTAL MATTERS.—As part of the transfer of property under subsection (a), the Secretary of the Army shall perform, in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), all environmental remediation actions necessary to respond to environmental contamination or injury to natural resources attributable to former military activities on the property.

SEC. 132. Unless stated otherwise, all reports and notifications required by division A shall be submitted to the Subcommittee on Military Construction of the Committee on Appropriations of each House of Congress.

This division may be cited as the "Military Construction Appropriations Act, 2005".

DIVISION B—EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR HURRICANE DISASTERS ASSISTANCE ACT, 2005

AN ACT

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2004, FOR ADDITIONAL DISASTER ASSISTANCE RELATING TO NATURAL DISASTERS, AND FOR OTHER PURPOSES.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2005, to provide emergency supplemental appropriations for additional disaster assistance relating to natural disasters, and for other purposes, namely:

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

EMERGENCY CONSERVATION PROGRAM

For an additional amount for "Emergency Conservation Program", for expenses resulting from natural disasters, $100,000,000, to remain available until expended: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

For an additional amount for "Emergency Watershed Protection Program" to repair damages to the waterways and watersheds resulting from natural disasters, $250,000,000, to remain available until expended: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

RURAL DEVELOPMENT

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the "Rural Community Advancement Program", $68,000,000, to remain available until expended: Provided, That $50,000,000 shall be available for water and waste disposal grants as authorized by 7 U.S.C. 1926(a): Provided further, That $18,000,000 shall be for the cost of community facility direct loans and grants as authorized by 7 U.S.C. 1926(a): Provided further, That loans and grants under this heading shall be available for projects in communities affected by hurricanes and tropical storms in calendar year 2003 or 2004: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For additional gross obligations for the principal amount of direct loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, $17,000,000 for section 504 housing repair loans: Provided, That this loan level shall be considered an estimate and not a limitation.

For the additional cost of direct loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974: section 504 housing repair loans, $5,000,000, to remain available until expended: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

RURAL HOUSING ASSISTANCE GRANTS

For an additional amount for "Rural Housing Assistance Grants", $13,000,000, to remain available until expended, of which $8,000,000 shall be for grants and contracts for very low-income housing repair, made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and of which $5,000,000 shall be for domestic farm labor housing grants and contracts, as authorized by 42 U.S.C. 1486: Provided, That of the funds made available for domestic farm labor housing grants, the Secretary may use up to $3,000,000 to provide grants authorized under 42 U.S.C. 5 177a(a): Provided further, That such grants and contracts under this heading shall only be available for projects in communities affected by hurricanes and tropical storms in calendar year 2003 or 2004: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 101. AGRICULTURAL DISASTER ASSISTANCE.

(a) CROP DISASTER ASSISTANCE.—

(1) DEFINITIONS.—In this subsection:

(A) ADDITIONAL COVERAGE.—The term "additional coverage" has the meaning given the term in section 502(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)(1)).

(B) INSURABLE COMMODITY.—The term "insurable commodity" means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(C) NONINSURABLE COMMODITY.—The term "noninsurable commodity" means an eligible crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(2) EMERGENCY FINANCIAL ASSISTANCE.—Notwithstanding section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)), the Secretary of Agriculture shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this subsection available to producers on a farm other than producers of cottonseed or sugar cane that have incurred qualifying crop or quality losses for the 2003, 2004, or 2005 crop (as elected by

a producer), but limited to only one of the crop years listed, due to damaging weather or related condition, as determined by the Secretary: Provided, That qualifying crop losses for the 2005 crop are limited to only those losses caused by a hurricane or tropical storm of the 2004 hurricane season in counties declared disaster areas by the President of the United States: Provided further, That notwithstanding the crop year election limitation in this paragraph, $53,000,000 shall be provided to the Secretary of Agriculture, of which $50,000,000 shall be for crop losses in the Commonwealth of Virginia, and of which $3,000,000 shall be for fruit and vegetable losses in the State of North Carolina: Provided further, That these losses resulted from hurricanes, tropical storms, and other weather related disasters that occurred during calendar year 2003, to remain available until expended.

(3) ADMINISTRATION.—The Secretary shall make assistance available under this subsection in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–55), including using the same loss thresholds for the quantity and quality losses as were used in administering that section.

(4) INELIGIBILITY FOR ASSISTANCE.—Except as provided in paragraph (5), the producers on a farm shall not be eligible for assistance under this subsection with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(A) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses;

(B) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses;

(C) had adjusted gross incomes, as defined by section 1001D of the Food Security Act of 1985, of greater than $2,500,000 in 2003; or

(D) were not in compliance with highly erodible land conservation and wetland conservation provisions.

(5) CONTRACT WAIVER.—The Secretary may waive paragraph (4) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—

(A) in the case of an insurable commodity, to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) providing additional coverage for the insurable commodity for each of the next 2 crops; and

(B) in the case of a noninsurable commodity, to file the required paperwork and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity for each of the next 2 crops under section 196 of the

Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(6) EFFECT OF VIOLATION.—In the event of the violation of a contract under paragraph (5) by a producer, the producer shall reimburse the Secretary for the full amount of the assistance provided to the producer under this subsection.

(7) PAYMENT LIMITATIONS.—

(A) LIMIT ON AMOUNT OF ASSISTANCE.—Assistance provided under this subsection to a producer for losses to a crop, together with the amounts specified in subparagraph (B) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary.

(B) OTHER PAYMENTS.—In applying the limitation in subparagraph (A), the Secretary shall include the following:

(i) Any crop insurance payment made under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or payment under section 196 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7333) that the producer receives for losses to the same crop.

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

(C) EFFECT OF FLORIDA DISASTER PROGRAMS.—Persons that received payments from section 32 of the Act of August 24, 1935 with respect to 2004 hurricane crop losses are not eligible for payments under this subsection.

(b) LIVESTOCK ASSISTANCE PROGRAM.—

(1) EMERGENCY FINANCIAL ASSISTANCE.—The Secretary of Agriculture shall use such sums as are necessary of funds of the Commodity Credit Corporation to make and administer payments for livestock losses to producers for 2003 or 2004 losses (as elected by a producer), but not both, in a county that has received an emergency designation by the President or the Secretary after January 1, 2003, of which an amount determined by the Secretary shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–51).

(2) ADMINISTRATION.—The Secretary shall make assistance available under this subsection in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–51).

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

(c) TREE ASSISTANCE PROGRAM.—

(1) EMERGENCY ASSISTANCE.—The Secretary of Agriculture shall use such sums as are necessary of the funds of the Com-

modity Credit Corporation to provide assistance under the tree assistance program established under sections 10201 through 10204 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.) to producers who suffered tree losses during the period beginning on December 1, 2003, and ending on December 31, 2004.

(2) ADDITIONAL ASSISTANCE.—In addition to providing assistance to eligible orchardists under the tree assistance program, the Secretary shall use an additional $15,000,000 of the funds of the Commodity Credit Corporation to provide reimbursement under sections 10203 and 10204 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8203, 8204) to eligible forest land owners who produce periodic crops of timber from trees for commercial purposes and who have suffered tree losses during the period specified in paragraph (1).

(3) EFFECT OF FLORIDA DISASTER PROGRAMS.—Persons that received payments from section 32 of the Act of August 24, 1935 with respect to 2004 hurricane crop losses are not eligible for payments under this section.

(d) EMERGENCY CONSERVATION PROGRAM.—The Secretary of Agriculture shall use an additional $50,000,000 of the funds of the Commodity Credit Corporation to provide assistance under the Emergency Conservation Program under title IV of the Agriculture Credit Act of 1978 (16 U.S.C. 2201 et seq.).

(e) OFFSET.—Section 1241(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(3)) is amended by inserting before the period at the end the following: ", using not more than $6,037,000,000 for the period of fiscal years 2005 through 2014".

(f) That for purposes of the budget scoring guidance in effect for the Congress and the Executive branch respectively, and notwithstanding the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217, any savings from subsection (e) shall not be scored until fiscal year 2008.

(g) The issuance of regulations shall be made without regard to: (1) the notice and comment provisions of section 553 of title 5, United States Code; (2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 138O4), relating to notices of proposed rulemaking and public participation in rulemaking; and (3) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act"): Provided, That in carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 102. The Secretary of Agriculture shall use $40,000,000, of which, $7,200,000 shall be provided to the State of Hawaii for assistance to an agricultural transportation cooperative in Hawaii, the members of which are eligible to participate in the Farm Service Agency administered Commodity Loan Program, and of which $32,800,000 shall be to make payments to processors in Florida that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) to compensate first processors and producers for crop and other losses that are related to hurricanes, tropical storms, excessive rains, and floods in Florida during calendar year 2004, to be calculated and paid on the basis of losses on 40 acre harvesting units,

in counties declared a disaster by the President of the United States in 2004 due to hurricanes, on the same terms and conditions, to the extent practicable, as the payments made under section 207 of the Agricultural Assistance Act of 2003 (Public Law 108–7).

SEC. 103. The Secretary of Agriculture shall use $10,000,000 to make payments to dairy producers for dairy production losses, and dairy spoilage losses in counties declared a disaster by the President of the United States in 2004 due to hurricanes.

SEC. 104. The Secretary of Agriculture shall use $10,000,000 to provide assistance to producers and first handlers of the 2004 crop of cottonseed located in counties declared a disaster by the President of the United States in 2004 due to hurricanes.

SEC. 105. (a) The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out section 101, 102, 103, 104, 108, 109, 110, and 111 of this chapter, to remain available until expended.

(b) The amounts provided under sections 101, 102, 103, 104, 108, 109, 110, and 111 in this chapter are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

SEC. 106. (a) RURAL COMMUNITY ADVANCEMENT PROGRAM.—The communities in Burlington and Camden Counties in New Jersey, affected by the flood which occurred on July 12, 2004, are deemed to be rural areas during fiscal year 2005 for purposes of subtitle E of the Consolidated Farm and Rural Development Act. Any limitations under subtitle E of the Consolidated Farm and Rural Development Act that are based on the income of families shall not apply during fiscal year 2005 with respect to such communities, or to businesses or families residing in such communities.

(b) RURAL HOUSING INSURANCE FUND AND RURAL HOUSING ASSISTANCE GRANTS.—The communities referred to in subsection (a) are deemed to be rural areas during fiscal year 2005 for purposes of the direct and guaranteed loan programs under title V of the Housing Act of 1949 and the grant programs under sections 504, 509(c), 525, and 533 of such title V. Any limitations under title V of the Housing Act of 1949 that are based on the income of families shall not apply during fiscal year 2005 with respect to such communities or to families residing in such communities.

SEC. 107. The Secretary of Agriculture shall provide financial and technical assistance to repair, and if necessary, replace Hope Mills Dam, Cumberland County, North Carolina, in accordance with the dam safety standards of the state of North Carolina: Provided, That from within the funds provided in this chapter for the Emergency Watershed Protection program of the Natural Resources Conservation Service $1,600,000 is provided for this purpose.

SEC. 108. The Secretary shall provide $90,000,000 to the fund established by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to make payments with respect to 2004 hurricane losses.

SEC. 109. The Secretary, acting through the Farm Service Agency, may use not more than $4,000,000 to cover administrative expenses associated with the implementation of sections 101 and 102 of this chapter.

SEC. 110. In addition to amounts provided in this Act for the tree assistance program, $10,000,000 shall be made available to the Secretary of Agriculture, to remain available until expended, to provide assistance to eligible private forest landowners owning not more than 5,000 acres of forest crop in counties declared Presidential disaster areas as a result of hurricane, tropical storm, or related events for the purposes of debris removal, replanting of timber, and other such purposes.

SEC. 111. In addition to amounts provided in this Act for the tree assistance program, $8,500,000 shall be made available to the Secretary of Agriculture, to remain available until expended, to provide assistance under the tree assistance program established under subtitle C of title X of the Farm Security and Rural Investment Act of 2002 to pecan producers in counties declared a disaster by the President of the United States who suffered tree loss or damage due to damaging weather related to' any hurricane or tropical storm of the 2004 hurricane season: Provided, That the funds made, available under this section shall also be made available to cover costs associated with pruning, rehabilitating, and other appropriate activities as determined by the Secretary.

CHAPTER 2

DEPARTMENT OF JUSTICE

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $5,500,000, to remain available until September 30, 2005, for emergency hurricane-related expenses: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities", $18,600,000, to remain available until expended for emergency hurricane-related expenses: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH AND FACILITIES

For an additional amount for "Operations, Research, and Facilities", $16,900,000, to remain available until September 30, 2006, of which $9,000,000 shall be for reseeding, rehabilitation and restoration of oyster reefs in Alabama, Florida, Louisiana, and Mississippi: Provided, That such amount is designated as an emergency

requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for "Procurement, Acquisition and Construction", $3,800,000, to remain available until September 30, 2007: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for "Disaster Loans Program Account" for the cost of direct loans, $501,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in Section 502 of the Congressional Budget Act of 1974.

In addition, for an additional amount for "Disaster Loans Program Account" for administrative expenses to carry out the disaster loan program, $428,000,000, to remain available until expended, which may be transferred to the appropriations for "Salaries and Expenses": Provided, That no funds shall be transferred to the appropriations for "Salaries and Expenses" for indirect administrative expenses: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

CHAPTER 3

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Army", $8,600,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Navy", $458,000,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OPERATION AND MAINTENANCE, MARINE CORPS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Marine Corps", $1,300,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OPERATION AND MAINTENANCE, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Air Force", $165,400,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Defense-Wide", $100,000,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That the Secretary of Defense may transfer these funds to appropriations for military personnel; operation and maintenance; the Defense Health Program; and working capital funds: Provided further, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making

transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: Provided further, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OPERATION AND MAINTENANCE, ARMY RESERVE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Army Reserve", $1,400,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OPERATION AND MAINTENANCE, NAVY RESERVE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Navy Reserve", $1,000,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Air Force Reserve", $2,400,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Army National Guard", $10,500,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pur-

suant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Air National Guard", $2,200,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

PROCUREMENT

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", $2,500,000, to remain available until September 30, 2007, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

PROCUREMENT, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Procurement, Defense-Wide", $140,000,000, to remain available until September 30, 2007, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004, for the costs of repairs to structures and facilities, replacement of destroyed or damaged equipment, and preparation and recovery of naval vessels under construction: Provided, That the Secretary of Defense may transfer these funds to appropriations for operation and maintenance; procurement; and research, development, test and evaluation: Provided further, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided

further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: Provided further, That not less than $10,500,000 shall be transferred to "Aircraft Procurement, Air Force" for the procurement of WC–130 Hurricane Tracking Equipment: Provided further, That not less than $10,000,000 shall be transferred to "Missile Procurement, Air Force", and not less than $10,000,000 shall be transferred to "Other Procurement, Air Force" for costs associated with delayed satellite launches: Provided further, That not less than $18,700,000 shall be transferred to "Other Procurement, Air Force" for Continuity of Operations equipment procurement at Headquarters United States Central Command: Provided further, That not less than $20,000,000 shall be available only for replacement of laboratory and test range equipment at Eglin Air Force Base: Provided further, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Defense Working Capital Funds", $4,100,000, for emergency hurricane and other natural disaster-related expenses, and which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Defense Health Program", $12,000,000, for emergency hurricane and other natural disaster-related expenses, which shall be available for transfer to reimburse costs incurred in fiscal year 2004: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 301. Appropriations provided in this chapter are available for obligation until September 30, 2005, unless otherwise so provided in this chapter.

SEC. 302. Funds appropriated in this Act, or made available by the transfer of funds in or pursuant to this Act, for intelligence ac-

tivities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 303. Unless specifically enumerated elsewhere in this chapter, none of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal years 2004 and 2005 defense appropriations, or to initiate a procurement or research, development, test and evaluation new start program without prior notification to the congressional defense committees.

SEC. 304. Section 8007 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287); 118 Stat. 970), is amended by striking the words "in session".

(TRANSFER OF FUNDS)

SEC. 305. Upon his determination that such action is necessary in the national interest to address emergency hurricane and other natural disaster-related expenses, the Secretary of Defense may transfer between appropriations up to $200,000,000 of the funds made available to the Department of Defense in this chapter: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287): Provided further, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

SEC. 306. Section 9010(b) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1008; 10 U.S.C. 113 note), is amended by striking "section 12304" in paragraphs (7) and (8) and inserting "section 12302".

(INCLUDING TRANSFER OF FUNDS)

SEC. 307. TECHNICAL ADJUSTMENTS TO PUBLIC LAW 108–287. Notwithstanding any other provision in law, the following adjustments and transfers shall apply to funds previously made available and to restrictions in the Department of Defense Appropriations Act, 2005 (Public Law 108–287):

(1) ARMORED PASSENGER VEHICLES.—Under the heading, "Other Procurement, Army", strike "purchase of 1 vehicle" and insert "purchase of 21 vehicles", and under the heading, "Other Procurement, Army", strike "not to exceed $200,000" and insert "not to exceed $275,000": Provided, That any purchases under the authority of this section in excess of one vehicle may only be in direct support of force protection requirements.

(2) TRANSFER OF FUNDS.—Upon enactment of this Act, the Secretary of Defense shall make the following transfer of funds: Provided, That the amounts transferred shall be made available for the same purpose and the same time period as the appropriation to which transferred: Provided further, That the authority provided in this section is in addition to any other

transfer authority available to the Department of Defense: Provided further, That all such amounts in this section are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287: Provided further, That the amounts shall be transferred between the following appropriations, in the amounts specified:

To:

Under the heading, "Research, Development, Test and Evaluation, Defense-Wide, 2005/2006", $5,950,000;

From:

Under the heading, "Operation and Maintenance, Army", $5,950,000.

To:

Under the heading, "Procurement, Marine Corps, 2005/2007", as provided in title IX of Public Law 108–287, $7,000,000;

From:

Under the heading, "Operation and Maintenance, Marine Corps", as provided in title IX of Public Law 108–287, $7,000,000.

To:

The Department of Veterans Affairs, under the heading, "Medical Services", $500,000;

From:

Under the heading, "Defense Health Program", Operation and Maintenance, $500,000.

To:

Under the heading, "Operation and Maintenance, Army National Guard", $1,400,000;

From:

Under the heading, "Operation and Maintenance, Army", $1,400,000.

(3) SECTION 9014 AUTHORITIES.—The authority provided in section 9014 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1009), shall apply with respect to the period beginning on June 29, 2003, and ending on August 4, 2004, in addition to the period of applicability provided pursuant to section 9001 of that Act.

SEC. 308. Section 9007 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287), is amended by striking "$300,000,000", and inserting "$500,000,000".

SEC. 309. Section 9006 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287), is amended by striking "New Iraqi Army", and inserting "Iraqi Armed Forces, to include the Iraqi National Guard".

CHAPTER 4

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

For an additional amount for "General Investigations" for emergency expenses for the update of studies necessitated by storm damage to shore protection projects, $400,000, to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

CONSTRUCTION, GENERAL

For an additional amount for "Construction, General" for emergency expenses for repair of storm damage for authorized shore protection projects and assessment of project performance of such projects, $62,600,000, to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI AND TENNESSEE

For an additional amount for "Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri and Tennessee" for emergency expenses for levee and revetment repair and for emergency dredging, $6,000,000, to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for "Operation and Maintenance, General" for emergency expenses for repair of storm damage to authorized projects, $145,400,000, to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies" for emergency expenses for repair of damage to flood

control and hurricane shore protection projects by storms and other natural disasters, $148,000,000, to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

SEC. 401. For an additional amount to address drought conditions in the State of Nevada, $5,000,000 is provided to the Secretary of Interior, acting through the Commissioner of the Bureau of Reclamation, for the Southern Nevada Water Authority for modification of the water intake at Lake Mead, to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

SEC. 402. For an additional amount to address storm damage, $10,000,000 is provided for the Secretary of the Army, acting through the Chief of Engineers, to repair, restore, and clean-up Corps projects and facilities; dredge navigation channels; restore and clean out area streams; provide emergency streambank protection; restore other crucial public infrastructure (including sewer and water facilities); document flood impacts; and undertake other flood recovery efforts deemed necessary and advisable by the Chief of Engineers for Federally declared disaster areas in West Virginia, to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

CHAPTER 5

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For an additional amount for "International Disaster and Famine Assistance", $100,000,000, to remain available until September 30, 2005: Provided, That funds appropriated by this paragraph shall be available to respond to the disasters caused by hurricanes and tropical storms in the Caribbean region: Provided further, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287: Provided further, That funds appropriated by this paragraph shall be available notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

CHAPTER 6

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating Expenses" for expenses resulting from the recent natural disasters in the southeastern United States, $33,367,310, to remain available until expended: Provided, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

EMERGENCY PREPAREDNESS AND RESPONSE

DISASTER RELIEF

For an additional amount for "Disaster Relief", $6,500,000,000, to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

CHAPTER 7

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for "Construction", $40,552,000, to remain available until expended, to address damages from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for "Construction", $50,802,000, to remain available until expended, to address damages from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, Investigations, and Research", $1,000,000, to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

For an additional amount for "State and Private Forestry", $49,100,000, to remain available until expended, to address damages from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

NATIONAL FOREST SYSTEM

For an additional amount for "National Forest System", $12,153,000, to remain available until expended, to address damages from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

WILDLAND FIRE MANAGEMENT

For an additional amount for "Wildland Fire Management", $1,028,000, to remain available until expended, to address damages from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for "Capital Improvement and Maintenance", $50,815,000, to remain available until expended, to address damages from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

CHAPTER 8

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DEPARTMENTAL MANAGEMENT

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For an additional amount for "Public Health and Social Services Emergency Fund" to support aging services, social services and health services associated with natural disaster recovery and response efforts, $50,000,000, to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

CHAPTER 9

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", $138,800,000, to remain available until September 30, 2007, for emergency expenses resulting from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287: Provided further, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That none of these funds may be obligated for new construction projects until fourteen days after the Secretary of the Navy provides a notification that describes the project, including the form 1391, to the Subcommittee on Military Construction of the Committee on Appropriations and the Committee on Armed Services of both Houses of Congress.

MILITARY CONSTRUCTION, ARMY RESERVE

For an additional amount for "Military Construction, Army Reserve", $8,700,000, to remain available until September 30, 2007, for emergency expenses resulting from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287: Provided further, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Family Housing Operation and Maintenance, Army", $1,200,000, to remain available until September 30, 2005, for emergency expenses resulting from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For an additional amount for "Family Housing Operation and Maintenance, Navy and Marine Corps", $9,100,000, to remain available until September 30, 2005, for emergency expenses resulting from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Family Housing Operation and Maintenance, Air Force", $11,400,000, to remain available until September 30, 2005, for emergency expenses resulting from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

BASE REALIGNMENT AND CLOSURE ACCOUNT

For an additional amount to be deposited into the Department of Defense Base Closure Account 1990, $50,000, to remain available until September 30, 2005, for emergency expenses resulting from natural disasters: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

CHAPTER 10

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For an additional amount for "Facilities and Equipment", for expenses resulting from the recent natural disasters in the southeastern United States, $5,100,000, to be derived from the airport and airway trust fund and to remain available until expended: Pro-

vided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

EMERGENCY ASSISTANCE TO AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

For emergency capital costs to repair or replace public use facilities at public use airports listed in the Federal Aviation Administration's National Plan of Integrated Airport Systems resulting from damage from hurricanes Charley, Frances, Ivan, and Jeanne, to enable the Federal Aviation Administrator to compensate airports for such costs, $25,000,000, to be derived from the airport and airway trust fund and to remain available until expended: Provided, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

(HIGHWAY TRUST FUND)

For an additional amount for "Emergency Relief Program", emergency expenses resulting from 2004 Hurricanes Charley, Frances, Gaston, Ivan, and Jeanne, as authorized by 23 U.S.C. 125, $1,202,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That notwithstanding 23 U.S.C. 125(d)(1), the Secretary of Transportation may obligate more than $100,000,000 for projects arising from hurricanes Charley, Frances, Ivan, and Jeanne: Provided further, That any amounts in excess of those necessary for emergency expenses relating to the above hurricanes may be used for other projects authorized under 23 U.S.C. 125: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

EXECUTIVE OFFICE OF THE PRESIDENT

UNANTICIPATED NEEDS

For an additional amount for "Unanticipated Needs", not to exceed $70,000,000, to remain available until September 30, 2005, for the American Red Cross for reimbursement of disaster relief and recovery expenditures and emergency services associated with Hurricanes Charley, Frances, Ivan, and Jeanne, and only to the extent funds are not made available for those activities by other federal sources: Provided, That these funds may be administered by any au-

thorized federal government agency to meet the purposes of this provision and that total administrative costs shall not exceed three percent of the total appropriation: Provided further, That the Comptroller General shall audit the use of these funds by the American Red Cross: Provided further, That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

CHAPTER 11

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for "Medical services" for expenses related to recent natural disasters in the Southeast, $38,283,000, to remain available until September 30, 2005: Provided, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

MEDICAL ADMINISTRATION

For an additional amount for "Medical administration" for expenses related to recent natural disasters in the Southeast, $1,940,000, to remain available until September 30, 2005: Provided, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

MEDICAL FACILITIES

For an additional amount for "Medical facilities" for expenses related to recent natural disasters, $46,909,000, to remain available until September 30, 2006: Provided, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For an additional amount for "General operating expenses", for expenses related to recent natural disasters, $545,000, to remain available until September 30, 2005: Provided, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Con-

gress) and applicable to the Senate by section 14007 of Public Law 108–287.

NATIONAL CEMETERY ADMINISTRATION

For an additional amount for "National Cemetery Administration", for expenses related to recent natural disasters in the Southeast, $50,000, to remain available until September 30, 2005: Provided, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

CONSTRUCTION, MINOR PROJECTS

For an additional amount for "Construction, minor projects", for expenses related to recent natural disasters, $36,343,000, to remain available until expended: Provided, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

For an additional amount for "Community development fund", for activities authorized under title I of the Housing and Community Development Act of 1974, for use only for disaster relief, long-term recovery, and mitigation in communities affected by disasters designated by the President between August 31, 2003 and October 1, 2004, except those activities reimbursable by the Federal Emergency Management Agency or available through the Small Business Administration, and for reimbursement for expenditures incurred from the regular Community Development Block Grant formula allocation used to achieve these same purposes, $150,000,000, to remain available until September 30, 2007: Provided, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287: Provided further, That all funds under this heading shall be awarded by the Secretary to states (including Indian tribes for all purposes under this heading) to be administered by each state in conjunction with its community development block grants program: Provided further, That notwithstanding 42 U.S.C. 5306(d)(2), states are authorized to provide such assistance to entitlement communities: Provided further, That in administering these funds, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the envi-

ronment), upon a finding that such waiver is required to facilitate the use of such funds, and would not be inconsistent with the overall purpose of the statute: Provided further, That the Secretary may waive the requirements that activities benefit persons of low and moderate income, except that at least 50 percent of the funds under this heading must benefit primarily persons of low and moderate income unless the Secretary makes a finding of compelling need: Provided further, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation authorized under this heading no later than 5 days before the effective date of such waiver: Provided further, That any project or activity underway prior to a Presidential disaster declaration may not receive funds under this heading unless the disaster directly impacted the project: Provided further, That each state shall provide not less than 10 percent in non-Federal public matching funds or its equivalent value (other than administrative costs) for any funds allocated to the state under this heading.

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and facilities" for expenses related to recent natural disasters, $3,000,000, to remain available until September 30, 2006: Provided, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SPACE FLIGHT CAPABILITIES

For an additional amount for "Space flight capabilities", to repair assets damaged and take other emergency measures due to the effects of hurricanes and other disasters declared by the President, $126,000,000, to remain available until expended: Provided, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287.

GENERAL PROVISION—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 1101. From funds that are available in the unobligated balances of any funds appropriated under "Medical services", for fiscal year 2004, the Secretary of Veterans Affairs may transfer up to $125,000,000 to "General operating expenses", for costs associated with processing claims where the basis of the entitlement is claimed disability incurred as a result of a veteran's service, subject

to a determination by the Secretary of Veterans Affairs that such additional funds are necessary.

CHAPTER 12

GENERAL PROVISION—THIS ACT

SEC. 1201. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This division may be cited as the "Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act, 2005".

DIVISION C—ALASKA NATURAL GAS PIPELINE

SEC. 101. SHORT TITLE.

This division may be cited as the "Alaska Natural Gas Pipeline Act".

SEC. 102. DEFINITIONS.

In this division:

(1) ALASKA NATURAL GAS.—The term "Alaska natural gas" means natural gas derived from the area of the State of Alaska lying north of 64 degrees north latitude.

(2) ALASKA NATURAL GAS TRANSPORTATION PROJECT.—The term "Alaska natural gas transportation project" means any natural gas pipeline system that carries Alaska natural gas to the border between Alaska and Canada (including related facilities subject to the jurisdiction of the Commission) that is authorized under—

(A) the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719 et seq.); or

(B) section 103.

(3) ALASKA NATURAL GAS TRANSPORTATION SYSTEM.—The term "Alaska natural gas transportation system" means the Alaska natural gas transportation project authorized under the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719 et seq.) and designated and described in section 2 of the President's decision.

(4) COMMISSION.—The term "Commission" means the Federal Energy Regulatory Commission.

(5) FEDERAL COORDINATOR.—The term "Federal Coordinator" means the head of the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects established by section 106(a).

(6) PRESIDENT'S DECISION.—The term "President's decision" means the decision and report to Congress on the Alaska natural gas transportation system—

(A) issued by the President on September 22, 1977, in accordance with section 7 of the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719e); and

(B) approved by Public Law 95–158 (15 U.S.C. 719f note; 91 Stat. 1268).

(7) SECRETARY.—The term "Secretary" means the Secretary of Energy.

(8) STATE.—The term "State" means the State of Alaska.

SEC. 103. ISSUANCE OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

(a) AUTHORITY OF THE COMMISSION.—Notwithstanding the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719 et seq.), the Commission may, in accordance with section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)), consider and act on an application for the issuance of a certificate of public convenience and necessity authorizing the construction and operation of an Alaska natural gas transportation project other than the Alaska natural gas transportation system.

(b) ISSUANCE OF CERTIFICATE.—

(1) IN GENERAL.—The Commission shall issue a certificate of public convenience and necessity authorizing the construction and operation of an Alaska natural gas transportation project under this section if the applicant has satisfied the requirements of section 7(e) of the Natural Gas Act (15 U.S.C. 717f(e)).

(2) CONSIDERATIONS.—In considering an application under this section, the Commission shall presume that—

(A) a public need exists to construct and operate the proposed Alaska natural gas transportation project; and

(B) sufficient downstream capacity will exist to transport the Alaska natural gas moving through the project to markets in the contiguous United States.

(c) EXPEDITED APPROVAL PROCESS.—Not later than 60 days after the date of issuance of the final environmental impact statement under section 104 for an Alaska natural gas transportation project, the Commission shall issue a final order granting or denying any application for a certificate of public convenience and necessity for the project under section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)) and this section.

(d) PROHIBITION OF CERTAIN PIPELINE ROUTE.—No license, permit, lease, right-of-way, authorization, or other approval required under Federal law for the construction of any pipeline to transport natural gas from land within the Prudhoe Bay oil and gas lease area may be granted for any pipeline that follows a route that—

(1) traverses land beneath navigable waters (as defined in section 2 of the Submerged Lands Act (43 U.S.C. 1301)) beneath, or the adjacent shoreline of, the Beaufort Sea; and

(2) enters Canada at any point north of 68 degrees north latitude.

(e) OPEN SEASON.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Commission shall issue regulations governing the conduct of open seasons for Alaska natural gas transportation projects (including procedures for the allocation of capacity).

(2) REGULATIONS.—The regulations referred to in paragraph (1) shall—

(A) include the criteria for and timing of any open seasons;

(B) promote competition in the exploration, development, and production of Alaska natural gas; and

(C) for any open season for capacity exceeding the initial capacity, provide the opportunity for the transportation

of natural gas other than from the Prudhoe Bay and Point Thomson units.

(3) APPLICABILITY.—Except in a case in which an expansion is ordered in accordance with section 105, initial or expansion capacity on any Alaska natural gas transportation project shall be allocated in accordance with procedures to be established by the Commission in regulations issued under paragraph (1).

(f) PROJECTS IN THE CONTIGUOUS UNITED STATES.—

(1) IN GENERAL.—An application for additional or expanded pipeline facilities that may be required to transport Alaska natural gas from Canada to markets in the contiguous United States may be made in accordance with the Natural Gas Act (15 U.S.C. 717a et seq.).

(2) EXPANSION.—To the extent that a pipeline facility described in paragraph (1) includes the expansion of any facility constructed in accordance with the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719 et seq.), that Act shall continue to apply.

(g) STUDY OF IN-STATE NEEDS.—The holder of the certificate of public convenience and necessity issued, modified, or amended by the Commission for an Alaska natural gas transportation project shall demonstrate that the holder has conducted a study of Alaska in-State needs, including tie-in points along the Alaska natural gas transportation project for in-State access.

(h) ALASKA ROYALTY GAS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Commission, on a request by the State and after a hearing, may provide for reasonable access to the Alaska natural gas transportation project by the State (or State designee) for the transportation of royalty gas of the State for the purpose of meeting local consumption needs within the State.

(2) EXCEPTION.—The rates of shippers of subscribed capacity on an Alaska natural gas transportation project described in paragraph (1), as in effect as of the date on which access under that paragraph is granted, shall not be increased as a result of such access.

(i) REGULATIONS.—The Commission may issue such regulations as are necessary to carry out this section.

SEC. 104. ENVIRONMENTAL REVIEWS.

(a) COMPLIANCE WITH NEPA.—The issuance of a certificate of public convenience and necessity authorizing the construction and operation of any Alaska natural gas transportation project under section 103 shall be treated as a major Federal action significantly affecting the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(b) DESIGNATION OF LEAD AGENCY.—

(1) IN GENERAL.—The Commission—

(A) shall be the lead agency for purposes of complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) shall be responsible for preparing the environmental impact statement required by section 102(2)(c) of that Act (42 U.S.C. 4332(2)(c)) with respect to an Alaska natural gas transportation project under section 103.

(2) CONSOLIDATION OF STATEMENTS.—In carrying out paragraph (1), the Commission shall prepare a single environmental impact statement, which shall consolidate the environmental reviews of all Federal agencies considering any aspect of the Alaska natural gas transportation project covered by the environmental impact statement.

(c) OTHER AGENCIES.—

(1) IN GENERAL.—Each Federal agency considering an aspect of the construction and operation of an Alaska natural gas transportation project under section 103 shall—

(A) cooperate with the Commission; and

(B) comply with deadlines established by the Commission in the preparation of the environmental impact statement under this section.

(2) SATISFACTION OF NEPA REQUIREMENTS.—The environmental impact statement prepared under this section shall be adopted by each Federal agency described in paragraph (1) in satisfaction of the responsibilities of the Federal agency under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) with respect to the Alaska natural gas transportation project covered by the environmental impact statement.

(d) EXPEDITED PROCESS.—The Commission shall—

(1) not later than 1 year after the Commission determines that the application under section 103 with respect to an Alaska natural gas transportation project is complete, issue a draft environmental impact statement under this section; and

(2) not later than 180 days after the date of issuance of the draft environmental impact statement, issue a final environmental impact statement, unless the Commission for good cause determines that additional time is needed.

SEC. 105. PIPELINE EXPANSION.

(a) AUTHORITY.—With respect to any Alaska natural gas transportation project, on a request by 1 or more persons and after giving notice and an opportunity for a hearing, the Commission may order the expansion of the Alaska natural gas project if the Commission determines that such an expansion is required by the present and future public convenience and necessity.

(b) RESPONSIBILITIES OF COMMISSION.—Before ordering an expansion under subsection (a), the Commission shall—

(1) approve or establish rates for the expansion service that are designed to ensure the recovery, on an incremental or rolled-in basis, of the cost associated with the expansion (including a reasonable rate of return on investment);

(2) ensure that the rates do not require existing shippers on the Alaska natural gas transportation project to subsidize expansion shippers;

(3) find that a proposed shipper will comply with, and the proposed expansion and the expansion of service will be undertaken and implemented based on, terms and conditions consistent with the tariff of the Alaska natural gas transportation project in effect as of the date of the expansion;

(4) find that the proposed facilities will not adversely affect the financial or economic viability of the Alaska natural gas transportation project;

(5) find that the proposed facilities will not adversely affect the overall operations of the Alaska natural gas transportation project;

(6) find that the proposed facilities will not diminish the contract rights of existing shippers to previously subscribed certificated capacity;

(7) ensure that all necessary environmental reviews have been completed; and

(8) find that adequate downstream facilities exist or are expected to exist to deliver incremental Alaska natural gas to market.

(c) REQUIREMENT FOR A FIRM TRANSPORTATION AGREEMENT.—Any order of the Commission issued in accordance with this section shall be void unless the person requesting the order executes a firm transportation agreement with the Alaska natural gas transportation project within such reasonable period of time as the order may specify.

(d) LIMITATION.—Nothing in this section expands or otherwise affects any authority of the Commission with respect to any natural gas pipeline located outside the State.

(e) REGULATIONS.—The Commission may issue such regulations as are necessary to carry out this section.

SEC. 106. FEDERAL COORDINATOR.

(a) ESTABLISHMENT.—There is established, as an independent office in the executive branch, the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects.

(b) FEDERAL COORDINATOR.—

(1) APPOINTMENT.—The Office shall be headed by a Federal Coordinator for Alaska Natural Gas Transportation Projects, who shall be appointed by the President, by and with the advice and consent of the Senate, to serve a term to last until 1 year following the completion of the project referred to in section 103.

(2) COMPENSATION.—The Federal Coordinator shall be compensated at the rate prescribed for level III of the Executive Schedule (5 U.S.C. 5314).

(c) DUTIES.—The Federal Coordinator shall be responsible for—

(1) coordinating the expeditious discharge of all activities by Federal agencies with respect to an Alaska natural gas transportation project; and

(2) ensuring the compliance of Federal agencies with the provisions of this division.

(d) REVIEWS AND ACTIONS OF OTHER FEDERAL AGENCIES.—

(1) EXPEDITED REVIEWS AND ACTIONS.—All reviews conducted and actions taken by any Federal agency relating to an Alaska natural gas transportation project authorized under this section shall be expedited, in a manner consistent with completion of the necessary reviews and approvals by the deadlines under this division.

(2) PROHIBITION OF CERTAIN TERMS AND CONDITIONS.—No Federal agency may include in any certificate, right-of-way, permit, lease, or other authorization issued to an Alaska natural gas transportation project any term or condition that may be permitted, but is not required, by any applicable law if the Federal Coordinator determines that the term or condition would prevent or impair in any significant respect the expeditious con-

struction and operation, or an expansion, of the Alaska natural gas transportation project.

(3) PROHIBITION OF CERTAIN ACTIONS.—Unless required by law, no Federal agency shall add to, amend, or abrogate any certificate, right-of-way, permit, lease, or other authorization issued to an Alaska natural gas transportation project if the Federal Coordinator determines that the action would prevent or impair in any significant respect the expeditious construction and operation, or an expansion, of the Alaska natural gas transportation project.

(4) LIMITATION.—The Federal Coordinator shall not have authority to—

(A) override—

(i) the implementation or enforcement of regulations issued by the Commission under section 103; or

(ii) an order by the Commission to expand the project under section 105; or

(B) impose any terms, conditions, or requirements in addition to those imposed by the Commission or any agency with respect to construction and operation, or an expansion of, the project.

(e) STATE COORDINATION.—

(1) IN GENERAL.—The Federal Coordinator and the State shall enter into a joint surveillance and monitoring agreement similar to the agreement in effect during construction of the Trans-Alaska Pipeline, to be approved by the President and the Governor of the State, for the purpose of monitoring the construction of the Alaska natural gas transportation project.

(2) PRIMARY RESPONSIBILITY.—With respect to an Alaska natural gas transportation project—

(A) the Federal Government shall have primary surveillance and monitoring responsibility in areas where the Alaska natural gas transportation project crosses Federal land or private land; and

(B) the State government shall have primary surveillance and monitoring responsibility in areas where the Alaska natural gas transportation project crosses State land.

(f) TRANSFER OF FEDERAL INSPECTOR FUNCTIONS AND AUTHORITY.—On appointment of the Federal Coordinator by the President, all of the functions and authority of the Office of Federal Inspector of Construction for the Alaska Natural Gas Transportation System vested in the Secretary under section 3012(b) of the Energy Policy Act of 1992 (15 U.S.C. 719e note; Public Law 102–486), including all functions and authority described and enumerated in the Reorganization Plan No. 1 of 1979 (44 Fed. Reg. 33663), Executive Order No. 12142 of June 21, 1979 (44 Fed. Reg. 36927), and section 5 of the President's decision, shall be transferred to the Federal Coordinator.

(g) TEMPORARY AUTHORITY.—The functions, authorities, duties, and responsibilities of the Federal Coordinator shall be vested in the Secretary until the later of the appointment of the Federal Coordinator by the President, or 18 months after the date of enactment of this Act.

SEC. 107. JUDICIAL REVIEW.

(a) EXCLUSIVE JURISDICTION.—Except for review by the Supreme Court on writ of certiorari, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction to determine—

(1) the validity of any final order or action (including a failure to act) of any Federal agency or officer under this division;

(2) the constitutionality of any provision of this title, or any decision made or action taken under this division; or

(3) the adequacy of any environmental impact statement prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any action under this division.

(b) DEADLINE FOR FILING CLAIM.—A claim arising under this division may be brought not later than 60 days after the date of the decision or action giving rise to the claim.

(c) EXPEDITED CONSIDERATION.—The United States Court of Appeals for the District of Columbia Circuit shall set any action brought under subsection (a) for expedited consideration, taking into account the national interest of enhancing national energy security by providing access to the significant gas reserves in Alaska needed to meet the anticipated demand for natural gas.

(d) AMENDMENT OF THE ALASKA NATURAL GAS TRANSPORTATION ACT OF 1976.—Section 10(c) of the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719h) is amended—

(1) by striking "(c)(1) A claim" and inserting the following: "(c) JURISDICTION.—

"(1) SPECIAL COURTS.—

"(A) IN GENERAL.—A claim";

(2) by striking "Such court shall have" and inserting the following:

"(B) EXCLUSIVE JURISDICTION.—The Special Court shall have";

(3) by inserting after paragraph (1) the following:

"(2) EXPEDITED CONSIDERATION.—The Special Court shall set any action brought under this section for expedited consideration, taking into account the national interest described in section 2."; and

(4) in paragraph (3), by striking "(3) The enactment" and inserting the following:

"(3) ENVIRONMENTAL IMPACT STATEMENTS.—The enactment".

SEC. 108. STATE JURISDICTION OVER IN-STATE DELIVERY OF NATURAL GAS.

(a) LOCAL DISTRIBUTION.—Any facility receiving natural gas from an Alaska natural gas transportation project for delivery to consumers within the State—

(1) shall be deemed to be a local distribution facility within the meaning of section 1(b) of the Natural Gas Act (15 U.S.C. 717(b)); and

(2) shall not be subject to the jurisdiction of the Commission.

(b) ADDITIONAL PIPELINES.—Except as provided in section 103(d), nothing in this division shall preclude or otherwise affect a

future natural gas pipeline that may be constructed to deliver natural gas to Fairbanks, Anchorage, Matanuska-Susitna Valley, or the Kenai peninsula or Valdez or any other site in the State for consumption within or distribution outside the State.

(c) RATE COORDINATION.—

(1) IN GENERAL.—In accordance with the Natural Gas Act (15 U.S.C. 717a et seq.), the Commission shall establish rates for the transportation of natural gas on any Alaska natural gas transportation project.

(2) CONSULTATION.—In carrying out paragraph (1), the Commission, in accordance with section 17(b) of the Natural Gas Act (15 U.S.C. 717p(b)), shall consult with the State regarding rates (including rate settlements) applicable to natural gas transported on and delivered from the Alaska natural gas transportation project for use within the State.

SEC. 109. STUDY OF ALTERNATIVE MEANS OF CONSTRUCTION.

(a) REQUIREMENT OF STUDY.—If no application for the issuance of a certificate or amended certificate of public convenience and necessity authorizing the construction and operation of an Alaska natural gas transportation project has been filed with the Commission by the date that is 18 months after the date of enactment of this Act, the Secretary shall conduct a study of alternative approaches to the construction and operation of such an Alaska natural gas transportation project.

(b) SCOPE OF STUDY.—The study under subsection (a) shall take into consideration the feasibility of—

(1) establishing a Federal Government corporation to construct an Alaska natural gas transportation project; and

(2) securing alternative means of providing Federal financing and ownership (including alternative combinations of Government and private corporate ownership) of the Alaska natural gas transportation project.

(c) CONSULTATION.—In conducting the study under subsection (a), the Secretary shall consult with the Secretary of the Treasury and the Secretary of the Army (acting through the Chief of Engineers).

(d) REPORT.—On completion of any study under subsection (a), the Secretary shall submit to Congress a report that describes—

(1) the results of the study; and

(2) any recommendations of the Secretary (including proposals for legislation to implement the recommendations).

SEC. 110. CLARIFICATION OF ANGTA STATUS AND AUTHORITIES.

(a) SAVINGS CLAUSE.—Nothing in this division affects—

(1) any decision, certificate, permit, right-of-way, lease, or other authorization issued under section 9 of the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719g); or

(2) any Presidential finding or waiver issued in accordance with that Act.

(b) CLARIFICATION OF AUTHORITY TO AMEND TERMS AND CONDITIONS TO MEET CURRENT PROJECT REQUIREMENTS.—Any Federal agency responsible for granting or issuing any certificate, permit, right-of-way, lease, or other authorization under section 9 of the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719g) may add to, amend, or rescind any term or condition included in

the certificate, permit, right-of-way, lease, or other authorization to meet current project requirements (including the physical design, facilities, and tariff specifications), if the addition, amendment, or rescission—

(1) would not compel any change in the basic nature and general route of the Alaska natural gas transportation system as designated and described in section 2 of the President's decision; or

(2) would not otherwise prevent or impair in any significant respect the expeditious construction and initial operation of the Alaska natural gas transportation system.

(c) UPDATED ENVIRONMENTAL REVIEWS.—The Secretary shall require the sponsor of the Alaska natural gas transportation system to submit such updated environmental data, reports, permits, and impact analyses as the Secretary determines are necessary to develop detailed terms, conditions, and compliance plans required by section 5 of the President's decision.

SEC. 111. SENSE OF CONGRESS CONCERNING USE OF STEEL MANUFACTURED IN NORTH AMERICA NEGOTIATION OF A PROJECT LABOR AGREEMENT.

It is the sense of Congress that—

(1) an Alaska natural gas transportation project would provide significant economic benefits to the United States and Canada; and

(2) to maximize those benefits, the sponsors of the Alaska natural gas transportation project should make every effort to—

(A) use steel that is manufactured in North America; and

(B) negotiate a project labor agreement to expedite construction of the pipeline.

SEC. 112. SENSE OF CONGRESS AND STUDY CONCERNING PARTICIPATION BY SMALL BUSINESS CONCERNS.

(a) DEFINITION OF SMALL BUSINESS CONCERN.—In this section, the term "small business concern" has the meaning given the term in section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

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

(1) an Alaska natural gas transportation project would provide significant economic benefits to the United States and Canada; and

(2) to maximize those benefits, the sponsors of the Alaska natural gas transportation project should maximize the participation of small business concerns in contracts and subcontracts awarded in carrying out the project.

(c) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine the extent to which small business concerns participate in the construction of oil and gas pipelines in the United States.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report that describes results of the study under paragraph (1).

(3) UPDATES.—The Comptroller General shall—

(A) update the study at least once every 5 years until construction of an Alaska natural gas transportation project is completed; and

(B) on completion of each update, submit to Congress a report containing the results of the update.

SEC. 113. ALASKA PIPELINE CONSTRUCTION TRAINING PROGRAM.

(a) PROGRAM.—

(1) ESTABLISHMENT.—The Secretary of Labor (in this section referred to as the "Secretary") shall make grants to the Alaska Workforce Investment Board—

(A) to recruit and train adult and dislocated workers in Alaska, including Alaska Natives, in the skills required to construct and operate an Alaska gas pipeline system; and

(B) for the design and construction of a training facility to be located in Fairbanks, Alaska, to support an Alaska gas pipeline training program.

(2) COORDINATION WITH EXISTING PROGRAMS.—The training program established with the grants authorized under paragraph (1) shall be consistent with the vision and goals set forth in the State of Alaska Unified Plan, as developed pursuant to the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).

(b) REQUIREMENTS FOR GRANTS.—The Secretary shall make a grant under subsection (a) only if—

(1) the Governor of the State of Alaska requests the grant funds and certifies in writing to the Secretary that there is a reasonable expectation that the construction of the Alaska natural gas pipeline system will commence by the date that is 2 years after the date of the certification; and

(2) the Secretary of Energy concurs in writing to the Secretary with the certification made under paragraph (1) after considering—

(A) the status of necessary Federal and State permits;

(B) the availability of financing for the Alaska natural gas pipeline project; and

(C) other relevant factors.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $20,000,000. Not more than 15 percent of the funds may be used for the facility described in subsection (a)(1)(B).

SEC. 114. SENSE OF CONGRESS CONCERNING NATURAL GAS DEMAND.

It is the sense of Congress that—

(1) North American demand for natural gas will increase dramatically over the course of the next several decades;

(2) both the Alaska Natural Gas Pipeline and the Mackenzie Delta Natural Gas project in Canada will be necessary to help meet the increased demand for natural gas in North America;

(3) Federal and State officials should work together with officials in Canada to ensure both projects can move forward in a mutually beneficial fashion;

(4) Federal and State officials should acknowledge that the smaller scope, fewer permitting requirements, and lower cost of

the Mackenzie Delta project means it will most likely be completed before the Alaska Natural Gas Pipeline;

(5) natural gas production in the 48 contiguous States and Canada will not be able to meet all domestic demand in the coming decades; and

(6) as a result, natural gas delivered from Alaskan North Slope will not displace or reduce the commercial viability of Canadian natural gas produced from the Mackenzie Delta or production from the 48 contiguous States.

SEC. 115. SENSE OF CONGRESS CONCERNING ALASKAN OWNERSHIP.

It is the sense of Congress that—

(1) Alaska Native Regional Corporations, companies owned and operated by Alaskans, and individual Alaskans should have the opportunity to own shares of the Alaska natural gas pipeline in a way that promotes economic development for the State; and

(2) to facilitate economic development in the State, all project sponsors should negotiate in good faith with any willing Alaskan person that desires to be involved in the project.

SEC. 116. LOAN GUARANTEES.

(a) AUTHORITY.—(1) The Secretary may enter into agreements with 1 or more holders of a certificate of public convenience and necessity issued under section 103(b) of this division or section 9 of the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719g) to issue Federal guarantee instruments with respect to loans and other debt obligations for a qualified infrastructure project.

(2) Subject to the requirements of this section, the Secretary may also enter into agreements with 1 or more owners of the Canadian portion of a qualified infrastructure project to issue Federal guarantee instruments with respect to loans and other debt obligations for a qualified infrastructure project as though such owner were a holder described in paragraph (1).

(3) The authority of the Secretary to issue Federal guarantee instruments under this section for a qualified infrastructure project shall expire on the date that is 2 years after the date on which the final certificate of public convenience and necessity (including any Canadian certificates of public convenience and necessity) is issued for the project. A final certificate shall be considered to have been issued when all certificates of public convenience and necessity have been issued that are required for the initial transportation of commercially economic quantities of natural gas from Alaska to the continental United States.

(b) CONDITIONS.—(1) The Secretary may issue a Federal guarantee instrument for a qualified infrastructure project only after a certificate of public convenience and necessity under section 103(b) of this division or an amended certificate under section 9 of the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719g) has been issued for the project.

(2) The Secretary may issue a Federal guarantee instrument under this section for a qualified infrastructure project only if the loan or other debt obligation guaranteed by the instrument has been issued by an eligible lender.

(3) The Secretary shall not require as a condition of issuing a Federal guarantee instrument under this section any contractual

commitment or other form of credit support of the sponsors (other than equity contribution commitments and completion guarantees), or any throughput or other guarantee from prospective shippers greater than such guarantees as shall be required by the project owners.

(c) LIMITATIONS ON AMOUNTS.—(1) The amount of loans and other debt obligations guaranteed under this section for a qualified infrastructure project shall not exceed 80 percent of the total capital costs of the project, including interest during construction.

(2) The principal amount of loans and other debt obligations guaranteed under this section shall not exceed, in the aggregate, $18,000,000,000, which amount shall be indexed for United States dollar inflation from the date of enactment of this Act, as measured by the Consumer Price Index.

(d) LOAN TERMS AND FEES.—(1) The Secretary may issue Federal guarantee instruments under this section that take into account repayment profiles and grace periods justified by project cash flows and project-specific considerations. The term of any loan guaranteed under this section shall not exceed 30 years.

(2) An eligible lender may assess and collect from the borrower such other fees and costs associated with the application and origination of the loan or other debt obligation as are reasonable and customary for a project finance transaction in the oil and gas sector.

(e) REGULATIONS.—The Secretary may issue regulations to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to cover the cost of loan guarantees under this section, as defined by section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)). Such sums shall remain available until expended.

(g) DEFINITIONS.—In this section:

(1) CONSUMER PRICE INDEX.—The term "Consumer Price Index" means the Consumer Price Index for all-urban consumers, United States city average, as published by the Bureau of Labor Statistics, or if such index shall cease to be published, any successor index or reasonable substitute thereof.

(2) ELIGIBLE LENDER.—The term "eligible lender" means any non-Federal qualified institutional buyer (as defined by section 230.144A(a) of title 17, Code of Federal Regulations (or any successor regulation), known as Rule 144A(a) of the Securities and Exchange Commission and issued under the Securities Act of 1933), including—

(A) a qualified retirement plan (as defined in section 4974(c) of the Internal Revenue Code of 1986 (26 U.S.C. 4974(c)) that is a qualified institutional buyer; and

(B) a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986 (26 U.S.C. 414(d)) that is a qualified institutional buyer.

(3) FEDERAL GUARANTEE INSTRUMENT.—The term "Federal guarantee instrument" means any guarantee or other pledge by the Secretary to pledge the full faith and credit of the United States to pay all of the principal and interest on any loan or other debt obligation entered into by a holder of a certificate of public convenience and necessity.

(4) QUALIFIED INFRASTRUCTURE PROJECT.—The term "qualified infrastructure project" means an Alaskan natural gas transportation project consisting of the design, engineering, finance, construction, and completion of pipelines and related transportation and production systems (including gas treatment plants), and appurtenances thereto, that are used to transport natural gas from the Alaska North Slope to the continental United States.

And the Senate agree to the same.

JOE KNOLLENBERG,
JAMES T. WALSH,
ROBERT B. ADERHOLT,
KAY GRANGER,
VIRGIL GOODE,
DAVID VITTER,
JACK KINGSTON,
ANDER CRENSHAW,
BILL YOUNG,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
SANFORD D. BISHOP, Jr.,
NORMAN D. DICKS,
Managers on the Part of the House.

KAY BAILEY HUTCHISON,
CONRAD BURNS,
LARRY E. CRAIG,
MIKE DEWINE,
SAM BROWNBACK,
TED STEVENS,
DIANNE FEINSTEIN,
DANIEL K. INOUYE,
TIM JOHNSON,
MARY L. LANDRIEU,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4837) making appropriations for Military Construction, Family Housing, and Base Realignment and Closure for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes, submit the following joint statement to the House of Representatives and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference report includes, in addition to the Military Construction Appropriations Act, 2005, Division B—Emergency Supplemental Appropriations for Hurricane Disaster Assistance Act, 2005, and Division C—Alaska Natural Gas Pipeline.

DIVISION A—MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2005

ITEMS OF GENERAL INTEREST

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 108–607 and Senate Report 108–309 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or the Senate have directed the submission of a report from the Department of Defense, such report is to be submitted to both the House and the Senate Committees on Appropriations.

Audit Trail Documents.—The conferees direct the Department of Defense to continue the semi-annual submission of audit trail documents, a practice reinstated by the fiscal year 2004 Military Construction Appropriations conference report. The conferees emphasize that the documents shall describe the following: the appropriated amount, the amount formally reprogrammed, the amount of below threshold reprogramming, the current funded level, the contract award date, the contract amount, and the current working estimate, along with explanatory notes as necessary, for each project as budgeted in the Construction Annex, as well as projects funded under Minor Construction and Family Housing Improvements. All of this information shall be described in no more than one line item

for each project. The audit trail documents shall reflect projects from the current fiscal year plus the previous four fiscal years.

Notification Requirements for Changes in Scope.—Title 10, Section 2853 of U.S. Code states that "the scope of work for a military construction project or for the construction, improvement, and acquisition of a military family housing project may be reduced by not more than 25 percent from the amount approved for that project, construction, improvement, or acquisition by Congress" subject to certain limitations, one of which is notification of Congressional Committees. It is the understanding of the conferees that the services have interpreted this provision to mean that scope reduction notification is required only when a reduction is made to engineering based attributes such as square footage. The conferees emphasize that scope reduction notification also applies when a reduction of 25 percent or more is taken from the amount appropriated for a project. The conferees also emphasize that scope reductions in excess of 25 percent may not be made until the appropriate Congressional Committees have been notified and a 21–day period has elapsed. The notification is a statutory requirement independent of any reprogramming request and must precede by at least 21 days any request to reprogram funds that are excess to a project due to a scope reduction.

This corrected understanding of the requirement is necessary to ensure transparency in the military construction program and to restore the ability of Congress to exercise proper oversight of appropriated funds for military construction. For example, the Army reduced a barracks project at Camp Hovey, Korea, from $26,000,000 to $17,000,000, a 35 percent reduction and well above the 25 percent threshold. Congress often learns of these scope reductions only when the services submit reprogramming requests to use the savings for other projects. The conferees therefore agree that it is highly necessary to clarify the scope reduction requirement.

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSIONS)

The conference agreement appropriates $1,981,084,000 for Military Construction, Army, instead of $1,862,854,000 as proposed by the House and $1,977,166,000 as proposed by the Senate. Within this amount, the conference agreement provides $156,999,000 for study, planning, design, architect and engineer services, and host nation support instead of $140,554,000 as proposed by the House and $166,216,000 as proposed by the Senate. The conference agreement also rescinds $18,976,000 from funds previously provided to this account as follows:

Public Law / location	Project title	House	Senate	Conference
PL 106-246 (FY 2001):				
Korea: Camp Hovey	Whole Barracks Complex Renewal	0	0	-7,776,000
Subtotal		0	0	-7,776,000
PL 107-64 (FY 2002):				
New York: Fort Drum	Battle Simulation Center, Phase II	0	0	-2,751,000
Korea: Camp Carroll	Physical Fitness Training Center	0	0	-1,173,000
Subtotal		0	0	-3,924,000
PL 107-249 (FY 2003):				
DC: Walter Reed AMC	Electrical Switch Station	0	0	-670,000
Kansas: Fort Riley	Cantonment Fence (DERF)	0	0	-1,275,000
North Carolina: Fort Bragg	Force Protection Plan Phase 2 (DERF)	0	0	-2,975,000
Washington: Fort Lewis	Barracks Complex-17th & B St, PH2	0	0	-2,356,000
Subtotal		0	0	-7,276,000
Total		0	0	-18,976,000

MILITARY CONSTRUCTION, NAVY, AND MARINE CORPS

(INCLUDING RESCISSION)

The conference agreement appropriates $1,069,947,000 for Military Construction, Navy and Marine Corps, instead of $1,081,042,000 as proposed by the House and $1,016,315,000 as proposed by the Senate. Within this amount, the conference agreement provides $90,830,000 for study, planning, design, architect and engineer services instead of $93,284,000 as proposed by the House and $110,277,000 as proposed by the Senate. The conference agreement also rescinds $24,000,000 from funds previously provided to this account as follows:

Public Law / location	Project title	House	Senate	Conference
PL 108-132 (FY 2004):				
Unspecified Worldwide	Outlying Landing Field Facilities (PH I)	0	0	-24,000,000
Total		0	0	-24,000,000

The conferees direct the Secretary of the Navy to report by February 15, 2005 on efforts to incorporate reserve component requirements into land disposal agreements resulting from the closure of Naval Air Station Roosevelt Roads, Puerto Rico.

California-North Island Special Operations Forces Ground Mobility Support Building.—The conferees are aware of the City of Coronado's goal to expedite military personnel traffic to and from the base through the construction of the State Route 75 Corridor Tunnel from the western terminus of the San Diego-Coronado Bridge directly into the Naval Air Station, North Island. The conferees urge the Navy to ensure that the Base Main Gate and Entrance Street project is fully compatible with the design for the State Route 75 Corridor Tunnel.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

The conference agreement appropriates $866,331,000 for Military Construction, Air Force, instead of $797,865,000 as proposed by the House and $841,131,000 as proposed by the Senate. Within this amount, the conference agreement provides $130,711,000 for study, planning, design, architect and engineer services instead of $165,367,000 as proposed by the House and $180,507,000 as proposed by the Senate. The conference agreement also rescinds $21,800,000 from funds previously provided to this account as follows:

Public Law / location	Project title	House	Senate	Conference
PL 108-106 (FY 2004):				
Qatar: Al Udeid AB	Refueler Ramp	0	0	-21,800,000
Total		0	0	-21,800,000

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS AND RESCISSIONS)

The conference agreement appropriates $686,055,000 for Military Construction, Defense-wide, instead of $718,837,000 as proposed by the House and $696,491,000 as proposed by the Senate. Within this amount, the conference agreement provides $62,800,000 for study, planning, design, architect and engineer services instead of $63,482,000 as proposed by the House and $66,336,000 as proposed by the Senate. The conference agreement also rescinds $22,737,000 from funds previously provided to this account as follows:

Public Law / location	Project title	House	Senate	Conference
PL 107-64 (FY 2002):				
Germany: Heidelberg	Hospital Addition/Clinic Alteration.....	0	0	-6,000,000
PL 107-249 (FY 2003):				
Arkansas: Pine Bluff.....	Non-stockpile Ammunition Demoliton.....	0	0	-8,737,000
Maryland: Aberdeen PG.....	Ammunition Demilitarization Phase V.....	0	0	-8,000,000
Subtotal.....	.....	0	0	-16,737,000
Total.....	.....	0	0	-22,737,000

The conference agreement provides $50,000,000 for the Energy Conservation Improvement Program as proposed by the House instead of $60,000,000 as proposed by the Senate.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The conference agreement appropriates $446,748,000 for Military Construction, Army National Guard, instead of $394,100,000 as proposed by the House and $381,765,000 as proposed by the Senate. The conference agreement does not include a provision proposed by the House to earmark funds for planning and design activities. The Senate bill contained no similar provision.

Georgia-Army National Guard Armory, Fulton County Airport-Brown Field.—The conferees agree that within funds provided for planning and design in this account, $100,000 shall be made available to conduct a feasibility study on the relocation of this armory to Dobbins Air Reserve Base, Georgia.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

(INCLUDING RESCISSION)

The conference agreement appropriates $243,043,000 for Military Construction, Air National Guard, instead of $180,533,000 as proposed by the House and $231,083,000 as proposed by the Senate. The conference agreement does not include a provision proposed by the House to earmark funds for planning and design activities. The Senate bill contained no similar provision. The conference agreement also rescinds $5,000,000 from funds previously provided to this account as follows:

Public Law / location	Project title	House	Senate	Conference
PL 108-132 (FY 2004):				
Tennessee: Memphis	C-5 Upgrade Shops	0	0	-5,000,000
Total		0	0	-5,000,000

MILTIARY CONSTRUCTION, ARMY RESERVE

The conference agreement appropriates $92,377,000 for Military Construction, Army Reserve, instead of $116,521,000 as proposed by the House and $66,325,000 as proposed by the Senate. The conference agreement does not include a provision proposed by the House to earmark funds for planning and design activities. The Senate bill contained no similar provision.

MILITARY CONSTRUCTION, NAVAL RESERVE

The conference agreement appropriates $44,246,000 for Military Construction, Naval Reserve, instead of $30,955,000 as proposed by the House and $33,735,000 as proposed by the Senate. The conference agreement does not include a provision proposed by the House to earmark funds for planning and design activities. The Senate bill contained no similar provision.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

The conference agreement appropriates $123,977,000 for Military Construction, Air Force Reserve, instead of $111,725,000 as proposed by the House and $101,373,000 as proposed by the Senate. The conference agreement does not include a provision proposed by the House to earmark funds for planning and design activities. The Senate bill contained no similar provision.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

(INCLUDING RESCISSION)

The conference agreement appropriates $165,800,000 for the North Atlantic Treaty Organization Security Investment Program as proposed by both the House and Senate. The conference agreement also includes a rescission of $5,000,000 from prior appropriations due to the slow spend out rate of the program and the recurrence of carryover amounts.

FAMILY HOUSING CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

The conference agreement appropriates $636,099,000 for Family Housing Construction, Army, as proposed by both the House and the Senate. The conference agreement also rescinds $21,000,000 from funds previously provided to this account.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

The conference agreement appropriates $926,507,000 for Family Housing Operation and Maintenance, Army as proposed by the House instead of $928,907,000 as proposed by the Senate. The reduction from the President's request shall not be construed as prohibiting any routine or emergency repair and maintenance work for general officer quarters.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSIONS)

The conference agreement appropriates $139,107,000. for Family Housing Construction, Navy and Marine Corps as proposed by both the House and the Senate. The conference agreement also rescinds $12,301,000 from funds previously provided to this account. The Navy has identified these funds as no longer being necessary to complete the projects in the following table. It is the understanding of the conferees that the rescissions will not affect the projects for which they were appropriated.

Public Law / location	Project title	House	Senate	Conference
PL 107-64 (FY 2002):				
Maryland: USNA Annapolis	Family Housing Improvements (42 Units) North Severn Village	0	0	-3,955,000
Maryland: Patuxent River	Improvements (28 Units) Chaffee Court.	0	0	-1,609,000
Subtotal		0	0	-5,564,000
PL 108-132 (FY 2004):				
Maryland: Annapolis	Family Housing Improvements (51 Units	0	0	-6,737,000
Subtotal		0	0	-6,737,000
Total		0	0	-12,301,000

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

The conference agreement appropriates $696,304,000 for Family Housing Operation and Maintenance, Navy and Marine Corps as proposed by the House instead of $704,504,000 as proposed by the Senate. The reduction from the President's request shall not be construed as prohibiting any routine or emergency repair and maintenance work for general and flag officer quarters.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSIONS)

The conference agreement appropriates $846,959,000 for Family Housing Construction, Air Force, as proposed by both the House and the Senate. The conference agreement rescinds $45,171,000 from funds previously provided to this account. The Air Force has identified these funds as no longer being necessary to complete the projects in the following table. It is the understanding of the conferees that the rescissions will not affect the projects for which they were appropriated.

Public Law / location	Project title	House	Senate	Conference
PL 106-246 (FY 2001):				
Utah: Hill AFB	Privatize Family Housing (1,116 Units)	0	0	-5,471,000
Nebraska: Offutt AFB	Privatize Family Housing (2,580 Units)	0	0	-2,980,000
Nevada: Nellis AFB	Replace Family Housing (26 Units)	0	0	-5,000,000
Subtotal		0	0	-13,451,000
PL 107-64 (FY 2002):				
Hawaii: Hickam AFB	Privatization	0	0	-11,220,000
California: Beale AFB	Privatization	0	0	-14,500,000
Subtotal		0	0	-25,720,000
PL 108-132 (FY 2004):				
Oklahoma: Tinker AFB	Replace Family Housing	0	0	-6,000,000
Subtotal		0	0	-6,000,000
Total		0	0	-45,171,000

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement appropriates $853,384,000 for Family Housing Operation and Maintenance, Air Force, instead of $854,666,000 as proposed by the House and $856,114,000 as proposed by the Senate. The reduction from the President's request shall not be construed as prohibiting any routine or emergency repair and maintenance work for general officer quarters.

FAMILY HOUSING CONSTRUCTION, DEFENSE-WIDE

The conference agreement appropriates $49,000 for Family Housing Construction, Defense-Wide as proposed by both the House and the Senate.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement appropriates $49,575,000 for Family Housing Operation and Maintenance, Defense-Wide as proposed by both the House and the Senate.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

(INCLUDING RESCISSIONS)

The conference agreement appropriates $2,500,000 for the Department of Defense Family Housing Improvement Fund as proposed by both the House and the Senate. The conference agreement also rescinds $19,109,000 from funds previously provided to this account. The Department of Defense has identified these funds as no longer being necessary to complete the projects in the following table. It is the understanding of the conferees that the rescissions will not affect the projects for which they were appropriated.

Public Law / location	Project title	House	Senate	Conference
PL 107-249 (FY 2003):				
Eglin AFB	Family Housing Construction (134 Units)	0	0	-9,272,000
Ohio: Wright-Patterson AFB	Family Housing Construction (134 Improvement (222 Units)	0	0	-1,536,000
Subtotal		0	0	-10,808,000
PL 108-132 (FY 2004):				
Delaware: Dover AFB	Family Housing Construction	0	0	-8,301,000
Subtotal		0	0	-8,301,000
Total		0	0	-19,109,000

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

The conference agreement appropriates $81,886,000 for Chemical Demilitarization Construction, Defense-Wide as proposed by both the House and the Senate.

BASE REALIGNMENT AND CLOSURE ACCOUNT

The conference agreement appropriates $246,116,000 for the Base Realignment and Closure Account as proposed by both the House and Senate.

GENERAL PROVISIONS

The conference agreement includes general provisions (sections 101–103, 105–119, 121–123, 125, and 126) that were not amended by either the House or Senate.

The conference agreement includes section 104 as proposed by the House to prohibit construction of new bases in the United States without a specific appropriation. The Senate bill contained a similar provision, but limited the prohibition to the continental United States.

The conference agreement includes section 120 as proposed by the Senate to allow the transfer of funds only from the Family Housing, Construction accounts to the Family Housing Improvement Fund and to allow the transfer of funds from the construction of military unaccompanied housing to the Military Unaccompanied Housing Improvement Fund. The House bill contained a similar provision, but only for the transfer of funds from the Family Housing, Construction accounts to the Family Housing Improvement Fund.

The conference agreement includes section 124 as proposed by the Senate to limit the maintenance and repair of any general or flag officer quarters to $35,000 per year without 30 days advance notification. The House bill contained a similar provision, but limited such maintenance and repairs to $20,000.

The conference agreement includes a provision (section 127) as proposed by the Senate to change the due date of a report by the Overseas Basing Commission. The House bill contained no similar provision.

The conference agreement includes a provision (section 128) as proposed by the House to require the Department of Defense to respond to a question or inquiry, in writing, within 21 days of the request. The Senate bill contained no similar provision.

The conference agreement includes a provision (section 129) as proposed by the Senate to make funds in the Ford Island Improvement Fund available until expended. The House bill contained no similar provision.

The conference agreement includes a provision (section 130) as proposed by the House to name a fitness center at Homestead Air Reserve Base, Florida. The Senate bill contained no similar provision.

The conference agreement includes a modified Senate provision (section 131) to give the Secretary of Agriculture the right of first refusal to negotiate over the disposal of land at Fort Hunter Liggett, California, determined to be in excess of military needs. If

and when the property is transferred into the National Forest System, the conferees expect the Department of the Army to comply with all pertinent environmental regulations pertaining to the remediation of the land. The House bill contained no similar provision.

The conference agreement includes a new provision (section 132) to identify the Congressional Committees that are to receive all reports and notifications required by this division.

The conference agreement does not include a provision proposed by the House to allow the transfer of expired funds to the Foreign Currency Fluctuation, Construction, Defense account. The Senate bill contained no similar provision.

The conference agreement does not include a provision proposed by the Senate to require a report on the impacts on the military family housing program under the current Military Housing Privatization Initiative. The House bill contained no similar provision.

The conference agreement does not include a provision proposed by the Senate to provide funding to the Overseas Basing Commission. The House bill contained no similar provision.

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ALABAMA		
ARMY		
ANNISTON ARMY DEPOT		
POWERTRAIN COMPONENT REBUILDING FACILITY	23,690	23,690
FORT RUCKER		
AIRCRAFT MAINTENANCE HANGAR	---	16,000
DEFENSE-WIDE		
HUNTSVILLE		
MISSILE DEFENSE AGENCY CENTER, VON BRAUN COMPLEX (PHASE II)	19,560	19,560
ARMY NATIONAL GUARD		
CENTREVILLE		
ADDITION/ALTERATION READINESS CENTER (ADRS)	5,537	5,537
CLANTON		
ADDITION/ALTERATION READINESS CENTER (ADRS)	3,649	3,649
HALEYVILLE		
JOINT ARMED FORCES RESERVE CENTER	---	13,849
ONEONTA		
ADDITION/ALTERATION READINESS CENTER (ADRS)	4,527	4,527
TOTAL, ALABAMA	56,963	86,812
ALASKA		
ARMY		
FORT RICHARDSON		
BARRACKS COMPLEX	7,600	7,600
DIGITAL MULTIPURPOSE TRAINING RANGE	13,600	13,600
SNIPER FIELD FIRE RANGE	3,100	3,100
FORT WAINWRIGHT		
BARRACKS COMPLEX - LORRAINE ROAD	39,815	39,815
BARRACKS COMPLEX RENEWAL - SANTIAGO ROAD	30,912	30,912
COMBINED ARMS COLLECTIVE TRAINING FACILITY	21,732	21,732
AIR FORCE		
ELMENDORF AIR FORCE BASE		
C-17 SUPPORT UTILITIES	6,400	6,400
ELMENDORF C-17 FLIGHT SIMULATOR FACILITY	7,700	7,700
FITNESS CENTER	11,957	11,957
LARGE AIRFRAME MAINTENANCE HANGAR	---	26,000
DEFENSE-WIDE		
FORT WAINWRIGHT		
HOSPITAL REPLACEMENT (PHASE VI)	9,900	9,900
TOTAL, ALASKA	152,716	178,716
ARIZONA		
ARMY		
FORT HUACHUCA		
ARMY GLOBAL INFORMATION FACILITY	---	18,000
NAVY		
YUMA		
BACHELOR ENLISTED QUARTERS	18,740	18,740
STATION ORDNANCE AREA	7,930	7,930
AIR FORCE		
DAVIS-MONTHAN AIR FORCE BASE		
AIRFIELD OBSTRUCTION-HAZARDOUS CARGO PAD	4,243	4,243
COMBAT SEARCH AND RESCUE C-130 SQUADRON OPERATIONS	5,786	5,786
EC-130 SQUAD OPERATIONS FACILITY	---	7,000
LUKE AIR FORCE BASE		
ATFP LITCHFIELD ROAD UNDERPASS AND ENTRY POINT REPLACEMENT	---	7,900
DORMITORY (120 ROOM)	10,000	10,000
ARMY NATIONAL GUARD		
CAMP NAVAJO		
QUALIFICATION TRAINING RANGE	3,000	3,000
TOTAL, ARIZONA	49,699	82,599

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ARKANSAS		
AIR FORCE		
LITTLE ROCK AIR FORCE BASE		
C-130J ADDITION/ALTERATION SIMULATOR FACILITY	5,031	5,031
CHILD DEVELOPMENT CENTER	---	3,900
ARMY NATIONAL GUARD		
CAMP ROBINSON		
ARMY AVIATION SUPPORT FACILITY	33,020	33,020
FORT CHAFFEE		
AMMUNITION SUPPLY POINT	13,798	13,798
AIR NATIONAL GUARD		
FORT SMITH		
VEHICLE MAINTENANCE AND AEROSPACE COMPLEX	---	6,000
TOTAL, ARKANSAS	51,849	61,749
CALIFORNIA		
ARMY		
FORT IRWIN		
CRIMINAL INVESTIGATION COMMAND FIELD OPERATIONS BUILDING	2,600	2,600
COMMAND AND CONTROL FACILITY	21,000	21,000
LAND ACQUISITION (PHASE II)	14,500	14,500
SIERRA ARMY DEPOT		
RUNWAY EXTENSION	---	12,600
NAVY		
BARSTOW		
BLASTING FACILITY	---	4,930
CAMP PENDLETON		
BACHELOR ENLISTED QUARTERS	19,975	19,975
CLOSE COMBAT PISTOL COURSE	6,940	6,940
CONSOLIDATED OPERATIONS CENTER	4,910	4,910
TERTIARY SEWAGE TREATMENT (PHASE II)	25,690	25,690
WEIGHT HANDLING SHOP	6,630	6,630
CORONA		
WARFARE ASSESSMENT LABORATORY ADDITION	---	9,850
EL CENTRO		
APRON AND HANGAR RECAPITALIZATION (PHASE I)	33,331	33,331
MARINE CORPS RECRUIT DEPOT		
INITIAL ISSUE SUPPLY WAREHOUSE	---	8,110
NORTH ISLAND		
BASE MAIN GATE AND ENTRANCE STREET	---	10,180
TWENTYNINE PALMS		
OPERATIONAL TRAINING CENTER	---	15,700
AIR FORCE		
BEALE AIR FORCE BASE		
GLOBAL HAWK ADDITION TO AEROSPACE GROUND EQUIPMENT FACILITY	1,866	1,866
GLOBAL HAWK UPGRADE DOCK 2	8,320	8,320
EDWARDS AIR FORCE BASE		
ADDITION/RENOVATE JOINT STRIKE FIGHTER COMPLEX (PHASE II)	9,965	9,965
TRAVIS AIR FORCE BASE		
C-17 ADDITION ENGINE STORAGE FACILITY	2,400	2,400
C-17 UTILITIES/ROAD	12,844	12,844
SECURITY FORCES ARMORY/COMBAT ARMS CAMPUS	---	3,650
DEFENSE-WIDE		
CORONA		
SPECIAL OPERATIONS FORCES MILITARY OPERATIONS IN URBAN TERRAIN TRAINING COMPLEX	13,600	13,600
NILAND		
SPECIAL OPERATIONS FORCES GROUND MOBILITY SUPPORT BUILDING	1,000	1,000
PRESIDIO		
DENTAL CLINIC	---	6,700

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
TRAVIS AIR FORCE BASE		
REPLACE HYDRANT FUEL SYSTEM	15,100	15,100
ARMY NATIONAL GUARD		
CAMP PARKS		
READINESS CENTER (ARMY NATIONAL GUARD DIVISION REDESIGN STUDY)	11,318	11,318
AIR FORCE RESERVE		
MARCH AIR FORCE BASE		
C-17 ALTER HANGAR TOWER	2,089	2,089
C-17 MAINTENANCE HANGAR (PHASE II)	7,400	7,400
TOTAL, CALIFORNIA	221,478	293,198
COLORADO		
ARMY		
FORT CARSON		
ARRIVAL DEPARTURE AREA GROUP COMPLEX (PHASE IA)	---	12,400
BARRACKS COMPLEX - HOSPITAL AREA	14,108	14,108
DIGITAL MULTIPURPOSE TRAINING RANGE	33,000	33,000
AIR FORCE		
BUCKLEY AIR FORCE BASE		
CHAPEL CENTER	6,147	6,147
CHILD DEVELOPMENT CENTER	6,100	6,100
DEFENSE-WIDE		
BUCKLEY AIR FORCE BASE		
ADDITION/ALTERATION AEROMEDICAL CLINIC	2,100	2,100
ARMY NATIONAL GUARD		
BUCKLEY AIR FORCE BASE		
ARMY AVIATION SUPPORT FACILITY	34,000	34,000
FORT CARSON		
AUTOMATED QUALIFICATION/TRAINING RANGE	3,205	3,205
ARMY RESERVE		
AURORA		
ADDITION/ALTERATION MILITARY EQUIPMENT PARKING	1,758	1,758
TOTAL, COLORADO	100,418	112,818
CONNECTICUT		
NAVY		
NEW LONDON		
GATES 3 AND 5 SECURITY IMPROVEMENTS	---	4,420
MK-10 SUBMARINE ESCAPE TRAINER	17,100	17,100
REPLACE PIER 6	28,782	28,782
ARMY NATIONAL GUARD		
SOUTHINGTON		
READINESS CENTER	---	4,087
TOTAL, CONNECTICUT	45,882	54,389
DELAWARE		
AIR FORCE		
DOVER AIR FORCE BASE		
CONTROL TOWER	---	9,500
DISTRICT OF COLUMBIA		
NAVY		
ANACOSTIA		
ATOMIC CLOCK VAULT	3,239	3,239
DEFENSE-WIDE		
BOLLING AIR FORCE BASE		
HEATING, VENTILATION, AND AIR CONDITIONING UPGRADE TO DEFENSE INTELLIGENCE ANALYSIS CENTER	6,000	6,000
TOTAL, DISTRICT OF COLUMBIA	9,239	9,239

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
FLORIDA		
ARMY		
CAMP RUDDER (FORT BENNING)		
REVITALIZE RANGER BARRACKS 6012	---	1,850
NAVY		
EGLIN AIR FORCE BASE		
EGLIN AIR FORCE BASE ROAD CONSTRUCTION	2,060	2,060
MAYPORT		
AIRFIELD CONTROL TOWER	6,200	6,200
AIR FORCE		
PATRICK AIR FORCE BASE		
SECURITY FORCES OPERATIONS FACILITY	---	8,800
TYNDALL AIR FORCE BASE		
1 AF HEADQUARTERS/AFFOR CENTER (PHASE I)	---	10,200
F-22 OPERATIONS FACILITY ADDITION	1,548	---
F-22 SQUADRON OPERATIONS/AIRCRAFT MAINTENANCE UNIT/HANGAR	17,414	7,414
DEFENSE-WIDE		
HURLBURT FIELD		
SOF OPERATIONS TRAINING FACILITY	---	2,500
JACKSONVILLE		
HOSPITAL ADDITION/ALTERATION	28,438	28,438
ARMY NATIONAL GUARD		
CAMP BLANDING		
REGIONAL TRAINING INSTITUTE (PHASE I)	---	12,000
AIR NATIONAL GUARD		
JACKSONVILLE		
F-15 CORROSION CONTROL FACILITY	---	4,000
NAVY RESERVE		
JACKSONVILLE		
RESERVE TRAINING CENTER	9,300	9,300
TOTAL, FLORIDA	64,960	92,762
GEORGIA		
ARMY		
FORT BENNING		
BARRACKS COMPLEX - KELLEY HILL/MAIN POST	49,565	49,565
HAZARDOUS CARGO LOADING APRON	3,850	3,850
PHYSICAL FITNESS TRAINING CENTER	18,362	18,362
FORT GILLEM		
RECRUITING BRIGADE OPERATIONS BUILDING	5,800	5,800
FORT MCPHERSON		
CHILD DEVELOPMENT CENTER	4,900	4,900
FORT STEWART		
AIRCRAFT MAINTENANCE HANGAR (SPECIAL OPERATIONS FORCES)	21,100	21,100
BARRACKS COMPLEX-5TH & 16TH ST (PHASE II)	32,950	32,950
CHAPEL	9,500	9,500
COMMAND AND CONTROL FACILITY	24,695	24,695
TACTICAL EQUIPMENT COMPLEX	10,200	10,200
NAVY		
KINGS BAY		
ENCLAVE FENCING AND PARKING	16,000	16,000
AIR FORCE		
MOODY AIR FORCE BASE		
CONSOLIDATED BASE SUPPORT CENTER	---	9,600
ROBINS AIR FORCE BASE		
AIRCRAFT RAMP	15,000	15,000
FIRE/CRASH RESCUE STATION	---	6,900
DEFENSE-WIDE		
FORT BENNING		
CONSOLIDATED HEALTH CLINIC	7,100	7,100
FORT STEWART		
SPECIAL OPERATIONS FORCES BATTALION OPERATIONS COMPLEX	17,600	17,600

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY NATIONAL GUARD		
SAVANNAH		
ARMY AVIATION SUPPORT FACILITY	16,554	16,554
AIR FORCE RESERVE		
DOBBINS		
UPGRADE MAINTENANCE BAYS	---	10,000
TOTAL, GEORGIA	253,176	279,676
HAWAII		
ARMY		
HELEMANO		
DRUM ROAD UPGRADE (PHASE I)	27,000	27,000
TANK TRAILS - HELEMANO	7,300	7,300
HICKAM AIR FORCE BASE		
HOT CARGO PAD EXPANSION	11,200	11,200
POHAKULOA TRAINING AREA (PTA)		
SADDLE ROAD (PHASE IIB)	---	8,000
WEST PTA MODIFICATIONS	30,000	30,000
SCHOFIELD BARRACKS		
BARRACKS COMPLEX RENEWAL - CAPRON AVE (PHASE III)	48,000	48,000
BARRACKS COMPLEX - QUAD E (PHASE II)	36,000	36,000
BATTLE AREA LIVE FIRE COMPLEX	32,000	32,000
COMBINED ARMS COLLECTIVE TRAINING FACILITY	32,542	32,542
FIRE STATION	4,800	4,800
QUALIFICATION TRAINING RANGE	4,950	4,950
TACTICAL VEHICLE WASH FACILITY	3,500	3,500
VEHICLE MAINTENANCE FACILITY (PHASE I)	49,000	49,000
WHEELER AIR FORCE BASE		
DEPLOYMENT FACILITY	24,000	24,000
NAVY		
PEARL HARBOR		
DRYDOCK 4 SHOREPOWER IMPROVEMENTS	---	5,100
AIR FORCE		
HICKAM AIR FORCE BASE		
C-17 ALTER MAINTENANCE/SUPPLY AREAS	9,000	9,000
C-17 CLEAR WATER RINSE	4,300	4,300
C-17 MAINTENANCE SHOP FACILITY	8,200	8,200
C-17 MUNITIONS STORAGE	1,950	1,950
C-17 SUPPORT UTILITIES (PHASE II)	2,450	2,450
ELECTRICAL UPGRADE	---	5,000
MAUI		
AEOS PRIMARY MIRROR COATING FACILITY	---	7,500
DEFENSE-WIDE		
PEARL HARBOR		
MULTI-PRODUCT INTERFACE TANK	3,500	3,500
TOTAL, HAWAII	339,692	365,292
IDAHO		
AIR NATIONAL GUARD		
GOWEN FIELD		
ADD/ALTER BASE SUPPLY COMPLEX	---	3,500
ILLINOIS		
NAVY		
GREAT LAKES		
BATTLE STATION TRAINING FACILITY (PHASE II)	58,200	58,200
RTC BARRACKS	35,920	35,920
RTC BARRACKS	38,851	38,851
ARMY NATIONAL GUARD		
GALESBURG		
READINESS CENTER (PHASE II) (ADRS)	---	4,400

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
SPRINGFIELD		
THE ARMY SCHOOL SYSTEM (MULTIFUNCTIONAL FACILITY).	13,596	13,596
TOTAL, ILLINOIS	146,567	150,967
INDIANA		
NAVY		
CRANE		
COTS PRODUCT ASSURANCE & TEST MANAGEMENT FACILITY.	---	12,600
ARMY NATIONAL GUARD		
GARY-CHICAGO REGIONAL AIRPORT		
ARMED FORCES RESERVE CENTER	---	9,380
REMINGTON		
ADDITION/ALTERATION READINESS CENTER (ADRS)	1,458	1,458
TOTAL, INDIANA	1,458	23,438
IOWA		
ARMY NATIONAL GUARD		
CAMP DODGE		
COMPANY GRADE BOQ	---	3,485
KANSAS		
ARMY		
FORT LEAVENWORTH		
LEWIS & CLARK INSTRUCTIONAL FACILITY (PHASE II)	44,000	44,000
FORT RILEY		
BARRACKS COMPLEX RENEWAL	41,000	41,000
COMMUNICATIONS CENTER	3,050	3,050
MAINTENANCE FACILITY REVITALIZATION	---	15,500
ARMY NATIONAL GUARD		
TOPEKA		
ADDITION/ALTERATION READINESS CENTER (ADRS)	3,086	3,086
AIR NATIONAL GUARD		
FORBES FIELD		
REPLACE OPERATIONS AND TRAINING COMPLEX	---	9,800
ARMY RESERVE		
HAYS		
ARMY RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP	7,451	7,451
NEW CENTURY		
AR CENTER/OMS/AMSA/UNH STORAGE	---	8,723
TOTAL, KANSAS	98,587	132,610
KENTUCKY		
ARMY		
FORT CAMPBELL		
BARRACKS COMPLEX - 42ND ST/INDIANA AVE (PHASE I)	30,000	30,000
COMMAND AND CONTROL FACILITY	33,000	33,000
SHOOT HOUSE	1,600	1,600
FORT KNOX		
BASIC COMBAT TRAINING COMPLEX 1 (PHASE I)	50,000	50,000
SHOOT HOUSE	---	1,850
URBAN ASSAULT COURSE	---	1,900
DEFENSE-WIDE		
FORT CAMPBELL		
AQUATIC TRAINING FACILITY	---	3,500
TOTAL, KENTUCKY	114,600	121,850
LOUISIANA		
ARMY		
FORT POLK		
AMMUNITION SUPPLY POINT UPGRADE	7,500	7,500
FIXED WING AIRCRAFT PARKING APRON	25,000	25,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
HAZARDOUS CARGO LOADING APRON	14,503	14,503
PALLET PROCESSING FACILITY	8,800	8,800
PASSENGER PROCESSING FACILITY	11,700	11,700
URBAN ASSAULT COURSE	3,450	3,450
AIR FORCE		
BARKSDALE AIR FORCE BASE		
DORMITORY (168 ROOM)	13,800	13,800
ARMY NATIONAL GUARD		
CAMP BEAUREGARD		
ARMY AVIATION SUPPORT FACILITY	15,738	15,738
NAVY RESERVE		
NEW ORLEANS		
CHILD DEVELOPMENT CENTER	---	3,450
INDOOR SMALL ARMS RANGE	---	2,580
AIR FORCE RESERVE		
BARKSDALE AIR FORCE BASE		
SQUADRON OPERATIONS FACILITY	---	4,800
TOTAL, LOUISIANA	100,491	111,321
MAINE		
NAVY		
NAVAL AIR STATION BRUNSWICK		
WEAPONS MAGAZINE REPLACEMENT	---	6,220
MARYLAND		
ARMY		
ABERDEEN PROVING GROUND		
CHEMICAL AND BIOLOGICAL SAMPLE RECEPTION FACILITY.	---	13,000
FORT DETRICK		
REMOTE TRUCK INSPECTION STATION	---	4,000
NAVY		
INDIAN HEAD		
AGILE CHEMICAL FACILITY	13,900	13,900
JOINT AIRCREW ESCAPE COMPONENT CENTER	---	9,100
AIR FORCE		
ANDREWS AIR FORCE BASE		
ASA - ALTER AIRCRAFT SUPPORT FACILITIES	5,000	5,000
ASA - FIGHTER AIRCRAFT ALERT COMPLEX	11,000	11,000
ASA - MUNITIONS STORAGE IGLOO	1,100	1,100
DEFENSE-WIDE		
FORT MEADE		
CRITICAL COMMUNICATIONS PATH	3,450	3,450
NATIONAL SECURITY AGENCY DEEP WELLS	8,140	8,140
RECONFIGURED CHILLED WATER (PHASE II)	3,417	3,417
ARMY RESERVE		
FORT MEADE		
ARMY RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP/WAREHOUSE (PHASE II)	14,642	14,642
TOTAL, MARYLAND	60,649	86,749
MASSACHUSETTS		
AIR NATIONAL GUARD		
OTIS AIR NATIONAL GUARD BASE		
ELIMINATE AIRFIELD OBSTRUCTIONS	4,000	4,000
REPLACE CONTROL TOWER	---	7,000
AIR FORCE RESERVE		
WESTOVER AIR RESERVE BASE		
OPERATIONS FACILITY	---	4,400
TOTAL, MASSACHUSETTS	4,000	15,400

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
MICHIGAN		
ARMY NATIONAL GUARD		
GRAND LEDGE		
ARMY AVIATION SUPPORT FACILITY	27,600	27,600
AIR NATIONAL GUARD		
SELFRIDGE		
JOINT SECURITY FORCES OPERATIONS CENTER	---	9,700
VISITORS CENTER AND ID COMPLEX	---	4,000
W.K. KELLOGG		
FIRE AND CRASH RESCUE STATION	---	5,100
TOTAL, MICHIGAN	27,600	46,400
MINNESOTA		
AIR NATIONAL GUARD		
DULUTH INTERNATIONAL AIRPORT		
ASA - CREW QUARTERS	3,000	3,000
ASA - ARM, DEARM APRON AND TAXIWAY	4,000	4,000
ASA - RELOCATE BASE ENTRANCE ROAD	3,500	3,500
AIR FORCE RESERVE		
MINNEAPOLIS-ST. PAUL INTERNATIONAL AIRPORT		
AIR RESERVE STATION OPERATIONS FACILITY	---	4,950
ADD/ALTER JOINT USE PHYSICAL FITNESS CENTER	---	4,400
TOTAL, MINNESOTA	10,500	19,850
MISSISSIPPI		
NAVY		
GULFPORT		
VEHICLE MAINTENANCE FACILITY	---	4,350
AIR FORCE		
COLUMBUS AIR FORCE BASE		
FIRE AND CRASH RESCUE STATION	---	7,700
ARMY NATIONAL GUARD		
CAMP SHELBY		
MOUT COLLECTIVE TRAINING FACILITY (SMALL)	---	5,300
WASTEWATER TREATMENT FACILITY	---	2,700
GULFPORT		
ORGANIZATIONAL MAINTENANCE SHOP	---	4,650
TOTAL, MISSISSIPPI	---	24,700
MISSOURI		
ARMY		
FORT LEONARD WOOD		
MINE DETECTION DOG KENNEL	---	3,700
COUNTERMINE TRAINING COMPLEX	---	10,400
RANGE	2,750	2,750
WEAPONS OF MASS DESTRUCTION RESPONDER TRAINING FACILITY	15,000	15,000
AIR FORCE		
WHITEMAN AIR FORCE BASE		
CHILD DEVELOPMENT CENTER	---	7,600
TOTAL, MISSOURI	17,750	39,450
MONTANA		
AIR FORCE		
MALMSTROM AIR FORCE BASE		
CORROSION CONTROL FACILITY	---	5,600
ARMY NATIONAL GUARD		
DILLON		
READINESS CENTER	---	4,786
HAVRE AIR FORCE STATION		
READINESS CENTER, ADDITION/ALTERATION (ARMY NATIONAL GUARD DIVISION REDESIGN STUDY)	2,398	2,398

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
HELENA		
ARMY AVIATION SUPPORT FACILITY ADDITION/ALTERATION (PHASE I)	7,600	7,600
TOTAL, MONTANA	9,998	20,384
NEBRASKA		
AIR FORCE		
OFFUTT AIR FORCE BASE		
CONTROL TOWER	---	6,221
ARMY NATIONAL GUARD		
HASTINGS		
MODIFIED RECORD FIRE RANGE (REMOTE TARGET SYSTEMS)	1,487	1,487
TOTAL, NEBRASKA	1,487	7,708
NEVADA		
NAVY		
FALLON		
HIGH EXPLOSIVES MAGAZINE	---	4,980
ARMY NATIONAL GUARD		
HENDERSON		
READINESS CENTER	---	12,853
TOTAL, NEVADA	---	17,833
NEW HAMPSHIRE		
AIR NATIONAL GUARD		
PEASE INTERNATIONAL TRADEPORT		
UPGRADE AIRCRAFT PARKING APRON (PHASE II)	---	4,900
NEW JERSEY		
ARMY		
PICATINNY ARSENAL		
PYROTECHNICS FACILITY	---	9,900
NAVY		
EARLE		
GENERAL PURPOSE/BERTHING PIER (PHASE II)	49,200	49,200
AIR NATIONAL GUARD		
ATLANTIC CITY INTERNATIONAL AIRPORT		
ASA - REPLACE ALERT COMPLEX	10,400	10,400
REPLACE ALERT 2 SHELTERS	---	2,300
ARMY RESERVE		
FORT DIX		
CONTROLLED HUMIDITY STORAGE (PHASE I)	---	9,502
TOTAL, NEW JERSEY	59,600	81,302
NEW MEXICO		
ARMY		
WHITE SANDS		
ELECTROMAGNETIC VULNERABILITY ASSESSMENT	33,000	33,000
AIR FORCE		
CANNON AIR FORCE BASE		
DINING HALL/AIRMEN'S CENTER	---	9,500
KIRTLAND AIR FORCE BASE		
CORROSION CONTROL FACILITY	---	9,200
TOTAL, NEW MEXICO	33,000	51,700
NEW YORK		
ARMY		
BUFFALO		
MILITARY ENTRANCE PROCESSING STATION	6,200	6,200

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
FORT DRUM		
AIRFIELD ARRIVAL/DEPARTURE FACILITY	4,950	4,950
BARRACKS COMPLEX - WHEELER SACK ARMY AIRFIELD (PHASE II)	48,000	48,000
DEFENSIVE LIVE FIRE RANGE	---	3,000
UPGRADE EDUCATIONAL TRANSITIONAL FACILITIES	---	5,700
FORT HAMILTON		
MILITARY POLICE STATION	7,600	7,600
HANCOCK FIELD		
MILITARY ENTRANCE PROCESSING STATION	---	6,000
U.S. MILITARY ACADEMY		
LIBRARY AND LEARNING CENTER (PHASE I)	34,500	34,500
ARMY NATIONAL GUARD		
AUBURN		
ORGANIZATIONAL MAINTENANCE SHOP (ARMY NATIONAL GUARD DIVISION REDESIGN STUDY (ADRS))	2,472	2,472
ADDITION/ALTERATION READINESS CENTER (ADRS)	4,406	4,406
FORT DRUM		
READINESS CENTER (ADRS)	6,489	6,489
KINGSTON		
ORGANIZATIONAL MAINTENANCE SHOP ADDITION/ ALTERATION (ADRS)	3,827	3,827
UTICA		
ADDITION/ALTERATION READINESS CENTER (ADRS)	5,704	5,704
AIR NATIONAL GUARD		
HANCOCK FIELD		
REPLACE MOBILITY PROCESSING CENTER	---	2,300
AIR FORCE RESERVE		
NIAGARA		
FIRE AND CRASH RESCUE STATION	---	7,800
TOTAL, NEW YORK	124,148	148,948
NORTH CAROLINA		
ARMY		
FORT BRAGG		
AIR TRAFFIC CONTROL TOWER	2,500	2,500
BARRACKS COMPLEX - ARMISTEAD ST (PHASE II)	---	10,000
BARRACKS COMPLEX RENEWAL BLACKJACK ST (PHASE I)	49,000	49,000
BARRACKS COMPLEX - BASTOGNE DR (PHASE II)	48,000	48,000
BARRACKS COMPLEX - DONOVAN STREET (PHASE V)	15,500	15,500
SHOOT HOUSE	2,037	2,037
SHOOT HOUSE	1,650	1,650
NAVY		
CAMP LEJEUNE		
ARMORY - CAMP GEIGER	4,010	4,010
COMBAT TRAINING POOL	2,410	2,410
EXPLOSIVE ORDANCE DISPOSAL OPERATIONS FACILITY	---	4,610
NEW RIVER		
ADD TO SIMULATOR BUILDING	2,270	2,270
AIRCRAFT MAINTENANCE TRAINING FACILITY	12,090	12,090
BACHELOR ENLISTED QUARTERS	20,780	20,780
NAVAL OUTLYING LANDING FIELD WASHINGTON COUNTY		
OUTLYING LANDING FIELD FACILITIES (PHASE II)	33,900	15,000
OUTLYING LANDING FIELD LAND ACQUISITION (PHASE I)	61,750	15,000
AIR FORCE		
POPE AIR FORCE BASE		
COMBAT CONTROLLER SCHOOL EXPANSION	12,950	12,950
INDOOR FIRING RANGE FOR COMBAT CONTROL SCHOOL	2,200	2,200
DEFENSE-WIDE		
CHERRY POINT MARINE CORPS AIR STATION		
REPLACE HYDRANT FUEL SYSTEM	22,700	22,700
FORT BRAGG		
KENNEDY HALL RENOVATION	11,988	11,988
SPECIAL OPERATIONS FORCES COMPANY OPERATIONS BUILDING	4,600	4,600

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
SPECIAL OPERATIONS FORCES COMPANY OPERATIONS COMPLEX	12,000	12,000
SPECIAL OPERATIONS FORCES COMPANY OPERATIONS FACILITY	4,500	4,500
SPECIAL OPERATIONS FORCES ISOLATION UNIT TRAINING FACILITY	8,300	8,300
SPECIAL OPERATIONS FORCES RESISTANCE TRAINING FACILITY	1,500	1,500
ARMY NATIONAL GUARD		
BURLINGTON		
ADDITION/ALTERATION READINESS CENTER (ADRS)	1,360	1,360
FORT BRAGG		
REGIONAL TRAINING INSTITUTE (PHASE III)	6,319	6,319
WINDSOR		
ORGANIZATIONAL MAINTENANCE SHOP (ARMY NATIONAL GUARD DIVISION REDESIGN STUDY)	2,409	2,409
NAVY RESERVE		
ASHEVILLE		
RESERVE CENTER	3,492	3,492
WILMINGTON		
RESERVE TRAINING CENTER	---	7,000
AIR FORCE RESERVE		
SEYMOUR JOHNSON AIR FORCE BASE		
RESERVE SECURITY FORCES OPERATIONS	2,300	2,300
TOTAL, NORTH CAROLINA	352,515	308,475
NORTH DAKOTA		
AIR FORCE		
MINOT AIR FORCE BASE		
ADD/ALTER DOCK 1 TO MULTI-PURPOSE HANGAR	---	8,900
OHIO		
AIR FORCE		
WRIGHT-PATTERSON AIR FORCE BASE		
REPLACE STEAM LINES/TUNNELS, AREA B (PHASE IA)	---	9,200
DEFENSE-WIDE		
COLUMBUS		
REPLACE PHYSICAL FITNESS FACILITY	5,500	---
ARMY NATIONAL GUARD		
COLUMBUS		
COMBINED SUPPORT MAINTENANCE SHOP (PHASE I)	---	9,980
ORGANIZATIONAL MAINTENANCE SHOP (ARMY NATIONAL GUARD DIVISION REDESIGN STUDY)	2,225	2,225
AIR NATIONAL GUARD		
TOLEDO EXPRESS AIRPORT		
REPLACE LOGISTICS COMPLEX	---	6,900
AIR FORCE RESERVE		
WRIGHT-PATTERSON AIR FORCE BASE		
C-5 AIRFIELD PAVEMENTS (PHASE I)	4,300	4,300
C-5 MULTI-PURPOSE HANGAR	16,821	16,821
TOTAL, OHIO	28,846	49,426
OKLAHOMA		
ARMY		
FORT SILL		
CIDC FIELD OPERATIONS BUILDING	---	3,400
CONSOLIDATED MAINTENANCE COMPLEX (PHASE III)	13,100	13,100
VEHICLE MAINTENANCE FACILITY	14,400	14,400
AIR FORCE		
ALTUS AIR FORCE BASE		
BASE CIVIL ENGINEERING COMPLEX (PHASE II)	---	7,000
TINKER AIR FORCE BASE		
ADDITION TO INTEGRATED SUPPORT FACILITY	---	8,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
TINKER AIR FORCE BASE		
ADDITION/ALTERATION HYDRANT FUEL SYSTEM	5,400	5,400
ARMY NATIONAL GUARD		
CAMP GRUBER TRAINING CENTER		
MULTI-PURPOSE MACHINE GUN RANGE	---	3,201
TOTAL, OKLAHOMA	32,900	54,501
OREGON		
ARMY NATIONAL GUARD		
EUGENE		
ARMED FORCES RESERVE CENTER (PHASE II)	12,635	12,635
SALEM		
ARMY AVIATION SUPPORT FACILITY	---	4,917
AIR FORCE RESERVE		
PORTLAND		
ADDITION/ALTERATION BUILDING 315 FOR PJ SQUADRON OPERATIONS	1,640	1,640
CONSOLIDATED TRAINING BUILDING (PHASE II)	3,800	3,800
MAINTENANCE HANGAR AND PAVEMENTS	12,400	12,400
TOTAL, OREGON	30,475	35,392
PENNSYLVANIA		
ARMY		
LETTERKENNY ARMY DEPOT		
IGLOO UPGRADE	---	5,400
DEFENSE-WIDE		
DEFENSE DISTRIBUTION DEPOT NEW CUMBERLAND		
CONSOLIDATED MAINTENANCE FACILITY	22,300	22,300
ARMY NATIONAL GUARD		
FORT INDIANTOWN GAP		
UNIT TRAINING EQUIPMENT SITE	---	20,387
ARMY RESERVE		
FORT INDIANTOWN GAP		
ARMY RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP	13,156	13,156
NAVY RESERVE		
WILLOW GROVE		
FITNESS CENTER	7,700	7,700
TOTAL, PENNSYLVANIA	43,156	68,943
RHODE ISLAND		
NAVY		
NAVAL STATION NEWPORT		
BULK FUEL STORAGE TANK	---	5,490
SOUTH CAROLINA		
NAVY		
BEAUFORT		
AIRCRAFT FIRE AND RESCUE FACILITY	---	5,480
NAVAL WEAPONS STATION CHARLESTON		
ELECTRONIC INTEGRATION AND SUPPORT FACILITY	---	12,209
AIR FORCE		
SHAW AIR FORCE BASE		
BASE LIBRARY	---	3,700
SEWER OUTFALL LINE TO WATEREE RIVER	3,300	3,300
DEFENSE-WIDE		
PARRIS ISLAND		
MEDICAL/DENTAL CLINIC REPLACEMENT	25,000	25,000
TOTAL, SOUTH CAROLINA	28,300	49,689

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
SOUTH DAKOTA		
AIR FORCE		
ELLSWORTH AIR FORCE BASE		
BASE OPERATIONS CENTER	---	9,867
ARMY NATIONAL GUARD		
MOBRIDGE		
READINESS CENTER	2,944	2,944
AIR NATIONAL GUARD		
JOE FOSS FIELD		
SQUADRON OPERATIONS FACILITY	---	7,000
TOTAL, SOUTH DAKOTA	2,944	19,811
TENNESSEE		
AIR FORCE		
ARNOLD AIR FORCE BASE		
ADD/ALTER WINGO INN VISITING QUARTERS	---	2,500
UPGRADE JET ENGINE AIR INDUCTION SYSTEM (PHASE V)	22,000	22,000
ARMY NATIONAL GUARD		
NASHVILLE		
READINESS CENTER (PHASE I)	---	9,142
SMYRNA		
JOINT ARMED FORCES RESERVE CENTER	---	13,589
AIR NATIONAL GUARD		
MEMPHIS INTERNATIONAL AIRPORT		
C-5 AIRCRAFT PARKING APRON AND HYDRANT REFUEL	15,500	15,500
C-5 CORROSION CONTROL HANGAR	26,000	26,000
C-5 SITE PREPARATION	---	5,000
TOTAL, TENNESSEE	63,500	93,731
TEXAS		
ARMY		
FORT BLISS		
MISSILE DEFENSE INSTRUCTION FACILITY	16,500	16,500
TACTICAL EQUIPMENT SHOP - AAMDC	---	2,900
FORT HOOD		
BARRACKS COMPLEX	49,888	49,888
COMMAND AND CONTROL FACILITY (PHASE II)	---	7,100
DIGITAL MULTIPURPOSE RANGE	28,200	28,200
FORT SAM HOUSTON		
GENERAL INSTRUCTION BUILDING	---	11,400
AIR FORCE		
DYESS AIR FORCE BASE		
FIRE CRASH RESCUE STATION	---	11,000
REFUELING VEHICLE MAINTENANCE SHOP	---	3,300
LACKLAND AIR FORCE BASE		
SECURITY FORCES TRAINING EXPANSION	2,596	2,596
LAUGHLIN AIR FORCE BASE		
T-1 SQUADRON OPERATIONS FACILITY	---	6,900
SHEPPARD AIR FORCE BASE		
F-22 TECHNICAL TRAINING FACILITY	21,284	21,284
STUDENT DORMITORY (300 ROOM)	29,000	29,000
DEFENSE-WIDE		
KINGSVILLE		
REPLACE JET FUEL STORAGE TANK	3,900	3,900
ARMY RESERVE		
CORPUS CHRISTI STORAGE COMPLEX		
CONTROLLED HUMIDITY STORAGE (PHASE I)	---	9,038
NAVY RESERVE		
FORT WORTH		
COMBINED RESERVE TRAINING ADMINISTRATIVE BUILDING	---	5,520
AIR FORCE RESERVE		
FORT WORTH		
AIRCRAFT PARTS STORE	---	1,850

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
LACKLAND AIR FORCE BASE		
ADDITION/ALTERATION C-5 AIRCRAFT GENERATION FACILITY	1,200	1,200
C-5 TRAINING LOAD ASSEMBLY FACILITY	1,850	1,850
C-5 TRAINING SCHOOLHOUSE COMPLEX	20,000	20,000
TOTAL, TEXAS	174,418	233,428
UTAH		
AIR FORCE		
HILL AIR FORCE BASE		
729TH ACS OPERATOINS/MAINTENANCE FACILITY	---	4,900
FITNESS CENTER	13,113	13,113
ICBM PROPELLANT ANALYSIS COMPLEX	---	7,700
ARMY RESERVE		
OGDEN		
ADDITION/ALTERATION ARMY RESERVE CENTER	7,932	7,932
TOTAL, UTAH	21,045	33,645
VERMONT		
AIR NATIONAL GUARD		
BURLINGTON INTERNATIONAL AIRPORT		
AIR MOBILIZATION FACILITY	---	6,000
VIRGINIA		
ARMY		
FORT A.P. HILL		
MOUT FACILITY (PHASE I)	---	6,800
SHOOT HOUSE	3,975	3,975
FORT LEE		
FIRE AND EMERGENCY SERVICES CENTER (PHASE III)	---	4,250
FORT MYER		
BARRACKS COMPLEX - SHERIDAN AVE (PHASE I)	49,526	49,526
NAVY		
CAMP ELMORE MARINE CORPS DETACHMENT		
COMMAND OPERATIONS FACILITY	13,500	13,500
LITTLE CREEK		
GATE 5 SECURITY IMPROVEMENTS	2,850	2,850
POLICE AND SECURITY OPERATIONS FACILITY	---	6,370
NORFOLK		
GATE 5 SECURITY IMPROVEMENTS	4,330	4,330
PIER 11 REPLACEMENT (PHASE II)	40,000	40,000
OCEANA NAVAL AIR STATION		
POST 2 SECURITY IMPROVEMENTS	2,770	2,770
QUANTICO		
BACHELOR ENLISTED QUARTERS	15,090	15,090
GREEN SIDE HANGAR COMPLEX	21,180	21,180
HQ AND SERVICE BN/TBS	---	4,470
HERITAGE CENTER ROAD IMPROVEMENTS	950	950
THE BASIC SCHOOL ARMORY	4,580	4,580
YORKTOWN		
ORDNANCE HANDLING VEHICLE MAINTENANCE SHOP	9,870	9,870
DEFENSE-WIDE		
DAM NECK		
SPECIAL OPERATIONS FORCES HIGH EXPLOSIVE MAGAZINE	1,400	1,400
SPECIAL OPERATIONS FORCES OPERATIONAL TRAINER SUPPORT FACILITY ADDITION	4,300	4,300
DEFENSE DISTRIBUTION DEPOT RICHMOND		
CONFERENCE CENTER	3,600	3,600
SECURITY ENHANCEMENTS	6,500	6,500
FORT A.P. HILL		
SPECIAL OPERATIONS FORCES GROUND MOBILITY SUPPORT BUILDING	1,500	1,500
FORT BELVOIR		
HOSPITAL REPLACEMENT (PHASE I)	43,000	43,000

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
LANGLEY AIR FORCE BASE		
ADDITION/ALTERATION HOSPITAL	50,800	50,800
LITTLE CREEK		
BOAT SUPPORT FACILITY	10,500	10,500
SEAL TEAM OPERATIONS FACILITY	---	9,000
SPECIAL OPERATIONS FORCES COMBAT SKILLS COMPOUND	12,700	12,700
SPECIAL OPERATIONS FORCES GROUND MOBILITY MAINTENANCE FACILITY	1,000	1,000
OCEANA NAVAL AIR STATION		
BULK FUEL STORAGE TANK	3,589	3,589
ARMY NATIONAL GUARD		
FORT PICKETT		
INFANTRY PLATOON BATTLE COURSE	5,170	5,170
MILITARY OPERATIONS ON URBAN TERRAIN ASSAULT COURSE	1,409	1,409
NAVY RESERVE		
NORFOLK		
VEHICLE MAINTENANCE FACILITY	3,290	3,290
TOTAL, VIRGINIA	317,379	348,269
WASHINGTON		
ARMY		
FORT LEWIS		
BARRACKS COMPLEX - 41ST DIVISION DR/B ST (PHASE II)	48,000	48,000
CHAPEL	---	8,200
NAVY		
BANGOR		
LIMITED AREA PRODUCTION AND STAGING COMPLEX	35,770	35,770
NSWCCD DET BANGOR LAB CONSOLIDATION (PHASE I)	---	6,970
BREMERTON		
BACHELOR ENLISTED QUARTERS - SHIPBOARD ASHORE	34,125	34,125
PUGET SOUND		
AIRCRAFT CARRIER MAINTENANCE COMPLEX	20,305	20,305
WHIDBEY ISLAND		
HAZARDOUS MATERIALS STOREHOUSE	---	1,990
ARMY NATIONAL GUARD		
CAMP MURRAY		
ADDITION/ALTERATION READINESS CENTER (ADRS)	1,400	1,400
ARMY RESERVE		
VANCOUVER		
LAND ACQUISITION	2,500	---
TOTAL, WASHINGTON	142,100	156,760
WEST VIRGINIA		
AIR NATIONAL GUARD		
EASTERN WEST VIRGINIA REGIONAL AIRPORT (MARTINSBURG)		
C-5 MAINTENANCE HANGAR AND SHOPS	36,000	36,000
C-5 AIRCRAFT PARKING APRON/HYDRANT SYSTEM	---	13,000
C-5 FLIGHT SIMULATOR	---	4,150
YEAGER AIR BASE		
FIRE CRASH RESCUE STATION	---	6,000
TOTAL, WEST VIRGINIA	36,000	59,150
WISCONSIN		
AIR NATIONAL GUARD		
TRUAX FIELD		
ASA - MUNITIONS MAINTENANCE AND STORAGE COMPLEX	5,900	5,900
VOLK FIELD		
SQUADRON OPERATIONS FACILITY	---	4,500
ARMY RESERVE		
FORT MCCOY		
INFANTRY PLATOON BATTLE COURSE	2,712	2,712

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
SQUAD DEFENSE RANGE	1,248	1,248
TOTAL, WISCONSIN	9,860	14,360
WYOMING		
AIR FORCE		
F.E. WARREN AIR FORCE BASE		
UPGRADE STORM WATER DRAINAGE SYSTEM (PHASE I)	---	5,500
BAHAMAS		
NAVY		
ANDROS ISLAND		
BACHELOR QUARTERS	20,750	---
DIEGO GARCIA		
NAVY		
DIEGO GARCIA		
SOLID WASTE MANAGEMENT CENTER	17,500	17,500
DEFENSE-WIDE		
DIEGO GARCIA		
DENTAL CLINIC REPLACEMENT	3,800	3,800
TOTAL, DIEGO GARCIA	21,300	21,300
GERMANY		
ARMY		
GRAFENWOEHR		
BARRACKS COMPLEX	28,500	28,500
BARRACKS COMPLEX - BRIGADE	34,000	34,000
BRIGADE SUPPORT COMPLEX	14,700	14,700
AIR FORCE		
RAMSTEIN AIR BASE		
SMALL DIAMETER BOMB FACILITIES	1,200	1,200
US AIR FORCE THEATER AEROSPACE OPERATIONS SUPPORT CENTER	24,204	24,204
DEFENSE-WIDE		
GRAFENWOEHR		
ADDITION/ALTERATION DISPENSARY/DENTAL CLINIC	13,000	13,000
NEW ELEMENTARY/MIDDLE SCHOOL	36,247	36,247
VILSECK		
VILSECK HIGH SCHOOL RENOVATION/ADDITION	9,011	9,011
TOTAL, GERMANY	160,862	160,862
GREENLAND		
AIR FORCE		
THULE AIR BASE		
DORMITORY (72 ROOM)	19,800	19,800
GUAM		
AIR FORCE		
ANDERSEN AIR FORCE BASE		
WAR RESERVE STORAGE FACILITY	19,593	19,593
DEFENSE-WIDE		
AGANA NAVAL AIR STATION		
GUAM HIGH SCHOOL REPLACEMENT	26,964	26,964
TOTAL, GUAM	46,557	46,557
ITALY		
ARMY		
LIVORNO		
WAREHOUSE OPERATIONS FACILITY	26,000	26,000
NAVY		
SIGONELLA		
ACCESS IMPROVEMENTS	7,430	7,430

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
BASE OPERATIONS SUPPORT (PHASE II)	15,120	15,120
AIR FORCE		
AVIANO AIR BASE		
ADDITION/ALTERATION WEAPONS LOAD/MAINTENANCE TRAINING FACILITY	2,300	2,300
AIRFIELD OBSTRUCTION - EXPAND NORTH RAMP (PHASE I)	1,626	1,626
FLIGHT SIMULATOR	2,834	2,834
TOTAL, ITALY	55,310	55,310
JAPAN		
AIR FORCE		
MISAWA AIR BASE		
EXPAND STRATEGIC AIRLIFT RAMP	6,700	---
DEFENSE-WIDE		
MISAWA AIR BASE		
HYDRANT FUEL SYSTEM	19,900	---
TOTAL, JAPAN	26,600	---
KOREA		
ARMY		
CAMP HUMPHREYS		
SANITARY SEWER SYSTEM	12,000	12,000
AIR FORCE		
KUNSAN AIR BASE		
DORMITORY (144 ROOM)	18,550	18,550
DORMITORY (144 ROOM)	18,550	18,550
OSAN AIR BASE		
DORMITORY (156 ROOM)	18,600	18,600
TOTAL, KOREA	67,700	67,700
MARIANA ISLANDS		
NAVY		
GUAM		
KILO WHARF IMPROVEMENTS	12,500	12,500
WATER TREATMENT PLANT UPGRADE	20,700	20,700
DEFENSE-WIDE		
GUAM		
SPECIAL OPERATIONS FORCES GROUND MOBILITY SUPPORT BUILDING	2,200	2,200
TOTAL, MARIANA ISLANDS	35,400	35,400
PORTUGAL		
AIR FORCE		
LAJES FIELD		
ADDITION/ALTERATION FITNESS CENTER (PHASE II)	5,689	5,689
DEFENSE-WIDE		
LAJES FIELD		
REPLACE HYDRANT FUEL SYSTEM	19,113	19,113
TOTAL, PORTUGAL	24,802	24,802
PUERTO RICO		
ARMY RESERVE		
AGUADILLA		
ARMY RESERVE CENTER	21,523	---
SPAIN		
NAVY		
ROTA		
COMMAND OPERATIONS CONSOLIDATION	32,700	21,700

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE		
ROTA		
AIRCRAFT PARKING APRON (PHASE II)	14,153	4,325
TOTAL, SPAIN	46,853	26,025
UNITED KINGDOM		
AIR FORCE		
ROYAL AIR FORCE LAKENHEATH		
4-BAY MISSION TRAINING CENTER	5,500	5,500
DEFENSE-WIDE		
ROYAL AIR FORCE STATION MILDENHALL		
SPECIAL OPERATIONS FORCES OPERATIONS/INTELLIGENCE FACILITY	10,200	---
TOTAL, UNITED KINGDOM	15,700	5,500
NORTH ATLANTIC TREATY ORGANIZATION (NATO)		
NATO SECURITY INVESTMENT PROGRAM	165,800	165,800
RESCISSION (P.L. 108-132)	---	-5,000
TOTAL, NATO	165,800	160,800
WORLDWIDE CLASSIFIED		
AIR FORCE		
CLASSIFIED LOCATION		
CLASSIFIED	28,090	28,090
SPECIAL TACTICAL UNIT DETACHMENT FACILITY	704	704
DEFENSE-WIDE		
CLASSIFIED LOCATION		
SPECIAL OPERATIONS FORCES BUILDING ADDITION	2,600	2,600
SPECIAL OPERATIONS FORCES INFORMATION OPERATIONS FACILITY ADDITION	4,800	4,800
TOTAL, WORLDWIDE CLASSIFIED	36,194	36,194
WORLDWIDE UNSPECIFIED		
ARMY		
UNSPECIFIED WORLDWIDE LOCATIONS		
HOST NATION SUPPORT	21,000	21,000
PLANNING AND DESIGN	130,335	135,999
UNSPECIFIED MINOR CONSTRUCTION	20,000	20,885
RESCISSION (P.L. 106-246)	---	-7,776
RESCISSION (P.L. 107-64)	---	-3,924
RESCISSION (P.L. 107-249)	---	-7,276
NAVY		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	87,067	90,830
UNSPECIFIED MINOR CONSTRUCTION	12,000	12,000
PRESIDENTIAL HELICOPTER PROGRAMS SUPPORT FACILITY	80,000	40,000
WHITE SIDE COMPLEX	18,560	18,560
RESCISSION (P.L. 108-132)	---	-24,000
AIR FORCE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	140,786	130,711
UNSPECIFIED MINOR CONSTRUCTION	13,000	13,280
PREDATOR B BEDDOWN	26,121	26,121
RESCISSION (P.L. 108-106)	---	-21,800
DEFENSE-WIDE		
UNSPECIFIED WORLDWIDE LOCATIONS		
CONTINGENCY CONSTRUCTION	10,000	10,000
ENERGY CONSERVATION IMPROVEMENT PROGRAM	60,000	50,000
SPECIAL OPERATIONS COMMAND	2,900	2,900
RESCISSION (P.L. 107-64)	---	-6,000
RESCISSION (P.L. 107-249)	---	-16,737

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
PLANNING AND DESIGN		
SPECIAL OPERATIONS COMMAND	10,566	11,184
PLANNING AND DESIGN	22,216	22,216
TRICARE MANAGEMENT ACTIVITY	29,400	29,400
SUBTOTAL, PLANNING AND DESIGN	62,182	62,800
UNSPECIFIED MINOR CONSTRUCTION		
TRICARE MANAGEMENT ACTIVITY	3,002	3,002
SPECIAL OPERATIONS COMMAND	2,710	2,710
MISSILE DEFENSE AGENCY	2,769	2,769
DEFENSE FINANCE AND ACCOUNTING SERVICE	1,497	1,497
UNDISTRIBUTED	3,000	3,000
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION	746	746
THE JOINT STAFF	7,214	7,214
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION	20,938	20,938
ARMY NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	30,845	38,502
UNSPECIFIED MINOR CONSTRUCTION	4,472	9,200
AIR NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	13,568	17,753
UNSPECIFIED MINOR CONSTRUCTION	5,500	5,840
RESCISSION (P.L. 108-132)	---	-5,000
ARMY RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	11,225	13,292
UNSPECIFIED MINOR CONSTRUCTION	2,923	2,923
NAVY RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	1,503	1,914
AIR FORCE RESERVE		
VARIOUS WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	5,493	6,714
UNSPECIFIED MINOR CONSTRUCTION	5,263	5,263
TOTAL, WORLDWIDE UNSPECIFIED	785,681	664,912
FAMILY HOUSING, ARMY		
ALASKA		
FORT RICHARDSON (92 UNITS	42,000	42,000
FORT WAINWRIGHT (100 UNITS)	41,000	41,000
FORT WAINWRIGHT (60 UNITS)	37,000	37,000
FORT WAINWRIGHT (86 UNITS)	46,000	46,000
ARIZONA		
FORT HUACHUCA (205 UNITS)	41,000	41,000
YUMA (55 UNITS)	14,900	14,900
KANSAS		
FORT RILEY (126 UNITS)	33,000	33,000
NEW MEXICO		
WHITE SANDS (156 UNITS)	31,000	31,000
OKLAHOMA		
FORT SILL (247 UNITS)	47,000	47,000
VIRGINIA		
FORT LEE (218 UNITS)	46,000	46,000
FORT MONROE (68 UNITS)	16,000	16,000
CONSTRUCTION IMPROVEMENTS	211,990	211,990
PLANNING AND DESIGN	29,209	29,209

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
RESCISSION (P.L. 107-249)	---	-21,000
SUBTOTAL, CONSTRUCTION	636,099	615,099
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	132,356	132,356
SERVICES ACCOUNT	36,174	36,174
MANAGEMENT ACCOUNT	74,895	74,895
MISCELLANEOUS ACCOUNT	1,333	1,333
FURNISHINGS ACCOUNT	37,411	37,411
LEASING	218,033	218,033
MAINTENANCE OF REAL PROPERTY	402,060	399,660
MORTGAGE INSURANCE PREMIUM	1	1
PRIVATIZATION SUPPORT COSTS	26,644	26,644
SUBTOTAL, OPERATION AND MAINTENANCE	928,907	926,507
TOTAL, FAMILY HOUSING, ARMY	1,565,006	1,541,606
FAMILY HOUSING, NAVY AND MARINE CORPS		
NORTH CAROLINA		
CHERRY POINT MARINE CORPS AIR STATION (198 UNITS)	27,002	27,002
CONSTRUCTION IMPROVEMENTS	112,105	112,105
RESCISSION (P.L. 107-64)	---	-5,564
RESCISSION (P.L. 108-132)	---	-6,737
SUBTOTAL, CONSTRUCTION	139,107	126,806
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	137,226	137,226
FURNISHINGS ACCOUNT	20,756	20,756
MANAGEMENT ACCOUNT	81,859	81,859
MISCELLANEOUS ACCOUNT	654	654
SERVICES ACCOUNT	57,691	57,691
LEASING	136,883	136,883
MAINTENANCE OF REAL PROPERTY	252,383	244,183
MORTGAGE INSURANCE PREMIUM	61	61
PRIVATIZATION SUPPORT COSTS	16,991	16,991
SUBTOTAL, OPERATION AND MAINTENANCE	704,504	696,304
TOTAL, FAMILY HOUSING, NAVY AND MARINE CORPS	843,611	823,110
FAMILY HOUSING, AIR FORCE		
ARIZONA		
DAVIS-MONTHAN AIR FORCE BASE (250 UNITS)	48,500	48,500
CALIFORNIA		
EDWARDS AIR FORCE BASE (218 UNITS)	41,202	41,202
VANDENBERG AIR FORCE BASE (120 UNITS)	30,906	30,906
FLORIDA		
MACDILL AIR FORCE BASE	1,250	1,250
MACDILL AIR FORCE BASE (61 UNITS)	21,723	21,723
IDAHO		
MOUNTAIN HOME AIR FORCE BASE (147 UNITS)	39,333	39,333
MISSISSIPPI		
COLUMBUS AIR FORCE BASE	711	711
MISSOURI		
WHITEMAN AIR FORCE BASE (160 UNITS)	37,087	37,087
MONTANA		
MALMSTROM AIR FORCE BASE (115 UNITS)	29,910	29,910

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
NORTH CAROLINA		
SEYMOUR JOHNSON AIR FORCE BASE (167 UNITS)	32,693	32,693
NORTH DAKOTA		
GRAND FORKS AIR FORCE BASE (90 UNITS)	26,169	26,169
MINOT AIR FORCE BASE (142 UNITS)	37,087	37,087
SOUTH CAROLINA		
CHARLESTON AIR FORCE BASE	1,976	1,976
SOUTH DAKOTA		
ELLSWORTH AIR FORCE BASE (75 UNITS)	21,482	21,482
TEXAS		
DYESS AIR FORCE BASE (127 UNITS)	28,664	28,664
GOODFELLOW AIR FORCE BASE (127 UNITS)	20,604	20,604
GERMANY		
RAMSTEIN AIR BASE (144 UNITS)	57,691	57,691
ITALY		
AVIANO AIR BASE	2,542	2,542
KOREA		
OSAN AIR BASE (117 UNITS)	46,834	46,834
UNITED KINGDOM		
ROYAL AIR FORCE LAKENHEATH (154 UNITS)	43,976	43,976
CONSTRUCTION IMPROVEMENTS	238,353	238,353
PLANNING AND DESIGN	38,266	38,266
RESCISSION (P.L. 106-246)	---	-13,451
RESCISSION (P.L. 107-64)	---	-25,720
RESCISSION (P.L. 108-132)	---	-6,000
SUBTOTAL, CONSTRUCTION	846,959	801,788
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	125,459	125,459
MANAGEMENT ACCOUNT	70,680	62,898
SERVICES ACCOUNT	26,070	26,070
FURNISHINGS ACCOUNT	44,459	41,959
MISCELLANEOUS ACCOUNT	2,396	2,396
LEASING	119,908	119,908
MAINTENANCE OF REAL PROPERTY	435,782	435,552
MORTGAGE INSURANCE PREMIUM	38	38
PRIVATIZATION SUPPORT COSTS	39,104	39,104
SUBTOTAL, OPERATION AND MAINTENANCE	863,896	853,384
TOTAL, FAMILY HOUSING, AIR FORCE	1,710,855	1,655,172
FAMILY HOUSING, DEFENSE-WIDE		
CONSTRUCTION IMPROVEMENTS (NATIONAL SECURITY AGENCY)	49	49
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT (NATIONAL SECURITY AGENCY (NSA))	471	471
FURNISHINGS ACCOUNT (NSA)	116	116
MANAGEMENT ACCOUNT (NSA)	13	13
MISCELLANEOUS ACCOUNT (NSA)	53	53
SERVICES ACCOUNT (NSA)	381	381
LEASING (NSA)	11,257	11,257
MAINTENANCE OF REAL PROPERTY (NSA)	1,939	1,939
FURNISHINGS ACCOUNT (DEFENSE INTELLIGENCE AGENCY)	3,925	3,925
LEASING (DEFENSE INTELLIGENCE AGENCY)	30,199	30,199
UTILITIES ACCOUNT (DEFENSE LOGISTICS AGENCY (DLA))	419	419
FURNISHINGS ACCOUNT (DLA)	36	36
SERVICES ACCOUNT (DLA)	76	76
MANAGEMENT ACCOUNT (DLA)	293	293

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
MAINTENANCE OF REAL PROPERTY (DLA)	397	397
SUBTOTAL, OPERATION AND MAINTENANCE	49,575	49,575
TOTAL, FAMILY HOUSING, DEFENSE-WIDE	49,624	49,624
CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE		
CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE	81,886	81,886
DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND		
DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND	2,500	2,500
RESCISSION (P.L. 107-249)	---	-10,808
RESCISSION (P.L. 108-132)	---	-8,301
TOTAL, DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND	2,500	-16,609
BASE REALIGNMENT AND CLOSURE ACCOUNT		
BASE REALIGNMENT AND CLOSURE ACCOUNT	246,116	246,116
GENERAL PROVISION		
GENERAL PROVISION (SEC. 118)	63,000	---
GRAND TOTAL	9,553,375	10,003,000

CONFERENCE TOTAL--WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2005 recommended by the Committee of Conference, with comparisons to the fiscal year 2004 amount, the 2005 budget estimates, and the House and Senate bills for 2005 follow:

(In thousands of dollars)

New budget (obligational) authority, fiscal year 2004	$	9,840,861
Budget estimates of new (obligational) authority, fiscal year 2005		9,553,375
House bill, fiscal year 2005		10,003,000
Senate bill, fiscal year 2005		10,003,000
Conference agreement, fiscal year 2005		10,003,000
Conference agreement compared with:		
New budget (obligational) authority, fiscal year 2004		+162,139
Budget estimates of new (obligational) authority, fiscal year 2005		+449,625
House bill, fiscal year 2005		+0
Senate bill, fiscal year 2005		+0

DIVISION B—EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR HURRICANE DISASTERS ASSISTANCE ACT, 2005

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

EMERGENCY CONSERVATION PROGRAM

The conference agreement provides an additional $100,000,000 for "Emergency Conservation Program," for expenses resulting from natural disasters, to remain available until expended.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

The conference agreement provides an additional $250,000,000 for "Emergency Watershed Protection Program" to repair damages to the waterways and watersheds resulting from natural disasters, to remain available until expended.

RURAL DEVELOPMENT

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides an additional $68,000,000 for the "Rural Community Advancement Program", to repair damages to water and waste disposal systems and community facilities resulting from natural disasters, to remain available until expended. The conference agreement provides that $50,000,000 shall be available for water and waste disposal grants, and $18,000,000 shall be available for community facility direct loans and grants. Funds provided under this heading shall be in addition to a state's regular program allocation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides an additional $5,000,000 in budget authority, which supports an estimated loan level of $17,000,000 for the section 504 direct housing repair and rehabilitation program as authorized by title V of the Housing Act of 1949, for damages resulting from natural disasters, to be available from funds in the rural housing insurance fund, for direct loans to section 504 borrowers. Funds provided under this heading shall be in addition to a state's regular program allocation.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides an additional $13,000,000 for "Rural Housing Assistance Grants", to remain available until expended, for damages resulting from natural disasters, of which $8,000,000 shall be for grants and contracts for very low-income housing repair, made by the Rural Housing Service, and of which

$5,000,000 shall be for domestic farm labor housing grants and contracts. Funds provided under this heading shall be in addition to a state's regular program allocation.

GENERAL PROVISIONS

Sec. 101. The conference agreement provides supplemental disaster assistance for losses due to hurricanes and tropical storms, including related conditions such as flooding. The conference agreement provides funding for losses under current law including, but are not limited to: cotton, peanuts, tobacco, clams, oysters and other shellfish, hay and forage, sod, tropical aquaculture, shrimp, lobster and other fish. The conference agreement includes a provision to offset the cost of this program.

Sec. 102. The conference agreement provides supplemental disaster assistance to compensate first processors and producers for losses due to hurricanes and tropical storms.

Sec. 103. The conference agreement provides that the Secretary of Agriculture shall carry out a dairy loss program.

Sec. 104. The conference agreement provides that the Secretary of Agriculture shall carry out a cottonseed assistance program. The conferees expect the Secretary to distribute the funds in a similar manner to that utilized previously to deliver the cottonseed assistance.

Sec. 105. The conference agreement provides that certain sections are to remain available until expended and are designated as an emergency requirement.

Sec. 106. The conference agreement provides that certain communities in Burlington and Camden Counties (NJ), affected by the 1,000–year flood which occurred on July 12, 2004, are deemed to be rural areas during fiscal year 2005 for certain rural development programs.

Sec. 107. The conference agreement authorizes financial and technical assistance to the Hope Mills Dam (NC) project.

Sec. 108. The conference agreement provides $90,000,000 to the fund established by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to make payments with respect to 2004 hurricane losses.

Sec. 109. The conference agreement provides not more than $4,000,000 for the Farm Service Agency to cover administrative expenses associated with the implementation of sections 101 and 102 of this chapter.

Sec. 110. The conference agreement provides $10,000,000 to provide assistance for timber losses.

Sec. 111. The conference agreement provides $8,500,000 for assistance to pecan producers.

CHAPTER 2

DEPARTMENT OF JUSTICE

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The conference agreement includes $5,500,000 for the Salaries and Expenses account of the Federal Prison System. The conferees understand that the amounts provided will fund salaries and other expenses related to repairing and replacing roofs and fences, cleaning up prison facilities, detailing medical staff to assist disaster victims, and transporting and relocating almost 5,000 Federal inmates from institutions affected by Hurricane Ivan and related storms.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

The conference agreement includes $18,600,000 for the Buildings and Facilities account of the Federal Prison System. The conferees understand that the amounts provided will fund roof repair, building and perimeter fence repair and replacement, and clean-up activities at numerous Federal prison facilities in Florida, Alabama, and Georgia that sustained damage in Hurricane Ivan and related severe storms.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

The conference agreement includes $16,900,000 for the Operations, Research and Facilities account of the National Oceanic and Atmospheric Administration. The conference agreement supports $1,200,000 to address damage to National Oceanic and Atmospheric Administration facilities and assets, including repairs for laboratory facilities, weather radio towers, and marine buoys, as well as costs associated with hurricane preparations; $2,900,000 to address impacts to endangered species, including assessment and restoration efforts for impaired habitat and Endangered Species Act responsibilities associated with disaster cleanup; $9,000,000 for reseeding, rehabilitation and restoration of oyster reefs in Alabama, Florida, Louisiana, and Mississippi due to damage from Hurricane Ivan; and $3,800,000 to address hurricane forecasting needs.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The conference agreement includes $3,800,000 for the Procurement, Acquisition and Construction account of the National Oceanic and Atmospheric Administration. The conference agreement provides $300,000 for hurricane prediction technology requirements

and $3,500,000 for airborne Doppler radar used for hurricane precipitation and wind field forecasting.

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

The conference agreement includes $929,000,000 for the Disaster Loans Program Account for loan subsidy costs and associated administrative expenses. The amounts provided will allow the Small Business Administration (SBA) to make disaster loans to individuals and businesses in the wake of Hurricanes Charley, Frances, Ivan, Jeanne, and other natural disasters. The conferees understand that the funding requirements for these storms will far exceed the five-year average of disaster loan-making activity resulting in the necessity for emergency appropriations. The amounts provided will allow the SBA to make approximately $5,500,000,000 of loans to individuals and businesses.

CHAPTER 3

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

Chapter 3 of the conference agreement recommends $909,400,000 for the Department of Defense in support of specific security, temporary relocation, cleanup, repair, and other related activities taken by the military services and defense activities in preparation for and recovery from Hurricanes Charley, Frances, Ivan, and Jeanne, Tropical Storm Bonnie, and other natural disasters.

Within the total amount provided, $762,800,000 is provided to the operation and maintenance appropriations for cleanup and repair of storm damage. Of this amount, the conferees have provided $662,800,000 directly to the military services and the Defense Health Program to meet the most immediate and urgent needs.

The conferees recommend $100,000,000 for the Operation and Maintenance, Defense-Wide account, with transfer authority available to the Secretary of Defense to maximize the Department of Defense's capability to allocate funds in the proper amounts and accounts. The Secretary of Defense may transfer these funds to appropriations for military personnel; operation and maintenance; the Defense Health Program; and working capital funds. Fifteen days prior written notification to the congressional defense committees is required before making transfers.

The conferees have provided $140,000,000 in the Procurement, Defense-Wide account with the authority to transfer funds to other accounts. These funds may be transferred to appropriations for operation and maintenance; procurement; and research, development, test and evaluation. Fifteen days prior written notification to the congressional defense committees is required. The conferees have directed five transfers of funds from the Procurement, Defense-Wide account, to other procurement and research and development accounts, to support specific purposes related to recovery from hurricanes, tropical storms and other natural disasters.

The following table provides details of the supplemental appropriations in this chapter.

[In thousands of dollars]

Account	Request	Recommended
Military Personnel:		
Military Personnel, Navy	1,000	0
Military Personnel, Air Force	13,225	0
Reserve Personnel, Air Force	0	0
Total Military Personnel	14,225	0
Operation and Maintenance:		
O&M, Army	2,844	8,600
[1][Ft. Bragg: COSCOM Barracks repair and renovation, $5,600]		
O&M, Navy	404,591	458,000
O&M, Marine Corps		1,300
O&M, Air Force	128,672	165,400
[1][CENTCOM Facilities Repair and Modification, $6,000]		
[1][CENTCOM Communications Repairs and Modification, $1,300]		
[1][MacDill AFB Storm Damage Recovery and Repair, $8,500]		
[1][Avon Park Range Storm Damage Recovery and Repair, $1,100]		
O&M, Defense-Wide	172,506	100,000
O&M, Army Reserve	1,442	1,400
O&M, Navy Reserve	399	1,000
O&M, Air Force Reserve		2,400
O&M, Army National Guard	3,350	10,500
[1][Florida Army National Guard facilities repair, $7,000]		
O&M, Air National Guard	1,085	2,200
Total Operation and Maintenance	714,889	750,800
Procurement:		
Other Procurement, Air Force	2,500	2,500
Procurement, Defense-Wide	102,500	140,000
[1][Transfer: APAF - Hurricane Tracking Equipment, $10,500]		
[1][Transfer: MPAF - Satellite Launch Delays, $10,000]		
[1][Transfer: OPAF - Satellite Launch Delays, $10,000]		
[1][Transfer: OPAF - CENTCOM COOP, $18,700]		
[1][Transfer: Eglin AFB Laboratory and Test Range Equipment, $20,000]		
Total Procurement	105,000	142,500

[In thousands of dollars]

Account	Request	Recommended
Revolving and Management Funds:		
Defense Working Capital Fund	77,000	4,100
[1][Working Capital Fund, Defense-Wide, $2,000]		
[1][Navy Working Capital Fund, $2,100]		
Total Revolving and Management Funds	77,000	4,100
Other Department of Defense Programs:		
Defense Health Program	10,286	12,000
Total Other DoD Programs	10,286	12,000
Grand Total, Emergency Appropriations, Chapter 3	921,400	909,400
Transfer Authority, New Appropriations, This Chapter, Section 305		200,000
Additional Transfers:		
Section 307:		
Procurement, Marine Corps		7,000
O&M, Marine Corps		-7,000
RDT&E, Defense-Wide		5,950
O&M, Army		-5,950
Department of Veterans Affairs, Medical Services		500
DHP		-500
O&M, Army National Guard		1,400
O&M, Army		-1,400

[In thousands of dollars]

Account	Request	Recommended
Summary of Appropriations, Chapter 3, By Component		
Total Army	7,636	20,500
Total Navy	405,990	459,000
Total Marine Corps	0	1,300
Total Air Force	145,482	172,500
Total Other Defense and O&M, D-W	362,292	256,100
	921,400	909,400

Notes:

[1] Congressional Interest Items for the purpose of the Base for Reprogramming (DD 1414). Items must be carried on the DD 1414 at the stated amount.

CHAPTER 3 REPORTING REQUIREMENTS

The conferees direct the Secretary of Defense during fiscal year 2005 to submit to the congressional defense committees no later than December 1, 2004, a quarterly comprehensive report on the distribution of funds by account and the purposes for which the funds have been used. This report shall detail both actual and projected obligations of appropriations provided in this chapter.

PERSONNEL EVACUATION COSTS

The President requested $12,125,000 to cover costs associated with the evacuation of military dependents during the recent hurricanes. The conferees provide the flexibility to reimburse the Services for fiscal year 2004 military personnel costs from funds provided in Operation and Maintenance, Defense-Wide, in order to preclude an Anti-deficiency Act violation in the Military Personnel accounts.

DELAWARE AIR NATIONAL GUARD

The conferees are aware of recent storm damage to facilities and equipment at the Air National Guard Headquarters in New Castle, Delaware. The conferees are aware that estimates of damages are still being assessed, and have provided the flexibility from funds made available in Operation and Maintenance, Defense-Wide and Procurement, Defense-Wide to repair facilities and repair or replace aircraft damaged in the tornado.

M–4 RIFLE REQUIREMENTS FOR OIF AND OEF

The conferees strongly encourage the Department of Defense to address current wartime needs for M–4 rifles and direct the Army to provide a report to the congressional defense committees outlining the requirements for M–4 rifles with respect to future Operation Iraqi Freedom and Operation Enduring Freedom deployments. This report should be submitted no later than November 15, 2004.

XM–8 FAMILY OF WEAPONS

The conferees support the Army's plans to begin fielding the XM–8 as the eventual replacement for the M–16 and M–4 families of weapons. Accordingly, the conferees strongly encourage the Department of Defense to accelerate the fielding of the XM–8 family of weapons from funds provided in the Department of Defense Appropriations Act for fiscal year 2005 (Public Law 180–287). The conferees direct the Army to provide a report to the congressional defense committees, not later than November 15, 2004, on plans to begin fielding the XM–8 family of weapons.

FORCE PROTECTION UPGRADES FOR EUROPEAN HOSPITALS

The conferees are aware of significant force protection and facility code requirements at Landstuhl Army Medical Center, Naval Hospital Sigonella and Naval Hospital Rota. The conferees recommend and encourage the Department of Defense to fund these urgent upgrades needed to continue providing quality patient protection.

GENERAL PROVISIONS—THIS CHAPTER

The conferees include a new general provision which provides that appropriations provided in this chapter are available for obligation until September 30, 2005, unless otherwise so provided.

The conferees include a new general provision which provides that funds appropriated in this chapter, or made available by the transfer of funds in or pursuant to this chapter, for intelligence activities are deemed to be authorized for purposes of section 504 of the National Security Act of 1947.

The conferees include a new general provision which prohibits the use of funds provided in this chapter to finance programs or activities denied by Congress for fiscal years 2004 or 2005 and requires written notification prior to initiating new start programs.

The conferees include a new general provision which amends Section 8007 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287), by striking the words "in session".

In the classified annex accompanying Public Law 108–287, the conferees provided certain guidance regarding Section 8090(b) of said Act. The conferees express their intent to further address the issues raised in that annex in subsequent fiscal year 2005 appropriations legislation.

The conferees include a new general provision which provides the Secretary of Defense with $200,000,000 in additional transfer authority, only for funds in this chapter, and only to meet hurricane and other natural disaster-related expenses.

The conferees include a new general provision which amends action 9010(b) of the Department of Defense Appropriations Act for a citation change.

The conferees include a new general provision which makes certain technical adjustments, transfers funds, and adjusts restrictions in the Department of Defense Appropriations Act, 2005 (Public Law 108–287). The general provision increases the number of armored passenger vehicles that may be purchased under Other Procurement, Army from 1 to 21; increases the maximum allowable cost from $200,000 to $275,000; and provides that vehicles purchased in excess of one may only be in direct support of force protection requirements. Additionally, it directs the following transfers of funds.

To: "Research, Development, Test and Evaluation, Defense-Wide, 2005/2006", $5,950,000, only for the National Media Exploitation Center for improved data and media capture, transformation and categorization activities;

From: "Operation and Maintenance, Army", $5,950,000.

To: "Procurement, Marine Corps, 2005/2007", $7,000,000, only for purchasing additional force protection x-ray imaging units for deployment to the Iraqi theater of operations.

From: "Operation and Maintenance, Marine Corps", as provided in title IX of Public law 108–287, $7,000,000.

To: The Department of Veterans Affairs, under the heading, "Medical Services", $500,000 only to allow White River Junction-Fort Ethan Allen Community Based Outpatient Clinic and the Vermont National Guard to purchase Veterans Administration health care services that provide Guardsmen and their family members the utmost in-patient care.

From: "Defense Health Program", Operation and Maintenance, $500,000, from an appropriation in House Report 108–622 for the same purposes.

To: "Operation and Maintenance, Army National Guard", $1,400,000, only for the Construction Transition Program, as described in House Report 108–283.

From: "Operation and Maintenance, Army", $1,400,000.

In addition, this provision amends Section 9014 of Public Law 108–287 to make clear the intent of the conferees this section's authority providing the Secretary of Defense with discretionary authority to present patriotic materials, including a United States flag, to military personnel who participate in Operation Enduring Freedom or Operation Iraqi Freedom.

The conferees include a new general provision which increases the authority provided in section 9007 of Public Law 108–287 for the Commanders' Emergency Response Program (CERP) from $300,000,000 to $500,000,000.

The conferees include a new general provision to make a technical adjustment to section 9006 of Public Law 108–287 to clarify a definition to include the Iraqi Armed Forces.

CHAPTER 4

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

The conference agreement provides for an additional $400,000 for General Investigations to update studies where necessitated by storm damage to shore protection projects, including the feasibility study for Walton County, Florida.

CONSTRUCTION, GENERAL

The conference agreement provides an additional $62,600,000 for Construction, General to provide for the repair of storm damage to authorized shore protection projects, and for time-sensitive data collection and analysis of the performance of shore protection projects, including the development of a three-dimensional physics-based analytical model.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI AND TENNESSEE

The conference agreement provides for an additional $6,000,000 for Flood Control, Mississippi River and Tributaries, for levee and revetment repair and for emergency dredging.

OPERATION AND MAINTENANCE, GENERAL

The conference agreement provides for an additional $145,400,000 for Operation and Maintenance, General for repair of storm damage to authorized projects.

FLOOD CONTROL AND COASTAL EMERGENCIES

The conference agreement provides for an additional $148,000,000 for Flood Control and Coastal Emergencies for emergency expenses for repair of damage to flood control and hurricane shore protection projects by storms and other natural disasters. Funding for the Flood Control and Coastal Emergencies appropriation account includes funds to restore flood control and hurricane shore protection projects to their pre-storm condition.

CHAPTER 5

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

The conference agreement appropriates $100,000,000 for necessary expenses to respond to the disasters caused by hurricanes and tropical storms in the Caribbean region. Language is included designating funding for emergency and overseas contingency operations.

The funds appropriated by this paragraph are made available notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

CHAPTER 6

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

The conferees agree to provide $33,367,310 for expenses resulting from the recent natural disasters in the southeastern United States, such as Hurricanes Charley, Frances, Ivan, and Jeanne. Funds are available until expended.

EMERGENCY PREPAREDNESS AND RESPONSE

DISASTER RELIEF

The conferees agree to provide an additional $6,500,000,000 for disaster relief activities associated with declared disasters, such as Hurricanes Frances, Ivan, and Jeanne. Funds are available until expended.

The conferees direct the Emergency Preparedness and Response (EP&R) Directorate to work with Putnam County, Illinois, to ensure the costs for damage caused by the tornado of April 2004, which are not covered by insurance and eligible under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), are promptly paid; to work with the City of Asheville, North Carolina, to ensure that the costs for damage caused by Hurricane Frances, which are eligible under the Robert T. Stafford Disaster

Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), are promptly paid; and to provide the City of Paso Robles, California, with compensation sufficient to conduct the repairs and retrofitting necessary, as a result of the damage sustained in the 2003 San Simeon earthquake, to bring the Carnegie Library into compliance with current, rather than 1907, state and local building codes and access laws. Furthermore, the conferees agree with the cost estimates and findings in the June 28, 2004 report done by Lotus General Contractors, Inc., with regard to the damages sustained to the main building at Flamson Middle School in the City of Paso Robles, California, as a direct result of the 2003 San Simeon earthquake, and direct EP&R to use that information to calculate the compensation to be provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to the Paso Robles Joint Unified School District. The conferees also encourage EP&R to work to ensure that the counties of West Virginia receive such assistance as necessary and appropriate to compensate those homeowners and businesses in the federally declared disaster area impacted by the remnants of Hurricane Ivan.

The conferees note the availability of section 404 hazard mitigation grant funding for mitigation projects, including buy-outs of flood-damaged properties, for the states of Nebraska, North Carolina, Maryland, Delaware, and Indiana. The conferees direct EP&R to work with these states to ensure that the counties in those states, which are eligible under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), receive such assistance as necessary and appropriate to compensate homeowners and businesses in the federally declared disaster area. The conferees are also aware that specific communities in Florida have significant amounts of debris as a result of hurricanes Charley, Frances, Ivan and Jeanne. The Department of Homeland Security's Federal Emergency Management Agency (FEMA) has authority under sections 206.223 and 206.224 of title 44, Code of Federal Regulations and internal guidance to make determinations as to the eligibility of removal of debris from private property. The conferees direct FEMA to use its authority to reimburse local governments for debris removal on privately-owned lands upon finding it is necessary to eliminate an immediate threat to life, public health and safety.

The conferees are aware that funding of activities related to previous federally declared disasters in fiscal years 2003 and 2004 has been temporarily suspended due to the high volume of new federal disasters declared in August and September. This includes disasters outside of the hurricane area and areas where there is a lack of rain. The supplemental appropriations provided are sufficient to not only meet recent disaster needs but also to fully restore funding for ongoing and new projects. The conferees direct EP&R to proceed as quickly as possible to fund all halted or postponed projects, within funds available, and to submit a comprehensive report on the status of any unfunded disaster relief project to the House and Senate Committees on Appropriations no later than February 15, 2005.

CHAPTER 7

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

The conference agreement provides an additional $40,552,000 for Construction, to address damages related to hurricanes and flooding events. While much of the funding is for damages in Florida, several States and Puerto Rico are covered by this appropriation.

NATIONAL PARK SERVICE

CONSTRUCTION

The conference agreement provides an additional $50,802,000 for Construction, to address damages related to hurricanes and flooding events, primarily in Florida, North Carolina, and Tennessee.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

The conference agreement provides an additional $1,000,000 for Surveys, Investigations, and Research, to address damages related to hurricanes and flooding events.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

The conference agreement provides an additional $49,100,000 for State and Private Forestry, to address damages related to hurricanes and flooding events, primarily in Florida. Based on current estimates, the conference agreement assumes that this funding includes $2,100,000 for forest health management, $10,000,000 for forest stewardship, $16,000,000 for State fire assistance, $4,000,000 for volunteer fire assistance, and $17,000,000 for urban and community forestry assistance. The Forest Service should notify the House and Senate Committees on Appropriations if the final storm assessments indicate that these funding levels need to be adjusted by more than twenty percent.

NATIONAL FOREST SYSTEM

The conference agreement provides an additional $12,153,000 for National Forest System, to address damages related to hurricanes and flooding events in Florida, North Carolina, South Carolina, Tennessee, Georgia, Alabama, Puerto Rico, Mississippi, and Virginia. Based on current estimates, the conference agreement assumes that this funding includes the following funding by activity:

$1,842,000 for forest products; $1,073,000 for wildlife and fish management; $1,686,000 for recreation; $200,000 for inventory and monitoring; $5,909,000 for vegetation and watershed management; and $1,443,000 for lands management. The Forest Service should notify the House and Senate Committees on Appropriations if the final storm assessments indicate that these funding levels need to be adjusted by more than twenty percent.

WILDLAND FIRE MANAGEMENT

The conference agreement provides an additional $1,028,000 for Wildland Fire Management, to address damages related to hurricanes and flooding events.

CAPITAL IMPROVEMENT AND MAINTENANCE

The conference agreement provides an additional $50,815,000 for Capital Improvement and Maintenance, to address damages related to hurricanes and flooding events in Florida, North Carolina, South Carolina, Tennessee, Georgia, Alabama, Puerto Rico, Mississippi, and Virginia. Based on current estimates, the conference agreement assumes that this funding includes the following funding by activity: $34,118,000 for roads; $8,036,000 for trails; and $8,661,000 facilities. The Forest Service should notify the House and Senate Committees on Appropriations if the final storm assessments indicate that these funding levels need to be adjusted by more than twenty percent.

CHAPTER 8

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DEPARTMENTAL MANAGEMENT

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The conference agreement includes a supplemental appropriation of $50,000,000 for the Public Health and Social Services Emergency Fund. This additional amount is for hurricane response and relief to aging Americans, children, families, persons with disabilities, low-income individuals, and the communities in which they live. The conferees understand that uses include, but are not limited to, helping provide nutritional, medical, and social services to affected elderly individuals; providing social services support to communities most affected by Hurricanes Charley, Frances, Ivan, and Jeanne; making available counseling services; helping offset the increase in un-reimbursed health care in affected communities; and addressing storm damage at community health centers in impacted areas.

The conferees request that the Secretary report to the Committees on Appropriations of the House of Representatives and the Senate on disbursement of these funds within 90 days of enactment of this Act. The report should include a table listing the governments and organizations that received grants or other direct assistance from these funds, showing the amount and purpose of each grant or other form of assistance. It should also include a descrip-

tion of any other uses of these funds, such as activities undertaken directly by the Department.

CHAPTER 9

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The conference agreement provides $138,800,000 for Military Construction, Navy and Marine Corps. These funds are for costs associated with the repair, restoration, or replacement of several facilities damaged or destroyed by Hurricane Ivan at the Pensacola Naval Air Station, Florida. The conference agreement recognizes that replacement of certain facilities may be more advantageous than repair or restoration, but the emergency funds provided are intended to meet capacity that existed before the hurricane, not to meet new requirements. In the event the Secretary of the Navy determines that replacement, rather than repair or restoration, of damaged facilities is warranted, the Secretary is required to provide notification to Congress fourteen days before funds are obligated for the replacement construction project.

MILITARY CONSTRUCTION, ARMY RESERVE

The conference agreement provides $8,700,000 for Military Construction, Army Reserve. These funds are for costs associated with rebuilding a reserve center damaged by Hurricane Ivan in Pensacola, Florida.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

The conference agreement provides $1,200,000 for Family Housing Operation and Maintenance, Army. These funds are for costs associated with housing repairs at facilities damaged by natural disasters.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

The conference agreement provides $9,100,000 for Family Housing Operation and Maintenance, Navy and Marine Corps. These funds are for costs associated with housing repairs at facilities damaged by natural disasters.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement provides $11,400,000 for Family Housing Operation and Maintenance, Air Force. These funds are for costs associated with housing repairs at facilities damaged by natural disasters.

BASE REALIGNMENT AND CLOSURE ACCOUNT

The conference agreement provides $50,000 to be deposited into the Department of Defense Base Closure Account 1990. These

funds are for costs associated with the repair of a perimeter fence destroyed by Hurricane Ivan at Naval Activity Puerto Rico.

CHAPTER 10

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conferees provide $5,100,000 for FAA "Facilities and equipment", to address expenses resulting from hurricanes Charley, Frances, Ivan, and Jeanne in the southeastern United States. The Administration requested the same amount under FAA "Operations". This funding is consistent with FAA's initial estimates of damage to radars, navigation and communications equipment, air traffic control towers, and other facilities. Funds are designated as an emergency requirement, to be derived from the airport and airway trust fund, and made available until expended.

EMERGENCY ASSISTANCE TO AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

The conferees provide $25,000,000 for FAA "Emergency assistance to airports", to reimburse public use airports for unanticipated capital expenses resulting from hurricanes Charley, Frances, Ivan, and Jeanne in the southeastern United States. Funds are designated as an emergency requirement, to be derived from the airport and airway trust fund, and made available until expended. The distribution of these funds is at the discretion of the Administrator of the Federal Aviation Administration.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL AID HIGHWAYS EMERGENCY RELIEF PROGRAM

(HIGHWAY TRUST FUND)

The conferees provide $1,202,000,000 to fund emergency expenses resulting from hurricanes Charley, Frances, Gaston, Ivan, and Jeanne, and other eligible activities authorized by 23 U.S.C. 125. Funds are to be derived from the highway trust fund and made available until expended. The bill provides funding to respond to the backlog of emergency needs arising largely from natural disasters in 2004 and prior years. As requested, the conference agreement exempts expenses for projects related to hurricanes Charley, Frances, Ivan, and Jeanne from the statutory cap of $100,000,000 per disaster, per state, because current estimates indicate that valid needs may exceed that cap. Consistent with the purpose of these funds, the entire amount has been designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95.

EXECUTIVE OFFICE OF THE PRESIDENT

UNANTICIPATED NEEDS

The conferees provide $70,000,000, as requested, for "Unanticipated Needs", to reimburse the American Red Cross for reimbursement of disaster relief and recovery expenses and emergency services associated with hurricanes Charley, Frances, Ivan, and Jeanne. The appropriation designates such expenses as an emergency requirement; stipulates that funds may be disbursed to any authorized federal agency; limits agency administrative costs to 3 percent; and requires the head of the U.S. Government Accountability Office to audit the use of such funds.

CHAPTER 11

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

The conferees have provided $38,283,000 for medical services for hurricane and tropical storm related expenses. The amount provided is the same as the amount requested by the President.

MEDICAL ADMINISTRATION

The conferees have provided $1,940,000 for medical administration for expenses incurred in response to hurricane relief efforts and other expenses. The amount provided is the same as the amount requested by the President.

MEDICAL FACILITIES

The conferees have provided $46,909,000 for medical facilities for hurricane and tropical storm related expenses at VA facilities. The amount provided is the same as the amount requested by the President.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

The conferees have provided $545,000 for general operating expenses. The amount provided is the same as requested by the President.

NATIONAL CEMETERY ADMINISTRATION

The conferees have provided $50,000 for the National Cemetery Administration for clean-up and repairs at national cemeteries damaged during hurricanes and related tropical storms. The amount provided is the same as requested by the President.

CONSTRUCTION, MINOR PROJECTS

The conferees have provided $36,343,000 for construction, minor projects to support repairs to VA facilities damaged during

hurricanes and related tropical storms. The amount provided is the same as requested by the President.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

The agreement provides $150,000,000 for disaster relief, long-term recovery, and mitigation in communities affected by disasters designated by the President between August 31, 2003 and October 1, 2004. The amount has been designated by the President as an emergency requirement.

In allocating these funds, the Department of Housing and Urban Development should work closely with the Federal Emergency Management Agency to ensure that these funds are used solely for disaster relief and are provided to areas facing the greatest need. The conferees direct HUD, prior to the allocation of funds, to provide the Committees on Appropriations with an explanation of the purpose for which funds are requested and how the activity or program was affected by the disaster. In addition, HUD is to continue to provide the Committees with quarterly reports on the use of CDBG funds provided for disaster relief.

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

BUILDINGS AND FACILITIES

The conferees have included $3,000,000 for the repair of the Environmental Protection Agency's Gulf Ecology Division Facilities in Gulf Breeze, Florida.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SPACE FLIGHT CAPABILITIES

The conferees have provided a total of $126,000,000 for repair of NASA facilities damaged during recent hurricanes and related events. The amount provided is the same as the budget request.

GENERAL PROVISION—THIS CHAPTER

(TRANSFER OF FUNDS)

The conferees have included a general provision which provides authority for the Secretary of Veterans Affairs to transfer funds from "Medical services" to "General operating expenses" for the purpose of expediting the processing of benefits claims.

CHAPTER 12

General Provision—This Act

The conference agreement includes section 1201, regarding the availability of funds.

Emergency Designations

For purposes of section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108–287, funds appropriated in this Division are provided in response to a situation which poses a direct threat to life and property, is sudden, is an urgent and compelling need, is unpredictable, and is not permanent in nature.

JOE KNOLLENBERG,
JAMES T. WALSH,
ROBERT B. ADERHOLT,
KAY GRANGER,
VIRGIL GOODE,
DAVID VITTER,
JACK KINGSTON,
ANDER CRENSHAW,
BILL YOUNG,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
SANFORD D. BISHOP, JR.,
NORMAN D. DICKS,
Managers on the Part of the House.

KAY BAILEY HUTCHISON,
CONRAD BURNS,
LARRY E. CRAIG,
MIKE DEWINE,
SAM BROWNBACK,
TED STEVENS,
DIANNE FEINSTEIN,
DANIEL K. INOUYE,
TIM JOHNSON,
MARY L. LANDRIEU,
ROBERT C. BYRD,
Managers on the Part of the Senate.

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