

Union Calendar No. 78

111TH CONGRESS
1ST SESSION

H. R. 2892

[Report No. 111-157]

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2009

Mr. PRICE of North Carolina, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of Homeland Security for the fiscal year end-
6 ing September 30, 2010, and for other purposes, namely:

1 CONSTRUCTION

2 For necessary expenses to plan, construct, renovate,
3 equip, and maintain buildings and facilities necessary for
4 the administration and enforcement of the laws relating
5 to customs and immigration, \$11,818,000, to remain
6 available until expended: *Provided*, That none of the funds
7 made available in this Act may be used to solicit or con-
8 sider any request to privatize facilities currently owned by
9 the United States Government and used to detain aliens
10 unlawfully present in the United States until the Commit-
11 tees on Appropriations of the Senate and the House of
12 Representatives receive a plan for carrying out that privat-
13 ization.

14 TRANSPORTATION SECURITY ADMINISTRATION

15 AVIATION SECURITY

16 For necessary expenses of the Transportation Secu-
17 rity Administration related to providing civil aviation secu-
18 rity services pursuant to the Aviation and Transportation
19 Security Act (Public Law 107–71; 115 Stat. 597; 49
20 U.S.C. 40101 note), \$5,265,740,000, to remain available
21 until September 30, 2011, of which not to exceed \$10,000
22 shall be for official reception and representation expenses:
23 *Provided*, That of the total amount made available under
24 this heading, not to exceed \$4,409,776,000 shall be for
25 screening operations, of which \$1,138,106,000 shall be

1 available for explosives detection systems; and not to ex-
2 ceed \$855,964,000 shall be for aviation security direction
3 and enforcement: *Provided further*, That of the amount
4 made available in the preceding proviso for explosives de-
5 tection systems, \$800,000,000 shall be available for the
6 purchase and installation of these systems: *Provided fur-*
7 *ther*, That of the total amount provided, \$1,250,000 shall
8 be made available for Safe Skies Alliance to develop and
9 enhance research and training capabilities for Transpor-
10 tation Security Officer improvised explosive recognition
11 training: *Provided further*, That security service fees au-
12 thorized under section 44940 of title 49, United States
13 Code, shall be credited to this appropriation as offsetting
14 collections and shall be available only for aviation security:
15 *Provided further*, That any funds collected and made avail-
16 able from aviation security fees pursuant to section
17 44940(i) of title 49, United States Code, may, notwith-
18 standing paragraph (4) of such section 44940(i), be ex-
19 pended for the purpose of improving screening at airport
20 screening checkpoints, which may include the purchase
21 and utilization of emerging technology equipment; the re-
22 furbishment and replacement of current equipment; the
23 installation of surveillance systems to monitor checkpoint
24 activities; the modification of checkpoint infrastructure to
25 support checkpoint reconfigurations; and the creation of

1 additional checkpoints to screen aviation passengers and
2 airport personnel: *Provided further*, That the sum appro-
3 priated under this heading from the general fund shall be
4 reduced on a dollar-for-dollar basis as such offsetting col-
5 lections are received during fiscal year 2010, so as to re-
6 sult in a final fiscal year appropriation from the general
7 fund estimated at not more than \$3,165,740,000: *Pro-*
8 *vided further*, That any security service fees collected in
9 excess of the amount made available under this heading
10 shall become available during fiscal year 2011: *Provided*
11 *further*, That Members of the House of Representatives
12 and Senate, including the leadership; the heads of Federal
13 agencies and commissions, including the Secretary, Under
14 Secretaries, and Assistant Secretaries of Homeland Secu-
15 rity; the Attorney General and Assistant Attorneys Gen-
16 eral and the United States attorneys; and senior members
17 of the Executive Office of the President, including the Di-
18 rector of the Office of Management and Budget; shall not
19 be exempt from Federal passenger and baggage screening.

20 SURFACE TRANSPORTATION SECURITY

21 For necessary expenses of the Transportation Secu-
22 rity Administration related to providing surface transpor-
23 tation security activities, \$103,416,000, to remain avail-
24 able until September 30, 2011.

1 the Senate and the House of Representatives detailed ex-
2 penditure plans for checkpoint support and explosives de-
3 tection systems refurbishment, procurement, and installa-
4 tions on an airport-by-airport basis for fiscal year 2010:
5 *Provided further*, That these plans shall be submitted no
6 later than 60 days after the date of enactment of this Act.

7 FEDERAL AIR MARSHALS

8 For necessary expenses of the Federal Air Marshals,
9 \$860,111,000.

10 COAST GUARD

11 OPERATING EXPENSES

12 For necessary expenses for the operation and mainte-
13 nance of the Coast Guard, not otherwise provided for; pur-
14 chase or lease of not to exceed 25 passenger motor vehi-
15 cles, which shall be for replacement only; purchase or lease
16 of small boats for contingent and emergent requirements
17 (at a unit cost of no more than \$700,000) and for repairs
18 and service-life replacements for small boats for such re-
19 quirements, not to exceed a total of \$26,000,000; minor
20 shore construction projects not exceeding \$1,000,000 in
21 total cost at any location; payments pursuant to section
22 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat.
23 1920); and recreation and welfare; \$6,822,026,000, of
24 which \$340,000,000 shall be for defense-related activities;
25 of which \$241,503,000 is designated as being for overseas

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2 ization.

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16 ceed \$855,964,000 shall be for aviation security direction
17 and enforcement: *Provided further*, That of the amount
18 made available in the preceding proviso for explosives de-
19 tection systems, \$800,000,000 shall be available for the
20 purchase and installation of these systems: *Provided fur-*
21 *ther*, That of the total amount provided, \$1,250,000 shall
22 be made available for Safe Skies Alliance to develop and
23 enhance research and training capabilities for Transpor-
24 tation Security Officer improvised explosive recognition
25 training: *Provided further*, That security service fees au-

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2 Code, shall be credited to this appropriation as offsetting
3 collections and shall be available only for aviation security:
4 *Provided further*, That any funds collected and made avail-
5 able from aviation security fees pursuant to section
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13 activities; the modification of checkpoint infrastructure to
14 support checkpoint reconfigurations; and the creation of
15 additional checkpoints to screen aviation passengers and
16 airport personnel: *Provided further*, That the sum appro-
17 priated under this heading from the general fund shall be
18 reduced on a dollar-for-dollar basis as such offsetting col-
19 lections are received during fiscal year 2010, so as to re-
20 sult in a final fiscal year appropriation from the general
21 fund estimated at not more than \$3,165,740,000: *Pro-*
22 *vided further*, That any security service fees collected in
23 excess of the amount made available under this heading
24 shall become available during fiscal year 2011: *Provided*
25 *further*, That Members of the House of Representatives

1 and Senate, including the leadership; the heads of Federal
2 agencies and commissions, including the Secretary, Under
3 Secretaries, and Assistant Secretaries of Homeland Secu-
4 rity; the Attorney General and Assistant Attorneys Gen-
5 eral and the United States attorneys; and senior members
6 of the Executive Office of the President, including the Di-
7 rector of the Office of Management and Budget; shall not
8 be exempt from Federal passenger and baggage screening.

9 SURFACE TRANSPORTATION SECURITY

10 For necessary expenses of the Transportation Secu-
11 rity Administration related to providing surface transpor-
12 tation security activities, \$103,416,000, to remain avail-
13 able until September 30, 2011.

14 TRANSPORTATION THREAT ASSESSMENT AND
15 CREDENTIALING

16 For necessary expenses for the development and im-
17 plementation of screening programs of the Office of
18 Transportation Threat Assessment and Credentialing,
19 \$171,999,000, to remain available until September 30,
20 2011: *Provided*, That if the Assistant Secretary of Home-
21 land Security (Transportation Security Administration)
22 determines that the Secure Flight program does not need
23 to check airline passenger names against the full terrorist
24 watch list, the Assistant Secretary shall certify to the
25 Committees on Appropriations of the Senate and the

1 House of Representatives that no significant security risks
2 are raised by screening airline passenger names only
3 against a subset of the full terrorist watch list.

4 TRANSPORTATION SECURITY SUPPORT

5 For necessary expenses of the Transportation Secu-
6 rity Administration related to providing transportation se-
7 curity support and intelligence pursuant to the Aviation
8 and Transportation Security Act (Public Law 107-71;
9 115 Stat. 597; 49 U.S.C. 40101 note), \$992,980,000, to
10 remain available until September 30, 2011: *Provided*,
11 That not to exceed \$5,000,000 may be obligated for head-
12 quarters administration until the Secretary of Homeland
13 Security submits to the Committees on Appropriations of
14 the Senate and the House of Representatives detailed ex-
15 penditure plans for checkpoint support and explosives de-
16 tection systems refurbishment, procurement, and installa-
17 tions on an airport-by-airport basis for fiscal year 2010:
18 *Provided further*, That these plans shall be submitted no
19 later than 60 days after the date of enactment of this Act.

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