

HR 2555

Department of Homeland Security Appropriations Act, 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Economics and Public Finance

Introduced: Jun 23, 2003

Current Status: Became Public Law No: 108-90.

Latest Action: Became Public Law No: 108-90. (Oct 1, 2003)

Law: 108-90 (Enacted Oct 1, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/2555>

Sponsor

Name: Rep. Rogers, Harold [R-KY-5]

Party: Republican • State: KY • Chamber: House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Jun 23, 2003
Appropriations Committee	Senate	Markup by	Jul 11, 2003

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
108 HRES 374	Procedurally related	Sep 24, 2003: Motion to reconsider laid on the table Agreed to without objection.
108 HRES 293	Procedurally related	Jun 24, 2003: Motion to reconsider laid on the table Agreed to without objection.

(This measure has not been amended since the Conference Report was filed in the House on September 23, 2003. The summary of that version is repeated here.)

Department of Homeland Security Appropriations Act, 2004 - **Title I: Departmental Management and Operations** - Makes FY 2004 appropriations to the Department of Homeland Security (Department) for: (1) the Office of the Secretary and Executive Management; (2) the Office of the Under Secretary for Management; (3) Department-Wide Technology Investments; and (4) the Office of the Inspector General.

Title II: Security, Enforcement, and Investigations - Makes FY 2004 appropriations for: (1) the Office of the Under Secretary for Border and Transportation Security (salaries and expenses, and U.S. visitor and immigrant status indicator technology), (2) customs and border protection (salaries and expenses, automation modernization, and construction); (3) immigration and customs enforcement (salaries and expenses, Air and Marine interdiction, operations, maintenance and procurement); (4) Federal air marshals; (5) the Federal Protective Service; (6) the Transportation Security Administration (aviation security, maritime and land security, intelligence, research and development, and administration); (7) the U.S. Coast Guard (including a rescission of funds, operating expenses, environmental compliance and restoration, reserve training, acquisition, construction, and improvements, alteration of bridges, research, development, test, and evaluation, and retired pay); (8) the U.S. Secret Service (salaries and expenses); and (9) acquisition, construction, improvements, and related expenses.

Title III: Preparedness and Recovery - Makes FY 2004 appropriations for: (1) the Office for Domestic Preparedness; (2) firefighter assistance grants; (3) the Counterterrorism Fund; (4) the Office of the Under Secretary for Emergency Preparedness and Response (including for securing medical countermeasures against biological terror attacks); (5) the Radiological Emergency Preparedness Program; (6) disaster relief; (7) the Disaster Assistance Direct Loan Program Account; (8) the National Pre-Disaster Mitigation Fund; (9) the Flood Map Modernization Fund; (10) the National Flood Insurance Fund; (11) the National Flood Mitigation Fund; (12) emergency management performance grants; (13) emergency food and shelter; and (14) Cerro Grande fire claims.

Title IV: Research and Development, Training, Assessments, and Services - Makes FY 2004 appropriations for: (1). citizenship and immigration services; (2) the Federal Law Enforcement Training Center (salaries and expenses, acquisition, construction, improvements, and related expenses); (3) information analysis and infrastructure protection; and (4) science and technology (research, development, acquisition, and operations).

Title V: General Provisions - (Sec. 503) Prohibits the availability of funds provided in this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department, or from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates programs, projects, or activities; (3) increases funds for programs, projects, or activities that have been denied or restricted by Congress; or (4) proposes to use funds that have been directed for a specific activity by the appropriations committees for a different activity unless such committees are notified 15 days in advance.

(Sec. 505) Authorizes the use of appropriated funds for FY 2004 and thereafter for: (1) the purchase of uniforms without regard to the general purchase price limitations for the current fiscal year; (2) the purchase of insurance for official motor vehicles operated in foreign countries; (3) entering into contracts with the Department of State to furnish health and medical services to employees and their dependents serving in foreign countries; (4) the employment of experts and

consultants; and (5) the hire and purchase of motor vehicles.

(Sec. 508) Deems any funds made available by this Act for intelligence activities to be specifically authorized by Congress under the National Security Act of 1947 during FY 2004 until enactment of an Act authorizing such activities for FY 2004.

(Sec. 509) Directs the Federal Law Enforcement Training Center to establish an accrediting body of both Federal and non-Federal law enforcement training experts to establish standards for measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors. Requires the Center to ensure that all training centers under its control are operated at optimal capacity throughout the fiscal year.

(Sec. 513) Prohibits the use of Department funds: (1) for the production of customs declarations that do not inquire whether the passenger had been in the proximity of livestock; (2) for any activity or Government employee salary that would prohibit the enforcement of the ban of the Tariff Act of 1930 against the importation of goods mined, produced, or manufactured by convict labor; or (3) to allow the importation of goods (or the release of goods on which there is in effect a detention order) mined, produced, or manufactured by forced or indentured child labor.

(Sec. 517) Prohibits the use of funds in this Act to pursue or adopt regulations requiring airport sponsors to provide, without cost to the Transportation Security Administration (TSA), building construction, maintenance, utilities and expenses, or space for services relating to aviation security (excluding space for necessary checkpoints). Permits negotiations of below-market rates for these items.

(Sec. 518) Prohibits the use of funds in this Act in contravention of the Buy American Act.

(Sec. 519) Prohibits the use of funds provided by this or previous appropriations Acts for deployment or implementation on other than a test basis of the Computer Assisted Passenger Prescreening System (CAPPS II) until the General Accounting Office has reported to the Committees on Appropriations that: (1) a system of due process exists by which passengers considered to pose a threat may appeal their delay or prohibition from boarding a flight; (2) the underlying error rate of databases will not produce a large number of false positives that will result in a significant number of passengers being treated mistakenly or security resources being diverted; (3) the TSA has stressed-tested and demonstrated the efficacy and predictive accuracy of all search tools in CAPPS II; and (4) the Secretary of Homeland Security (Secretary) has established an internal oversight board to monitor the manner in which CAPPS II is being developed and prepared.

(Sec. 520) Requires the Secretary, for FY 2004 and thereafter, to charge reasonable fees for providing credentialing and background investigations in the field of transportation.

(Sec. 521) Directs the Secretary to research, develop, and procure certified systems to inspect and screen air cargo on passenger aircraft at the earliest possible date and to take certain preventive measures in the interim.

Actions Timeline

- **Oct 1, 2003:** Signed by President.
- **Oct 1, 2003:** Signed by President.
- **Oct 1, 2003:** Became Public Law No: 108-90.
- **Oct 1, 2003:** Became Public Law No: 108-90.
- **Sep 26, 2003:** Presented to President.
- **Sep 26, 2003:** Presented to President.
- **Sep 24, 2003:** Rule H. Res. 374 passed House.
- **Sep 24, 2003:** Mr. Rogers (KY) brought up conference report H. Rept. 108-280 for consideration under the provisions of H. Res. 374. (consideration: CR H8793-8802)
- **Sep 24, 2003:** DEBATE - Pursuant to H. Res. 374 the House proceeded with one hour of debate on the conference report to accompany H.R. 2555.
- **Sep 24, 2003:** The previous question was ordered without objection.
- **Sep 24, 2003:** Mr. Sabo moved to recommit with instructions to the conference committee. (consideration: CR H8801-8802; text: CR H8801)
- **Sep 24, 2003:** The previous question on the motion to recommit with instructions to conference committee was ordered without objection.
- **Sep 24, 2003:** On motion to recommit with instructions to conference committee Failed by the Yeas and Nays: 198 - 226 (Roll no. 514).
- **Sep 24, 2003:** The previous question was ordered without objection.
- **Sep 24, 2003:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 417 - 8 (Roll no. 515).
- **Sep 24, 2003:** Motions to reconsider laid on the table Agreed to without objection.
- **Sep 24, 2003:** On agreeing to the conference report Agreed to by the Yeas and Nays: 417 - 8 (Roll no. 515).
- **Sep 24, 2003:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Sep 24, 2003:** Conference report considered in Senate. (consideration: CR S11891-11897)
- **Sep 24, 2003:** Conference report agreed to in Senate: Senate agreed to conference report by Voice Vote.
- **Sep 24, 2003:** Senate agreed to conference report by Voice Vote.
- **Sep 24, 2003:** Message on Senate action sent to the House.
- **Sep 23, 2003:** Conference report filed: Conference report H. Rept. 108-280 filed.(text of conference report: CR H8425-8459)
- **Sep 23, 2003:** Conference report H. Rept. 108-280 filed. (text of conference report: CR H8425-8459)
- **Sep 23, 2003:** Rules Committee Resolution H. Res. 374 Reported to House. Rule provides for consideration of the conference report to H.R. 2555. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.
- **Sep 17, 2003:** Conference committee actions: Conferees agreed to file conference report.
- **Sep 17, 2003:** Conferees agreed to file conference report.
- **Sep 10, 2003:** Mr. Rogers (KY) asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference.
- **Sep 10, 2003:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection. (consideration: CR H8107-8111)
- **Sep 10, 2003:** Mr. Sabo moved that the House instruct conferees. (consideration: CR H8107; text: CR H8107)
- **Sep 10, 2003:** DEBATE - The House proceeded with one hour of debate on the Sabo motion to instruct conferees. The instructions contained in the motion seek to require the managers on the part of the House to insist on inclusion of the highest possible level of funding for each Homeland Security, preparedness and disaster response program within Title II, III and IV and on inclusion of House General Provision 521.
- **Sep 10, 2003:** At the conclusion of debate on the Sabo motion to instruct, the Chair put the question on the motion and by voice vote, announced that the noes had prevailed. Mr. Sabo requested the yeas and nays and the Chair postponed further proceedings on the question of the motion until later in the legislative day.
- **Sep 10, 2003:** On motion that the House instruct conferees Agreed to by the Yeas and Nays: 347 - 74 (Roll no. 494). (consideration: CR H8117-8118)

Sep 10, 2003: Motion to reconsider laid on the table Agreed to without objection.

- **Sep 10, 2003:** The Speaker appointed conferees: Rogers (KY), Young (FL), Wolf, Wamp, Latham, Emerson, Granger, Sweeney, Sherwood, Sabo, Price (NC), Serrano, Roybal-Allard, Berry, Mollohan, and Obey.
- **Jul 25, 2003:** Message on Senate action sent to the House.
- **Jul 24, 2003:** Considered by Senate. (consideration: CR S9830-9887)
- **Jul 24, 2003:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 93 - 1. Record Vote Number: 306.(text as passed Senate: CR 7/25/2003 S9980-9986)
- **Jul 24, 2003:** Passed Senate with an amendment by Yea-Nay Vote. 93 - 1. Record Vote Number: 306. (text as passed Senate: CR 7/25/2003 S9980-9986)
- **Jul 24, 2003:** Senate insists on its amendment, asks for a conference, appoints conferees Cochran; Stevens; Specter; Domenici; McConnell; Shelby; Gregg; Campbell; Craig; Byrd; Inouye; Hollings; Leahy; Harkin; Mikulski; Kohl; Murray.
- **Jul 23, 2003:** Considered by Senate. (consideration: CR S9748-9788)
- **Jul 22, 2003:** Considered by Senate. (consideration: CR S9672-9697; text of measure as reported in Senate: CR S9672-9680)
- **Jul 22, 2003:** The committee substitute agreed to by Unanimous Consent.
- **Jul 21, 2003:** Measure laid before Senate by unanimous consent. (consideration: CR S9623-9626, S9628-9629)
- **Jul 11, 2003:** Committee on Appropriations Subcommittee on Homeland Security. Approved for full committee consideration with an amendment in the nature of a substitute favorably.
- **Jul 10, 2003:** Committee on Appropriations. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 10, 2003:** Committee on Appropriations. Reported by Senator Cochran with an amendment in the nature of a substitute. With written report No. 108-86.
- **Jul 10, 2003:** Committee on Appropriations. Reported by Senator Cochran with an amendment in the nature of a substitute. With written report No. 108-86.
- **Jul 10, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 192.
- **Jun 25, 2003:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **Jun 24, 2003:** Rule H. Res. 293 passed House.
- **Jun 24, 2003:** Considered under the provisions of rule H. Res. 293. (consideration: CR H5744-5795; text of Title I as reported in House: CR H5754, H5756; text of Title II as reported in House: CR H5757, H5759, H5761, H5764; text of Title III as reported in House: CR H5769, H5770-5771; text of Title IV as reported in House: CR H5771-5772; text of Title V as reported in House: CR H5772-5773, H5775)
- **Jun 24, 2003:** Rule provides for consideration of H.R. 2555 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Waives all points of order against consideration of the bill. The bill shall be read for amendment by paragraph. Waives points of order against provisions in the bill for failure to comply with sec. 501 of H. Con. Res. 95, (prohibiting advanced appropriations) and clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. Bill is open to amendments. Authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record.
- **Jun 24, 2003:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 293 and Rule XXIII.
- **Jun 24, 2003:** The Speaker designated the Honorable Paul E. Gillmor to act as Chairman of the Committee.
- **Jun 24, 2003:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2555.
- **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Filner amendment under the five-minute rule.
- **Jun 24, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Filner amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Filner demanded a recorded vote and pursuant to the provisions of H. Res. 293, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with discussion on the Obey amendment pending reservation of a point of order.
- **Jun 24, 2003:** Mr. Obey appealed the ruling of the Chair. The question was then put on sustaining the ruling of the Chair.
- **Jun 24, 2003:** On sustaining the ruling of the Chair. Agreed to by recorded vote: 222 - 200 (Roll no. 305).

- Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the LoBiondo amendment under the five-minute rule.
- **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Terry amendment under the five-minute rule.
 - **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Maloney amendment pending reservation of a point of order.
 - **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Brady (TX) amendment under the five-minute rule.
 - **Jun 24, 2003:** Mr. Mica raised a point of order against the content of the measure. Mr. Mica stated that section 514 of the bill proposed to change existing law and constituted legislation in an appropriations bill. The Chair sustained the point of order.
 - **Jun 24, 2003:** Mr. Mica raised a point of order against the content of the measure. Mr. Mica stated that section 521 of the bill sought to change existing law and constituted legislation in an appropriations bill. The Chair sustained the point of order.
 - **Jun 24, 2003:** Mr. Mica raised a point of order against the content of the measure. Mr. Mica stated that section 522 of the bill proposed to change existing law and constituted legislation in appropriations bill. The Chair sustained the point of order.
 - **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Hayes amendment under the five-minute rule.
 - **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Markey amendment under the five-minute rule.
 - **Jun 24, 2003:** POSTPONED VOTE - At the conclusion of debate on the Markey amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Markey demanded a recorded vote and pursuant to the provisions of H. Res. 293, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
 - **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Manzullo amendment pending reservation of a point of order.
 - **Jun 24, 2003:** Mr. Filner appealed the ruling of the Chair. The question was then put on sustaining the ruling of the Chair.
 - **Jun 24, 2003:** On sustaining the ruling of the Chair. Agreed to by recorded vote: 385 - 28 (Roll no. 306).
 - **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Jackson-Lee, (TX) amendment pending reservation of a point of order.
 - **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Baldwin amendment pending reservation of a point of order.
 - **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Waters amendment pending reservation of a point of order.
 - **Jun 24, 2003:** The Committee of the Whole proceeded with debate on the Tancredo amendment pending reservation of a point of order.
 - **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Jackson-Lee amendment pending reservation of a point of order.
 - **Jun 24, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Tancredo amendment under the five minute rule.
 - **Jun 24, 2003:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2555.
 - **Jun 24, 2003:** The previous question was ordered without objection.
 - **Jun 24, 2003:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
 - **Jun 24, 2003:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 425 - 2 (Roll no. 310).
 - **Jun 24, 2003:** On passage Passed by the Yeas and Nays: 425 - 2 (Roll no. 310).
 - **Jun 24, 2003:** Motion to reconsider laid on the table Agreed to without objection.
 - **Jun 23, 2003:** Introduced in House
 - **Jun 23, 2003:** The House Committee on Appropriations reported an original measure, H. Rept. 108-169, by Mr. Rogers (KY).
 - **Jun 23, 2003:** The House Committee on Appropriations reported an original measure, H. Rept. 108-169, by Mr. Rogers (KY).

Jun 23, 2003: Placed on the Union Calendar, Calendar No. 84.

- **Jun 23, 2003:** Rules Committee Resolution H. Res. 293 Reported to House. Rule provides for consideration of H.R. 2555 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Waives all points of order against consideration of the bill. The bill shall be read for amendment by paragraph. Waives points of order against provisions in the bill for failure to comply with sec. 501 of H. Con. Res. 95, (prohibiting advanced appropriations) and clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. Bill is open to amendments. Authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record.