

HR 5441

Department of Homeland Security Appropriations Act, 2007

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Emergency Management

Introduced: May 22, 2006

Current Status: Became Public Law No: 109-295.

Latest Action: Became Public Law No: 109-295. (Oct 4, 2006)

Law: 109-295 (Enacted Oct 4, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/5441>

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	May 22, 2006
Appropriations Committee	Senate	Reported by	Jun 27, 2006

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

Bill	Relationship	Last Action
109 HR 6352	Related bill	Dec 8, 2006: Referred to the Subcommittee on Emergency Preparedness, Science, and Technology.
109 HR 5814	Related bill	Nov 17, 2006: House Committee on Energy and Commerce Granted an extension for further consideration ending not later than Dec. 8, 2006.
109 HRES 1054	Related bill	Sep 29, 2006: Motion to reconsider laid on the table Agreed to without objection.
109 HRES 836	Procedurally related	May 25, 2006: 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 28, 2006. The summary of that version is repeated here.)

Department of Homeland Security Appropriations Act, 2007 - **Title I: Departmental Management and Operations** - Makes appropriations for the Department of Homeland Security (DHS) for FY2007 for: (1) the Office of the Secretary of Homeland Security (Secretary) and executive management; (2) the Office of the Under Secretary for Management; (3) the Office of the Chief Financial Officer; (4) the Office of the Chief Information Officer; (5) analysis and operations; (6) the Office of the Federal Coordinator for Gulf Coast Rebuilding; and (7) the Office of Inspector General.

Prohibits the obligation of specified amounts of the funds provided for the Office of the Secretary and executive management until the Secretary submits to Congress: (1) a comprehensive port, container, and cargo security strategic plan that requires screening all inbound cargo, doubles the percentage currently inspected, sets minimum standards for securing it, and includes the FY2007 performance requirements specified in the joint explanatory statement accompanying this Act; and (2) the Secure Border Initiative multiyear strategic plan (by no later than December 1, 2006).

Directs the Inspector General to investigate and report to Congress on whether insurers under the Write-Your-Own program improperly attributed damages from Hurricane Katrina to flooding covered under the national flood insurance program rather than to windstorms covered by such insurers.

Title II: Security, Enforcement, and Investigations - Makes FY2007 appropriations for: (1) the U.S. Visitor and Immigrant Status Indicator Technology (U.S.-VISIT) project; (2) Customs and Border Protection (CBP), including for hiring additional border patrol agents, customs and border protection automated systems, border security fencing, infrastructure, and technology, and air and marine interdiction; (3) Immigration and Customs Enforcement (ICE), including for activities to enforce laws against forced child labor, and for automated systems and construction; (4) the Federal Protective Service; (5) the Transportation Security Administration (TSA), including for aviation security, surface transportation security, transportation threat assessment and credentialing, transportation security support, and Federal Air Marshals; (6) the U.S. Coast Guard, including for environmental compliance and restoration; and (7) the U.S. Secret Service.

Prohibits the obligation of specified funds for the U.S.-VISIT project until Congress receives and approves a plan for expenditure that includes: (1) a comprehensive strategic plan for the project; and (2) a complete schedule for the full implementation of a biometric exit program.

Directs TSA to submit to Congress a detailed air cargo security action plan by December 1, 2006, addressing each of the recommendations contained in the 2005 Government Accountability Office (GAO) Report on domestic air cargo security. Prohibits using funds in this Act to recruit or hire TSA personnel in excess of a staffing level of 45,000 full-time equivalent screeners.

Title III: Preparedness and Recovery - Makes FY2007 appropriations for: the immediate Office of the Under Secretary for Preparedness, the Office of the Chief Medical Officer, and the Office of National Capital Region Coordination. Requires the governors of West Virginia and Pennsylvania to be included in efforts to integrate the activities of federal, state, and local governments for purposes of planning, coordination, and execution of mass evacuation during a disaster in the National Capital Region.

Makes FY2007 appropriations for the Office of Grants and Training (OGT), including for grants to state and local

governments for terrorism prevention activities, firefighter assistance grants, emergency management performance grants, the U.S. Fire Administration, training, and infrastructure protection and information security. Directs the Secretary, by September 30, 2007, to distribute unallocated funds made available for assistance to specified tax-exempt entities, or corporations or foundations organized and operated exclusively for specified purposes (including religious, charitable, scientific, educational, or athletic purposes), determined to be at high-risk of international terrorist attack. States that the aggregate charges assessed during FY2007 for the Radiological Emergency Preparedness Program shall not be less than 100% of the necessary amounts anticipated by DHS.

Makes FY2007 appropriations for the Federal Emergency Management Agency (FEMA), including for the disaster assistance direct loan program, the Flood Map Modernization Fund, the National Flood Insurance Fund, the National Flood Mitigation Fund, the National Pre-Disaster Mitigation Fund, and an emergency food and shelter program.

Title IV: Research and Development, Training, and Services - Makes FY2007 appropriations for: (1) U.S. Citizenship and Immigration Services (CIS); (2) the Federal Law Enforcement Training Center; (3) the Office of the Under Secretary for Science and Technology; and (4) the Domestic Nuclear Detection Office.

Prohibits the obligation of specified sums: (1) until Congress approves a strategic transformation plan for CIS that has been approved by the Secretary and reviewed by GAO; (2) until Congress approves a report prepared by the Under Secretary of Science and Technology that describes progress to address financial management deficiencies, improve its management controls, and implement performance measures and evaluations; and (3) for full scale procurement of Advanced Spectroscopic Portal Monitors until the Secretary has certified that a significant increase in operational effectiveness will be achieved.

Title V: General Provisions - (Sec. 504) Provides that none of the funds appropriated to DHS may be used to make payments to the DHS Working Capital Fund except for the activities and amounts allowed in the President's FY2007 budget, excluding sedan and shuttle service, transit subsidy, mail operations, parking, and competitive sourcing.

(Sec. 506) Deems funds made available by this Act for intelligence activities to be specifically authorized by Congress during FY2007 until the enactment of an Act authorizing such activities for FY2007.

(Sec. 507) Directs the Federal Law Enforcement Training Center to lead the federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of federal law enforcement training programs.

(Sec. 508) Prohibits funds from being used to make a grant allocation, discretionary grant, or contract award, to issue a letter of intent totaling in excess of \$1 million, or to announce the intention to make such an award unless the Secretary notifies Congress at least three full business days in advance. Requires OGT to brief Congress five full business days in advance of announcing the intention of making an award of formula-based grants, law enforcement terrorism prevention grants, or high-threat, high-density urban areas grants.

(Sec. 510) Requires the Director of the Federal Law Enforcement Training Center to schedule law enforcement training to ensure that all four of its training facilities are operated at highest capacity.

(Sec. 514) Prohibits the use of funds for implementation, on other than on a test basis, of the Secure Flight Program or other passenger prescreening program until the Secretary certifies, and GAO reports, that specified requirements (including requirements related to due process rights, the accuracy of search tools, the establishment of an internal oversight board, and safeguards against abuse) have been met. Requires the Secretary to submit to Congress a detailed

plan describing the dates for achieving key milestones and the methodology to be followed to support the Secretary's certification. Prohibits: (1) during testing, using information gathered from passengers, air carriers, or reservation systems to screen passengers or restrict boarding, except where passenger names are matched to a watch list; and (2) utilizing funds to develop algorithms assigning risk to passengers whose names are not on such lists or for data or a database obtained from or under the control of a non-federal entity.

(Sec. 515) Prohibits the use of funds to: (1) amend the oath of allegiance required for naturalization; (2) process or approve a competition under Office of Management and Budget Circular A-76 for services provided as of June 1, 2004, by DHS Bureau of Citizenship and Immigration Services Immigration Information Officers, Contact Representatives, or Investigative Assistants; and (3) make Secret Service funds available for the protection of persons other than the Secretary. Provides that, beginning in FY2008, no Secret Service appropriations shall be made available for the protection of a person other than the Secretary and persons granted protection under provisions of the federal criminal code. Authorizes the Director of the Secret Service to enter into an agreement to perform such protection on a fully reimbursable basis for protectees not so designated.

(Sec. 518) Directs the Secretary to: (1) develop standards and protocols for increasing the use of explosive detection equipment to screen air cargo; and (2) research, develop, and procure new technologies to inspect and screen air cargo carried on passenger aircraft at the earliest date possible.

(Sec. 519) Requires TSA to report air cargo inspection statistics to Congress at the close of each quarter, including reasons for noncompliance with requirements to triple the percentage of cargo inspected on passenger aircraft.

(Sec. 525) Requires the Secretary to revise DHS MD 11056 to provide: (1) requirements for review of requests to release documents containing information designated as sensitive security information (SSI); and (2) common and extensive examples of the individual categories of SSI to minimize and standardize judgment by covered persons in the application of SSI marking.

Provides for access to SSI by parties in civil proceedings in U.S. district courts where the party demonstrates a substantial need of such SSI in the preparation of the party's case and that the party is unable without undue hardship to obtain the substantial equivalent of the information by other means, provided that the overseeing judge enters an order that protects the SSI from unauthorized or unnecessary disclosure and specifies the terms and conditions of access. Authorizes a civil penalty of up to \$50,000 for SSI violations.

(Sec. 526) Continues the DHS Working Capital Fund's operations during FY2007.

(Sec. 527) Rescinds specified unobligated balances of the Counterterrorism Fund.

(Sec. 531) Requires the Chief Financial Officer of DHS to submit to Congress a monthly budget and staffing report that includes total obligations and on-board versus funded full-time equivalent staffing levels.

(Sec. 532) Sets forth requirements regarding the use of funds (including the proceeds of undercover investigative operations) by the Secret Service for such operations, including certification, deposit, reporting, and audit requirements.

(Sec. 533) Requires the Director of the Domestic Nuclear Detection Office to operate extramural and intramural research, development, demonstrations, testing, and evaluation programs so as to distribute funding through grants, cooperative agreements, other transactions, and contracts.

(Sec. 534) Directs the Secretary to consider the Hancock County Port and Harbor Commission in Mississippi eligible

under the FEMA Public Assistance Program for costs incurred for dredging sediment deposited as a result of Hurricane George in 1998 from the navigation channel in Little Lake, Louisiana.

(Sec. 535) Prohibits the use of CBP funds to prevent an individual not in the drug importation business from importing from Canada a personal use quantity (not exceeding a 90-day supply) of a prescription drug that complies with the Federal Food, Drug, and Cosmetic Act and that is not a controlled substance or a biological product.

(Sec. 536) Requires DHS, in approving standards for state and local emergency preparedness operational plans, to account for the needs of individuals with household pets and service animals.

(Sec. 546) Amends the Intelligence Reform and Terrorism Prevention Act of 2004 to require implementation of the plan developed by the Secretary to require identity and citizenship documents for travel into the United States by U.S. citizens and by categories of individuals for whom documentation requirements have previously been waived on the basis of reciprocity (for nationals of foreign contiguous territory or adjacent islands) not later than the earlier of June 1, 2009, or three months after the Secretary and the Secretary of State makes certifications concerning: (1) security standards for a passport card architecture; (2) sharing of technology with the governments of Canada and Mexico; (3) U.S. Postal Service fees for the card; (4) an alternative procedure for groups of children traveling across an international border under adult supervision with parental consent; (5) the technological infrastructure and training necessary to process the cards; (6) card availability; and (7) establishment of a single implementation date for sea and land borders.

(Sec. 550) Requires the Secretary to issue interim final regulations establishing risk-based performance standards for the security of chemical facilities and requiring vulnerability assessments and the development and implementation of site security plans for chemical facilities that meet specified requirements. Sets civil penalties for violations. Directs the Secretary to audit and inspect facilities to determine compliance. Permits the Secretary to issue an order for a facility not in compliance to cease operation until the owner or operator complies with this section.

(Sec. 551) Amends the federal criminal code to prohibit constructing or financing the construction of a tunnel or subterranean passage that crosses the international border between the United States and another country other than a lawfully authorized tunnel or passage known to the Secretary and subject to ICE inspection.

Directs: (1) the court, in imposing sentence on a person convicted of a violation of, or conspiracy to violate, such prohibition, to order that the person forfeit to the United States specified property used in the commission of the offense, and any property that constitutes or is derived from or traceable to the proceeds obtained from commission of the offense, or used to facilitate, or intended to be used to facilitate, the commission of the offense; and (2) the U.S. Sentencing Commission to take specified steps, including ensuring that the sentencing guidelines reflect the serious nature of the offense, provide adequate base offense levels for such offense, and account for any aggravating or mitigating circumstances.

(Sec. 552) Prohibits the Secretary from taking any action to alter or reduce operations within the Civil Engineering Program of the Coast Guard nationwide until specified congressional committees receive and approve a plan on Program changes, including any modifications of functions, personnel, or offices.

(Sec. 553) Prohibits funds from being used to take an action that would violate Executive Order 13149 (relating to greening the government through federal fleet and transportation efficiency).

(Sec. 554) Directs TSA to: (1) require each air carrier to submit plans on participating in the voluntary provision of emergency services program; (2) prepare a report that contains procedures and relevant contacts for participating

individuals; and (3) make the report available to Congress, the emergency response agency of each state, and the relevant organizations representing participating individuals.

(Sec. 555) Requires the FEMA Director to report to the Senate and House Appropriations Committees outlining federal earthquake response plans for high-risk earthquake regions in the United States.

(Sec. 556) Requires the Secretary to establish revised procedures for expeditiously clearing individuals whose names have been mistakenly placed on a terrorist database list or who have names identical or similar to individuals on such a list.

(Sec. 557) Amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to prohibit any U.S. officer or employee, or person operating under color of federal law, under control of a federal official, or providing services to such person, while acting in support of relief from a major disaster or emergency, from: (1) seizing any firearm the possession of which is not prohibited under federal or state law, other than for forfeiture in compliance with federal law or as evidence in a criminal investigation; (2) requiring registration of any firearm for which registration is not required by federal or state law; (3) prohibiting possession of any firearm where such possession is not otherwise prohibited; or (4) prohibiting the carrying of a firearm by any person otherwise authorized to carry firearms, solely because such person is operating under the control of a federal agency in support of relief from a major disaster or emergency. Authorizes any individual aggrieved by a violation of this Act to seek relief by bringing an action for redress and by bringing a civil action in U.S. district court for return of a confiscated firearm.

(Sec. 558) Requires the Secretary to: (1) designate three foreign seaports through which containers pass or are transshipped to the United States to pilot an integrated scanning system that couples non-intrusive imaging equipment and radiation detection equipment, which may be provided by the Megaports Initiative of the Department of Energy (DOE); (2) consider three distinct ports with unique features and differing levels of trade volume; and (3) collaborate with the Secretary of Energy and cooperate with the private sector and host foreign governments to implement the pilot program.

Requires the Secretary, within one year, to achieve a full-scale implementation of the screening system, which shall: (1) scan all containers destined for the United States that transit through the terminal; (2) electronically transmit the images and information to the container security initiative personnel in the host country and/or CBP personnel in the United States for evaluation and analysis; (3) resolve every radiation alarm according to established procedures; (4) utilize the information collected to enhance the Automated Targeting System (ATS) or other relevant programs; and (5) store the information for later retrieval and analysis.

Directs the Secretary to: (1) determine whether such system has a sufficiently low false alarm rate, can be operated at ports overseas and integrated with existing systems, does not significantly impact trade capacity and flow of cargo, and provides an automated notification of questionable or high-risk cargo as a trigger for further inspection; (2) report on the pilot program, the efficacy of the ATS in utilizing the images captured to examine high-risk containers, the software capable of automatically identifying potential anomalies in scanned containers, and expanding the integrated scanning system to other container security initiative ports; and (3) seek to secure foreign government cooperation to initiate use of such technology at foreign ports to scan all cargo bound for the United States as quickly as possible.

Title VI: National Emergency Management - (Sec. 601) Post-Katrina Emergency Management Reform Act of 2006 -
Subtitle A: Federal Emergency Management Agency - Amends the Homeland Security Act of 2002 (the Act) to keep FEMA within DHS and to provide that FEMA's primary mission is to reduce the loss of life and property and protect the

nation from all hazards by leading and supporting the nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.

Requires the Administrator of FEMA to: (1) be appointed by the President from among individuals who have a demonstrated ability in and knowledge of emergency management and homeland security and not less than five years of executive leadership and management experience in the public or private sector; and (2) report to the Secretary without being required to report through any other DHS official. Designates the Administrator as the principal advisor to the President, the Homeland Security Council, and the Secretary for all matters relating to emergency management. Authorizes the President to designate the Administrator to serve as a member of the Cabinet in the event of disasters.

Directs the Administrator to provide federal leadership necessary to prepare for and respond to a disaster, including by: (1) helping to ensure the acquisition of operable and interoperable communications capabilities; (2) carrying out FEMA's mission to reduce the loss of life and property and protect the nation from all hazards by leading and supporting the nation in a risk-based, comprehensive emergency management system of mitigation, preparedness, response, and recovery; (3) preparing and implementing federal government plans for continuity of operations; (4) maintaining and operating the National Response Coordination Center or its successor; and (5) assisting the President in carrying out the functions under the national preparedness goal and system.

Transfers to FEMA all functions of the Directorate of Preparedness, as constituted on June 1, 2006, except for the Office of Infrastructure Protection, the National Communications System, the National Cybersecurity Division, and the Office of the Chief Medical Officer.

Directs that FEMA be maintained as a distinct entity within DHS. Prohibits the Secretary from reducing its authorities, responsibilities, functions, or capabilities, except as specifically provided in subsequent Acts. Prohibits certain transfers of FEMA assets, functions, or mission.

Requires: (1) the Administrator to establish 10 regional offices and area offices for the Pacific, for the Caribbean, and in Alaska; (2) each Regional Administrator to establish multi-agency strike teams to respond to disasters, including catastrophic incidents; and (3) the Secretary to establish a National Advisory Council to ensure coordination of federal preparedness, protection, response, recovery, and mitigation for disasters.

Establishes within FEMA a National Integration Center, a National Infrastructure Simulation and Analysis Center, a National Operations Center, and a Chief Medical Officer.

Directs the Secretary: (1) acting through the Administrator, to ensure that the National Response Plan provides for a clear chain of command to lead and coordinate the federal response to any disaster; and (2) the Administrator to enter into a memorandum of understanding with the administrators of the Emergency Management Assistance Compact, state, local, and tribal governments, and organizations that represent emergency response providers to collaborate on developing standards for deployment capabilities.

Sets forth provisions regarding evacuation plans and exercises. Directs the Administrator to appoint a Disability Coordinator.

Subtitle B: Personnel Provisions - Chapter 1: Federal Emergency Management Agency Personnel - (Sec. 621)

Directs the Administrator to: (1) develop and submit to Congress a strategic human capital plan, including a plan of action to address gaps in critical skills and competencies; and (2) publish information on career paths for FEMA personnel. Authorizes the Administrator to pay bonuses to recruit difficult to fill positions and to retain certain unusually highly or

uniquely qualified individuals. Directs the Administrator to report on a quarterly basis on vacancies in employee positions.

(Sec. 622) Directs the Secretary to establish the Homeland Security Rotation Program for DHS employees to expand DHS's knowledge base and build professional relationships and contacts.

(Sec. 623) Directs the Secretary, acting through the Administrator, to establish a graduate-level Homeland Security Education Program in the National Capital Region to provide educational opportunities to senior federal officials and selected state and local officials with homeland security and emergency management responsibilities.

(Sec. 624) Directs the Administrator to submit to Congress a plan to establish and implement a Surge Capacity Force for deployment of individuals to respond to disasters, including catastrophic incidents.

Chapter 2: Emergency Management Capabilities - (Sec. 631) Amends the Stafford Act to provide for the submission of a state catastrophic incident annex.

(Sec. 632) Directs the Administrator to provide evacuation preparedness technical assistance to state, local, and tribal governments.

(Sec. 633) Requires the President, acting through the FEMA Director, to establish at least three national response teams, sufficient regional response teams, and other response teams as necessary to meet the federal government's incident management responsibilities.

(Sec. 634) Establishes within FEMA the Urban Search and Rescue Response System. Reestablishes the Metropolitan Medical Response Program. Authorizes appropriations.

(Sec. 636) Directs the Administrator to: (1) develop an efficient, transparent, and flexible logistics system for procurement and delivery of goods and services necessary for an effective and timely response to disasters; and (2) establish a prepositioned equipment program to preposition standardized emergency equipment in at least 11 locations to sustain and replenish critical assets used by state, local, and tribal governments in response to disasters.

(Sec. 638) Directs the Administrator to establish Hurricanes Katrina and Rita recovery offices in Mississippi, Louisiana, Alabama, and Texas. Directs the Administrator to identify performance measures and provide incentives for the timely closeout of specified public assistance projects.

(Sec. 639) Directs the Administrator to enter into agreements with organizations to provide funds to emergency response providers to provide education and training in life supporting first aid to children.

(Sec. 640) Directs the Administrator to update and improve FEMA's information technology systems.

(Sec. 640a) Authorizes the Administrator, in the event of circumstances requiring an evacuation, sheltering, or mass relocation, to disclose information in any FEMA individual assistance database to law enforcement to identify illegal conduct or to address public safety or security issues, including compliance with sex offender notification laws.

Subtitle C: Comprehensive Preparedness System - Chapter 1: National Preparedness System - (Sec. 642) Directs the President, acting through the Administrator, to: (1) complete and update a national preparedness goal that defines the target level of preparedness to ensure the nation's ability to prevent, respond to, recover from, and mitigate against disasters; and (2) develop a national preparedness system to meet that goal. Lists components of the system, including target capabilities, preparedness priorities, and equipment and training standards.

(Sec. 645) Authorizes the Administrator to develop national planning scenarios to reflect the relative risk requirements presented by all hazards to provide the foundation for the flexible and adaptive development of target capabilities and the identification of target capability levels to meet the national preparedness goal.

(Sec. 646) Directs the Administrator to: (1) complete and update guidelines to define risk-based target capabilities for government preparedness that will enable the nation to prevent and respond to all hazards; (2) support the promulgation and updating of national voluntary consensus standards for equipment; (3) carry out a national training program to implement, and a national exercise program to test and evaluate, the national preparedness goal, the National Incident Management System (NIMS), the National Response Plan, and other related plans and strategies; (4) establish a comprehensive system to assess the nation's prevention capabilities and overall preparedness; (5) establish a remedial action management program; (6) accelerate the completion of the inventory of federal response capabilities; and (7) report annually on the nation's level of preparedness for all hazards, including annual estimates of FEMA and other federal agency resources needed for and devoted specifically to developing the government capabilities necessary to respond to a catastrophic incident. Requires states receiving federal preparedness assistance to report to the Administrator on the state's level of preparedness.

(Sec. 653) Directs the President to ensure that each federal agency with coordinating, primary, or supporting responsibilities under the National Response Plan: (1) has the operational capability to meet the national preparedness goal; (2) complies with NIMS; (3) develops, trains, and exercises rosters of response personnel; and (4) develops operational plans and capabilities to ensure a coordinated federal response to disasters in support of the National Response Plan. Requires the President to certify agency compliance annually.

(Sec. 654) Directs the Administrator to use existing preparedness documents, planning tools, and guidelines in establishing the national preparedness goal and system.

Chapter 2: Additional Preparedness - (Sec. 661) Authorizes the Administrator to make grants to administer the Emergency Management Assistance Compact.

(Sec. 662) Authorizes appropriations for the Emergency Management Performance Grants Program for FY2008.

(Sec. 663) Transfers the Noble Training Center to the Center for Domestic Preparedness.

(Sec. 664) Directs the President to establish a national exercise simulation center that uses: (1) a mix of live, virtual, and constructive simulations to meet specified goals, including preparing elected officials, emergency managers, emergency response providers, and emergency support providers to operate cohesively; and (2) modeling and simulation for training, exercises, and command and control functions at the operational level.

Subtitle D: Emergency Communications - (Sec. 671) 21st Century Emergency Communications Act of 2006 - Amends the Homeland Security Act of 2002 to establish in DHS an Office of Emergency Communications, to be headed by the Director for Emergency Communications.

Includes among the Director's responsibilities: (1) assisting the Secretary of DHS in developing and implementing the program to enhance public safety interoperable communications at all levels of government; (2) administering DHS authorities for the SAFECOM Program, the Integrated Wireless Network program, and the Interoperable Communications Technical Assistance Program; (3) establishing requirements for interoperable emergency communications capabilities for all public safety radio and data communications systems and equipment purchased using DHS assistance; and (4) coordinating with the Director of the Office for Interoperability and Compatibility and with the FEMA Administrator.

Directs the Secretary, through the Director, to: (1) develop and update a National Emergency Communications Plan to provide recommendations on accelerating the deployment of interoperable emergency communications; (2) assess the range of emergency communications capabilities needed; and (3) report biennially on DHS progress in achieving stated goals; and (4) ensure that grant guidelines for the use of homeland security assistance administered by DHS relating to interoperable emergency communications are coordinated and consistent with the goals and recommendations in the National Emergency Communications Report.

Requires the Secretary to support the development of national voluntary consensus standards for interoperable emergency communications. Allows the Secretary, acting through the Assistant Secretary for Grants and Planning, to prohibit any state, local, or tribal government from using DHS assistance for emergency communications capabilities if such government has not met specified requirements, including submission of a Statewide Interoperable Communications Plan, and if such national standards have not been developed and promulgated within three years.

Establishes: (1) in each regional office a Regional Emergency Communications Coordination Working Group; and (2) the Emergency Communications Preparedness Center to serve as the focal point for interagency efforts and as a clearinghouse with respect to all relevant intergovernmental information to promote interoperable emergency communications and the ability of emergency response providers and government officials to communicate in disasters. Requires the Center to submit to Congress annual strategic assessments.

Directs the Secretary to provide technical guidance, training, and other assistance to support the rapid establishment of consistent, secure, and effective interoperable emergency communications capabilities in the event of an emergency in areas determined to be at consistently high levels of risk from acts of terrorism, natural disasters, and other emergencies. Requires that such capabilities ensure the ability of all levels of government, emergency response and support providers, the private sector, and other organizations with emergency response capabilities to: (1) communicate with each other in the event of an emergency; (2) have appropriate and timely access to the Information Sharing Environment described in the National Security Intelligence Reform Act of 2004; and (3) be consistent with any applicable state or urban area homeland strategy or plan.

(Sec. 672) Amends the Act to require the Director of the Office of Interoperability and Compatibility to engage in specified activities, including: (1) assisting the Secretary in developing and implementing the science and technology aspects of public safety interoperable communications programs of the Intelligence Reform and Terrorism Prevention Act; (2) supporting the creation of national voluntary consensus standards; (3) establishing a comprehensive research, development, testing, and evaluation program; (4) evaluating and assessing new technology in real-world environments; and (5) coordinating with the private sector to develop solutions.

(Sec. 673) Directs the Under Secretary for Science and Technology, acting through the Director of the Office for Interoperability and Compatibility, to establish a comprehensive research and development program to promote the ability of emergency response providers and government officials to communicate in disasters, including, through interoperable emergency communications capabilities, among themselves.

(Sec. 674) Directs the Chairman of the Federal Communications Commission (FCC) to report to Congress on the status of efforts of state, local, and tribal governments to develop plans for rerouting 911 and E911 services in the event that public safety answering points are disabled during disasters.

Subtitle E: Stafford Act Amendments - (Sec. 681) Amends the Stafford Act to authorize the President, in a major disaster, to: (1) authorize precautionary evacuations; and (2) provide accelerated federal support in the absence of a

specific request.

Directs the President to promulgate and maintain guidelines to assist governors in requesting the declaration of a major disaster in advance of a disaster (including for the purpose of seeking assistance with special needs and other evacuation efforts) by defining the types of assistance available and the circumstances for approval.

(Sec. 682) Directs the Administrator to develop, coordinate, and maintain: (1) a National Disaster Recovery Strategy, which shall promote the use of the most appropriate and cost-effective building materials in any area affected by a major disaster, aimed at encouraging the construction of disaster-resistant buildings; and (2) a National Disaster Housing Strategy.

(Sec. 684) Increases the authorized percentage of federal contributions for a major disaster under the hazard mitigation grant program.

(Sec. 685) Authorizes making semi-permanent housing units a part of Stafford Act assistance.

(Sec. 686) Repeals maximum amounts authorized for repair of owner-occupied private residences, utilities, and residential infrastructure and for replacement of owner-occupied private residences, damaged by a major disaster.

(Sec. 687) Authorizes the President, where the area affected by a major disaster or emergency includes parts of more than one state, to appoint: (1) a single federal coordinating officer for the entire affected area; and (2) deputy federal coordinating officers.

(Sec. 688) Expands the scope of "private nonprofit facility" under the Stafford Act to include museums, zoos, libraries, performing arts facilities, senior citizen centers, and homeless shelters.

(Sec. 689) Directs the Administrator to develop guidelines to accommodate individuals with disabilities, which include guidelines for: (1) the accessibility of, and communications and programs in, shelters, recovery centers, and other facilities; and (2) devices used in connection with disaster operations, including first aid stations, mass feeding areas, portable pay-phone stations, portable toilets, and temporary housing.

(Sec. 689a) Amends the Stafford Act to require the President to issue regulations that prohibit discrimination based on disability and English proficiency in disaster assistance.

(Sec. 689b) Requires the Administrator, in coordination with the Attorney General, to establish: (1) within the National Center for Missing and Exploited Children, the National Emergency Child Locator Center (NECLC); and (2) procedures to make all relevant information available to NECLC in a timely manner to facilitate the expeditious identification and reunification of children with their families.

Sets forth NECLC purposes and responsibilities, including to: (1) establish a toll-free telephone number to receive reports and information about displaced children and adults; (2) create a website about displaced children; (3) refer reports to an entity designated by the Attorney General to provide technical assistance in locating displaced adults and to the National Emergency Family Registry and Locator System; (4) enter into cooperative agreements; and (5) develop an emergency response plan to prepare for its activation.

(Sec. 689c) Directs the Administrator to establish a National Emergency Family Registry and Locator System to help reunify families separated after an emergency or major disaster. Requires such system to: (1) allow a displaced adult to voluntarily register and a parent or guardian to register a displaced child by submitting personal information to be entered

into a database; (2) ensure that information submitted is accessible to individuals named by a displaced individual and to law enforcement officials; (3) be accessible through the Internet and through a toll-free number; and (4) include a means of referring displaced children to the NECLC.

(Sec. 689d) Amends the Stafford Act to provide that temporary housing assistance may include the payment of the cost of utilities, excluding telephone service, and that security deposits may be taken into consideration in determining the amount of assistance.

(Sec. 689e) Requires the FEMA Director to: (1) identify population groups with limited English proficiency and take such groups into account in planning for an emergency or major disaster; (2) ensure that information is made available to individuals affected by a major disaster or emergency in formats that can be understood by such groups and by individuals with special needs; and (3) develop and maintain an information clearinghouse of model language assistance programs and best practices for state and local governments.

(Sec. 689f) Authorizes the President to provide: (1) transportation assistance to relocate individuals displaced from their predisaster primary residences as a result of an incident declared under the Stafford Act to and from alternative locations for short- or long-term accommodation or to return such individuals to their residence or alternative location; and (2) case management services to state or local government agencies or qualified private organizations to identify and address unmet needs of disaster victims.

(Sec. 689g) Directs the President to designate in FEMA a Small State and Rural Advocate to assist small population states in preparing requests for major disaster or emergency declarations.

(Sec. 689h) Amends the Stafford Act to include education within the definition of "critical services" for which the President may contribute assistance to private nonprofit facilities.

(Sec. 689i) Directs the President, acting through the Administrator, to conduct a pilot program to make better use of existing rental housing in areas covered by a major disaster declaration where alternative temporary housing options are less available or less cost-effective. Authorizes the Administrator to: (1) enter into lease agreements with owners of multi-family rental property to house eligible individuals and households; (2) make improvements to properties under such agreements; and (3) limit repairs to those required to meet federal housing quality standards.

(Sec. 689j) Directs the President, acting through the Administrator, to conduct a pilot program to: (1) reduce the costs to the federal government of providing public assistance to states and local governments under the Stafford Act; (2) increase flexibility in the administration of that Act; and (3) expedite the provision of assistance to states and local governments.

(Sec. 689k) Provides for the disposal of FEMA temporary housing units not used to house individuals or households under the Stafford Act after the date of enactment of this Act, in coordination with the Department of the Interior or other appropriate agencies in order to transfer such units to tribal governments if appropriate.

Subtitle F: Prevention of Fraud, Waste, and Abuse - (Sec. 691) Requires the Administrator to report to Congress identifying: (1) recurring disaster response requirements that FEMA can and cannot contract for in advance of disasters in a cost-effective manner; and (2) a contracting strategy that maximizes the practical and cost effective use of advance contracts. Directs the Administrator to: (1) enter into contracts through competitive procedures for each type of good or service identified in accordance with such strategy; and (2) maintain contracts for appropriate levels of goods and services.

(Sec. 692) Directs the Secretary to promulgate regulations applicable to any cost-reimbursement type contract or task or delivery order in an amount greater than the simplified acquisition threshold entered into by DHS to facilitate response to or recovery from a disaster to minimize the excessive use of subcontractors. Requires such regulations to preclude a contractor from using subcontracts for more than 65% of the cost of the contract or the cost of any individual task or delivery order (excluding overhead and profit) unless the Secretary determines that such requirement is not feasible or practicable.

(Sec. 693) Authorizes the Administrator to designate up to 1% of the total amount provided to a federal agency for a mission assignment for oversight activities, including: (1) monitoring and controlling expenditures; (2) reviewing selected contracts; (3) investigating allegations of fraud; and (4) fraud prevention activities with federal, state, and local government personnel and contractors. Prohibits the use of oversight funds to finance existing agency oversight responsibilities related to direct agency appropriations used for disaster response, relief, and recovery activities.

(Sec. 694) Amends the Stafford Act to require any expenditure of federal funds for major disaster or emergency assistance activities carried out by a contract or agreement not awarded to an organization or individual residing or doing business primarily in the area affected by the disaster to be justified in writing. Requires an agency performing response, relief, and reconstruction activities to transition work performed under contracts in effect on the date the President declares the emergency or major disaster to organizations and individuals residing or doing business primarily in any area affected.

(Sec. 695) Directs the Secretary to restrict the period of any contract in an amount greater than the simplified acquisition threshold entered into by DHS using other than competitive procedures to facilitate response to or recovery from a disaster.

(Sec. 696) Directs the Administrator to ensure that: (1) all FEMA programs administering federal disaster relief assistance develop and maintain controls to prevent and detect fraud, waste, and abuse; (2) application databases used by FEMA to collect information on eligible recipients record disbursements; (3) such tracking is designed to identify ineligible applications; and (4) the databases used for applications for such assistance are integrated with disbursements and payment records. Requires specified audits and reviews and verification measures.

(Sec. 697) Directs the Administrator to establish and maintain a publicly available registry of contractors willing to perform debris removal, supply distribution, reconstruction, and other disaster or emergency relief activities.

(Sec. 698) Directs the Administrator to implement a program to provide training on the prevention of waste, fraud, and abuse of federal disaster relief assistance relating to the response to or recovery from disasters.

Subtitle G: Authorization of Appropriations - (Sec. 699) Authorizes appropriations for FEMA administration and operations for FY2008-FY2010.

Actions Timeline

- **Oct 4, 2006:** Signed by President.
- **Oct 4, 2006:** Signed by President.
- **Oct 4, 2006:** Became Public Law No: 109-295.
- **Oct 4, 2006:** Became Public Law No: 109-295.
- **Oct 3, 2006:** Presented to President.
- **Oct 3, 2006:** Presented to President.
- **Sep 29, 2006:** Mr. Rogers (KY) brought up conference report H. Rept. 109-699 for consideration under the provisions of H. Res. 1054.
- **Sep 29, 2006:** DEBATE - The House proceeded with one hour of debate on H.R. 5441.
- **Sep 29, 2006:** DEBATE - The House resumed debate on H.R. 5441.
- **Sep 29, 2006:** POSTPONED PROCEEDINGS - At the conclusion of the debate on the Conference Report to accompany H.R. 5441, the Chair announced that pursuant to the Rules of the House, the Yeas and Nays were ordered. Subsequently, the Chair postponed further proceedings on the question of adoption on the Conference Report until later in the legislative day.
- **Sep 29, 2006:** The House proceeded to consider the conference report H.Rept. 109-699 as unfinished business. (consideration: CR H7877-7886, H7989)
- **Sep 29, 2006:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 412 - 6 (Roll no. 509).
- **Sep 29, 2006:** Motions to reconsider laid on the table Agreed to without objection.
- **Sep 29, 2006:** On agreeing to the conference report Agreed to by the Yeas and Nays: 412 - 6 (Roll no. 509).
- **Sep 29, 2006:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Sep 29, 2006:** Conference report agreed to in Senate: Senate agreed to conference report by Voice Vote.(consideration: CR S10618-10632)
- **Sep 29, 2006:** Senate agreed to conference report by Voice Vote. (consideration: CR S10618-10632)
- **Sep 29, 2006:** Message on Senate action sent to the House.
- **Sep 28, 2006:** Conference report filed: Conference report H. Rept. 109-699 filed.(text of conference report: CR H7784-7848)
- **Sep 28, 2006:** Conference report H. Rept. 109-699 filed. (text of conference report: CR H7784-7848)
- **Sep 25, 2006:** Conference committee actions: Conferees agreed to file conference report.
- **Sep 25, 2006:** Conferees agreed to file conference report.
- **Sep 21, 2006:** Mr. Rogers (KY) moved that the House disagree to the Senate amendment, and agree to a conference.
- **Sep 21, 2006:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to by voice vote. (consideration: CR H6896)
- **Sep 21, 2006:** The Speaker appointed conferees: Rogers (KY), Wamp, Latham, Emerson, Sweeney, Kolbe, Istook, Crenshaw, Carter, Lewis (CA), Sabo, Price (NC), Serrano, Roybal-Allard, Bishop (GA), Berry, Edwards, and Obey.
- **Sep 21, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 17, 2006:** Message on Senate action sent to the House.
- **Jul 17, 2006:** Message on Senate action sent to the House.
- **Jul 13, 2006:** Considered by Senate. (consideration: CR S7455-7504)
- **Jul 13, 2006:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 100 - 0. Record Vote Number: 203.(text: CR 7/17/2006 S7633-7650)
- **Jul 13, 2006:** Passed Senate with an amendment by Yea-Nay Vote. 100 - 0. Record Vote Number: 203. (text: CR 7/17/2006 S7633-7650)
- **Jul 13, 2006:** Senate insists on its amendment, asks for a conference, appoints conferees Gregg; Cochran; Stevens; Specter; Domenici; Shelby; Craig; Bennett; Allard; Byrd; Inouye; Leahy; Mikulski; Kohl; Murray; Reid; Feinstein.
- **Jul 12, 2006:** Considered by Senate. (consideration: CR S7366-7407)
- **Jul 11, 2006:** Considered by Senate. (consideration: CR S7293-7305, S7306-7328)
- **Jul 10, 2006:** Measure laid before Senate by unanimous consent. (consideration: CR S7264-7278; text of measure as reported in Senate: CR S7264-7271)
- **Jul 10, 2006:** The committee substitute agreed to by Unanimous Consent.

Jun 29, 2006: Committee on Appropriations. Ordered to be reported with an amendment in the nature of a substitute favorably.

- **Jun 29, 2006:** Committee on Appropriations. Reported by Senator Gregg with an amendment in the nature of a substitute. With written report No. 109-273.
- **Jun 29, 2006:** Committee on Appropriations. Reported by Senator Gregg with an amendment in the nature of a substitute. With written report No. 109-273.
- **Jun 29, 2006:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 503.
- **Jun 27, 2006:** Committee on Appropriations Subcommittee on Homeland Security. Approved for full committee consideration with an amendment in the nature of a substitute favorably.
- **Jun 7, 2006:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **Jun 6, 2006:** Considered as unfinished business. (consideration: CR H3367-3376)
- **Jun 6, 2006:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jun 6, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Culberson amendment.
- **Jun 6, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Matsui amendment, pending reservation of a point of order.
- **Jun 6, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the King (IA) amendment, pending reservation of a point of order.
- **Jun 6, 2006:** POSTPONED PROCEEDINGS - At the conclusion of debate on the King (IA) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Ms. Loretta Sanchez demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jun 6, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Deal amendment, pending reservation of a point of order.
- **Jun 6, 2006:** DEBATE - Pursuant to a previous special order, the Committee of the Whole proceeded with 10 minutes of debate on the Obey amendment, pending reservation of a point of order.
- **Jun 6, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Kingston amendment.
- **Jun 6, 2006:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Kingston amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Kingston demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jun 6, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Bishop (NY) amendment.
- **Jun 6, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Price (GA) amendment.
- **Jun 6, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Garrett (NJ) amendment, pending reservation of a point of order.
- **Jun 6, 2006:** Mr. Rogers (KY) moved that the Committee rise.
- **Jun 6, 2006:** On motion that the Committee rise Agreed to by voice vote.
- **Jun 6, 2006:** Committee of the Whole House on the state of the Union rises leaving H.R. 5441 as unfinished business.
- **Jun 6, 2006:** Considered as unfinished business. (consideration: CR H3380-3384, H3385)
- **Jun 6, 2006:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jun 6, 2006:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jun 6, 2006:** Mr. Rogers (KY) moved for the Committee of the Whole to rise and report.
- **Jun 6, 2006:** On motion to rise and report Agreed to by voice vote.
- **Jun 6, 2006:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5441.
- **Jun 6, 2006:** The previous question was ordered pursuant to the rule.
- **Jun 6, 2006:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.

Jun 6, 2006: Mrs. Lowey moved to recommit with instructions to Appropriations. (consideration: CR H3383-3384; text: CR H3383)

- **Jun 6, 2006:** The instructions contained in the motion seek to require that the bill be reported back to the House with an amendment providing for an additional \$750 million for state and local formula based grants and high-threat, high-density urban area grants so that no state or urban area receive funding below what it received in 2005 or 2006, whichever is higher, and offset by a 1.8 percent reduction in the tax reduction resulting from the enactment of Public Laws 107-16, 108-27, and 108-311 for taxpayers with income in excess of \$1 million for calendar year 2007.
- **Jun 6, 2006:** Point of order sustained against the motion to recommit with instructions.
- **Jun 6, 2006:** Mr. Rogers (KY) raised a point of order against the motion to recommit with instructions. The provisions of the instructions contained in the motion to recommit violate the Rules of the House by constituting legislation in an appropriations bill. Sustained by the Chair.
- **Jun 6, 2006:** Mrs. Lowey appealed the ruling of the chair. The question was then put on sustaining the ruling of the chair.
- **Jun 6, 2006:** Mr. Rogers (KY) moved to table the appeal of the ruling of the Chair.
- **Jun 6, 2006:** On motion to table the appeal of the ruling of the Chair Agreed to by recorded vote: 207 - 191, 2 Present (Roll no. 225).
- **Jun 6, 2006:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 389 - 9 (Roll no. 226).
- **Jun 6, 2006:** On passage Passed by the Yeas and Nays: 389 - 9 (Roll no. 226).
- **Jun 6, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 6, 2006:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 5441.
- **May 25, 2006:** Rule H. Res. 836 passed House.
- **May 25, 2006:** Considered under the provisions of rule H. Res. 836. (consideration: CR H3269-3301, CR 5/26/2006 H3311-3329; text of Title I as reported in House: CR H3290, H3297, CR 5/26/2006 H3320, H3321; text of Title II as reported in House: CR 5/26/2006 H3321-3322, H3323-3324, H3324, H3325, H3326-3328; text of Title III as reported in House: CR 5/26/2006 H3328, H3328-3329, H3331; text of Title IV as reported in House: CR 5/26/2006 H3331, H3332; text of Title V as reported in House: CR 5/26/2006 H3333-3335)
- **May 25, 2006:** Rule provides for consideration of H.R. 5441 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **May 25, 2006:** The Speaker designated the Honorable Paul E. Gillmor to act as Chairman of the Committee.
- **May 25, 2006:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 836 and Rule XVIII.
- **May 25, 2006:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 5441.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Sabo amendment under the five-minute rule.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Kucinich amendment under the five-minute rule.
- **May 25, 2006:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Kucinich amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Kucinich demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Brown (OH) under the five-minute rule.
- **May 25, 2006:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Brown (OH) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Brown (OH) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the King (IA) amendment under the five-minute rule.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Jackson-Lee (TX) amendment under the five-minute rule.
- **May 25, 2006:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Jackson-Lee amendment, the Chair

put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mrs. Jackson-Lee demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.

- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the Langevin amendment under the five-minute rule.
- **May 25, 2006: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Langevin amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Langevin demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the Stupak amendment under the five-minute rule.
- **May 25, 2006: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Stupak amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Stupak demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the Markey amendment under the five-minute rule.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the Lynch amendment under the five-minute rule.
- **May 25, 2006: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Lynch amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Lynch demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the DeFazio amendment under the five-minute rule, pending reservation of a point of order.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the Pascrell amendment under the five-minute rule.
- **May 25, 2006: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Pascrell amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Pascrell demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the Markey amendment under the five-minute rule, pending reservation of a point of order. The reservation of a point of order was later withdrawn.
- **May 25, 2006: POSTPONED PROCEEDINGS** - 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 the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the DeFazio amendment under the five-minute rule.
- **May 25, 2006: POSTPONED PROCEEDINGS** - At the conclusion of debate on the DeFazio amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. DeFazio demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the Marshall amendment under the five-minute rule.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the Marshall amendment under the five-minute rule.
- **May 25, 2006: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Marshall amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Marshall demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the Poe amendment under the five-minute rule.
- **May 25, 2006: DEBATE** - The Committee of the Whole proceeded with debate on the King (IA) amendment under the five-minute rule.

- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Reyes amendment under the five-minute rule, pending reservation of a point of order.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Mica amendment under the five-minute rule.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Reyes amendment under the five-minute rule.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Fossella amendment under the five-minute rule.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Jindal amendment under the five-minute rule.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Jindal amendment under the five-minute rule.
- **May 25, 2006:** Mr. Rogers (KY) moved that the Committee rise.
- **May 25, 2006:** On motion that the Committee rise Agreed to by voice vote.
- **May 25, 2006:** Committee of the Whole House on the state of the Union rises leaving H.R. 5441 as unfinished business.
- **May 25, 2006:** ORDER OF PROCEDURE--AMENDMENT UNIVERSE - Mr. Rogers of Kentucky asked unanimous consent that, during further consideration of H.R. 5441 in the Committee of the Whole, pursuant to H. Res. 836, no further amendments to the bill shall be in order except those on a list placed at the desk. Agreed to without objection.
- **May 25, 2006:** Considered as unfinished business. (consideration: CR 5/26/2006 H3330-3339)
- **May 25, 2006:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **May 25, 2006:** Mr. Shuster raised a point of order against the content of the measure. Page 38, line 11, beginning with the comma and extending through funds on line 14. The Chair sustained the point of order.
- **May 25, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Nadler amendment.
- **May 25, 2006:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Nadler amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Nadler demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006:** Mr. Lungren, Daniel E. raised a point of order against the content of the measure. Mr. Lungren stated that section 536 constituted legislation in an appropriations bill. The Chair sustained the point of order.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with 10 minutes of debate on the Mica amendment.
- **May 25, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Jackson-Lee amendment.
- **May 25, 2006:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Tancredo amendment.
- **May 25, 2006:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Tancredo amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Tancredo demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Rogers (KY) enbloc amendments under the five-minute rule.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Tierney amendment under the five-minute rule, pending reservation of a point of order.
- **May 25, 2006:** DEBATE - The Committee of the Whole proceeded with debate on the Pickering amendment under the five-minute rule.
- **May 25, 2006:** Mr. Rogers (KY) moved that the Committee rise.
- **May 25, 2006:** On motion that the Committee rise Agreed to by voice vote.
- **May 25, 2006:** Committee of the Whole House on the state of the Union rises leaving H.R. 5441 as unfinished business.
- **May 25, 2006:** Considered as unfinished business. (consideration: CR 5/26/2006 H3340-3343)
- **May 25, 2006:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **May 25, 2006:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of specified amendments which were debated earlier and on which further proceedings were postponed.

May 25, 2006: Mr. Smith (TX) moved that the Committee rise.

- **May 25, 2006:** On motion that the Committee rise Agreed to by voice vote.
- **May 25, 2006:** Committee of the Whole House on the state of the Union rises leaving H.R. 5441 as unfinished business.
- **May 24, 2006:** Rules Committee Resolution H. Res. 836 Reported to House. Rule provides for consideration of H.R. 5441 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **May 22, 2006:** Introduced in House
- **May 22, 2006:** The House Committee on Appropriations reported an original measure, H. Rept. 109-476, by Mr. Rogers (KY).
- **May 22, 2006:** The House Committee on Appropriations reported an original measure, H. Rept. 109-476, by Mr. Rogers (KY).
- **May 22, 2006:** Placed on the Union Calendar, Calendar No. 264.