

# Report for Congress

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## **Homeland Security: A Topical Comparison of H.R. 5710 with H.R. 5005**

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Sharon S. Gressle  
Specialist in American National Government  
Government and Finance Division

# Homeland Security: A Topical Comparison of H.R. 5710 with H.R. 5005

## Summary

H.R. 5710 was introduced as a new vehicle for consideration of the proposal to establish a Department of Homeland Security, and for other purposes. H.R. 5005, a smaller bill, was previously passed by the House. On November 19, 2002, the Senate amended H.R. 5005, incorporating the provisions virtually identical to H.R. 5710. The House, on November 22, will consider H.R. 5005, as passed by the Senate, and is expected to adopt that language. The differences in the two versions are relatively few and are technical in nature.

On November 13, 2002, the House adopted H.Res. 600, as amended, a closed rule governing the consideration of H.R. 5710. Only one amendment was allowed under the rule (a definition change at Section 2(10)). House passage of H.R. 5710 came during the evening on a vote of 299-121 (Roll no. 477).

The Senate version is the text of Senate Amendment 4901, offered by Senator Thompson to H.R. 5005. Senate Amendments 4911 and 4983 were considered and rejected. Senate passage of H.R. 5005, on November 19, 2002, came on a vote of 90-9 (Record Vote No. 249).

The original purpose of this report was to provide an alignment of the sections H.R. 5005, as passed by the House and H.R. 5710, as passed by the House to show where the major similarities and differences were in terms of subjects addressed. Since the Senate has now passed H.R. 5005 and it is virtually identical to H.R. 5710, the report serves to demonstrate the expansion of the legislation which will prevail with that sent by the House to the Senate earlier this year.

A series of reports discussing the provisions of the bills as passed can be found on the CRS Web page at [<http://www.crs.gov/products/browse/is-homelandsecurity.shtml>] and by accessing the listing of CRS products through the Legislative Information System (LIS) at H.R. 5710. The comparison between H.R. 5005, as passed, and one of the pending Senate substitutes in CRS Report RL31513 includes content discussion of most of the provisions. Contact information for CRS analysts who work in specific related subject areas can be accessed online from the CRS Web page, which is available at [<http://www.crs.gov/experts/experts-dhs.shtml>].

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# Homeland Security: A Topical Comparison of H.R. 5710 with H.R. 5005

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| <b>H.R. 5005, As Passed the House</b>  | <b>H.R. 5710, As Introduced in the House</b>  |
|--|---|
| Sec. 1. Short title; table of contents   | Sec. 1. Short title; table of contents  |
| Sec. 2. Definitions  | Sec. 2. Definitions   |
| Sec. 3. Construction; severability   | Sec. 3. Construction; severability  |
| Sec. 4. Effective date   | Sec. 4. Effective date  |
|  |   |
| <b>Title I. Department of Homeland Security</b>  | <b>Title I. Department of Homeland Security</b>   |
| Sec. 101. Executive department; mission  | Sec. 101. Executive department; mission   |
| Sec. 102. Secretary; functions   | Sec. 102. Secretary; functions  |
| Sec. 103. Other officers   | Sec. 103. Other officers  |
| Sec. 104. National Council of First Responders   |   |
|  |   |
| <b>Title II. Information Analysis and Infrastructure Protection</b>                        | <b>Title II. Information Analysis and Infrastructure Protection</b>   |
| <b>Subtitle A – Under Secretary for Information Analysis and Infrastructure Protection</b> | <b>Subtitle A – Directorate for Information Analysis and Infrastructure Protection; Access to Information</b> |
| Sec. 201. Under Secretary  | Sec. 201. Directorate for Information Analysis and Infrastructure Protection                                  |
| Sec. 202. Functions transferred  | Sec. 201.(g) Functions transferred  |
| Sec. 203. Access to information  | Sec. 202. Access to information   |
| Sec. 204. Procedures for sharing information   | Sec. 221. Procedures for sharing information  |

| <b>H.R. 5005, As Passed the House</b>                 | <b>H.R. 5710, As Introduced in the House</b>  |
|---|---|
| Sec. 205. Privacy Officer                             | Sec. 222. Privacy Officer   |
| Sec. 206. Federal Cybersecurity Program               |   |
| Sec. 207. Enhancement of non-federal cybersecurity    | Sec. 223. Enhancement of non-federal cybersecurity  |
|   | Sec. 225. Cyber Security Enhancement Act of 2002  |
| Sec. 208. Information security                        | <b>Subtitle C. Information Security.</b> [Secs. 221-224]  |
| See Title VII, Subtitle C [Sec. 721 -725]             | <b>Subtitle B. Critical Infrastructure Information</b> [Secs. 211-215]  |
| <b>Subtitle B. Intelligence Analysis Center</b>       |   |
| Sec. 211. Intelligence Analysis Center                |   |
| Sec. 212. Mission of the Intelligence Analysis Center |   |
| Sec. 213. Net Guard                                   | Sec. 224. Net Guard   |
| <b>Subtitle D – Office of Science and Technology</b>  |   |
|   | Sec. 231. Establishment of office; director   |
|   | Sec. 232. Mission of office; duties   |
|   | Sec. 233. Definition of law enforcement technology  |
|   | Sec. 234. Abolishment of Office of Science and Technology of National Institute of Justice; transfer of functions |
|   | Sec. 235. National Law Enforcement and Corrections Technology Centers   |

| <b>H.R. 5005, As Passed the House</b>   | <b>H.R. 5710, As Introduced in the House</b>   |
|---|--|
|   | Sec. 236. Coordination with other entities within Department of Justice  |
|   | Sec. 237. Amendments relating to National Institute of Justice   |
|   |  |
| <b>Title III – Under Secretary for Science and Technology</b>                       | <b>Title III – Science and Technology in Support of Homeland Security</b>  |
| Sec. 301. Under Secretary for Science and Technology                                | Sec. 301. Under Secretary for Science and Technology   |
| Sec. 301.   | Sec. 302. Responsibilities and authorities for the Under Secretary for Science and Technology                            |
| Sec. 302. Functions transferred   | Sec. 303. Functions transferred  |
| Sec. 303. Conduct of certain public health-related activities                       | Sec. 304. Conduct of certain public health-related activities  |
| Sec. 304. Federally funded research and development center                          | Sec. 305. Federally funded research and development centers  |
| Sec. 305. Miscellaneous provisions  | Sec. 306. Miscellaneous provisions   |
| Sec. 306. Homeland Security Science and Technology Coordination Council             |  |
|   | Sec. 307. Homeland Security Advanced Research Projects Agency  |
| Sec. 307. Conduct of research, development, demonstration, testing, and evaluation  | Sec. 308. Conduct of research, development, demonstration, testing and evaluation  |
|   | Sec. 309. Utilization of Department of Energy national laboratories and sites in support of homeland security activities |
| Sec. 308. Transfer of Plum Island Animal Disease Center, Department of Agriculture. | Sec. 310. Transfer of Plum Island Animal Disease Center, Department of Agriculture                                       |



| <b>H.R. 5005, As Passed the House</b>   | <b>H.R. 5710, As Introduced in the House</b>   |
|---|--|
| Sec. 309. Homeland Security Science and Technology Advisory Committee   | Sec. 311. Homeland Security Science and Technology Advisory Committee  |
| Sec. 310. Homeland Security Institute   | Sec. 312. Homeland Security Institute  |
| Sec. 311. Technology clearinghouse to encourage and support innovative solutions to enhance homeland security | Sec. 313. Technology clearinghouse to encourage and support innovated solutions to enhance homeland security |
|   |  |
| <b>Title IV – Border and Transportation Security</b>  | <b>Title IV – Directorate of Border and Transportation Security</b>  |
| <b>Subtitle A – General Provisions</b>  | <b>Subtitle A – Under Secretary for Border and Transportation Security</b>                                   |
| Sec. 401. Under Secretary for Border and Transportation Security  | Sec. 401. Under Secretary for Border and Transportation Security   |
| [Sec. 401 sets out responsibilities]  | Sec. 402. Responsibilities   |
| Sec. 402. Functions transferred   | Sec. 403. Functions transferred  |
| See Sections 451-461  | <b>Subtitle B – United States Customs Service</b> [Sec. 411-419]   |
|   | <b>Subtitle C – Miscellaneous Provisions</b><br>[Sec. 421-430]   |
| Sec. 403.   | Sec. 428. Visa issuance  |
| Sec. 404. Transfer of certain agricultural inspection functions of the Department of Agriculture              | Sec. 421. Transfer of certain agricultural inspection functions of the Department of Agriculture             |
| Sec. 405. Functions of Administrator of General Services  | Sec. 422. Functions of Administrator of General Services   |
| Sec. 406. Functions of Transportation Security Administration   | Sec. 423. Functions of Transportation Security Administration  |

| <b>H.R. 5005, As Passed the House</b>  | <b>H.R. 5710, As Introduced in the House</b>   |
|--|--|
| Sec. 407. Preservation of Transportation Security Administration as a distinct entity  | Sec. 424. Preservation of Transportation Security Administration as a distinct entity    |
| Sec. 408. Annual assessment of terrorist-related threats to public transportation  |  |
| Sec. 409. Explosive detection systems  | Sec. 425. Explosive detection systems  |
| Sec. 410. Transportation security  | Sec. 426. Transportation security  |
|  | Sec. 427. Coordination of information and information technology                         |
|  | Sec. 429. Information on visa denials required to be entered into electronic data system |
|  | Sec. 430. Office for Domestic Preparedness   |
|  |  |
| Note: For the following subtitles and chapters related to immigration policy, only the headers for the subtitles and chapters are noted and the sections identified by number. |  |
| <b>Subtitle B – Immigration and Nationality Functions</b>  |  |
| <b>Chapter 1 – Immigration Enforcement</b>   | <b>Subtitle D – Immigration Enforcement Functions</b>                                    |
| Sec. 411-416   | Sec. 441-446   |

| <b>H.R. 5005, As Passed the House</b>   | <b>H.R. 5710, As Introduced in the House</b>                                  |
|---|---|
| <b>Chapter 2 – Citizenship and Immigration Services</b>                       | <b>Subtitle E – Citizenship and Immigration Services</b> [Sec. 451-462]       |
| <i>Subchapter A – Transfers of Functions</i><br>[Sec. 421-428]                |   |
| <i>Subchapter B – Other Provisions</i><br>[Sec. 431-436]                      |   |
| <b>Chapter 3 – General Provisions</b><br>[Sec. 441-446]                       | <b>Subtitle F – General Immigrations Provisions</b><br>[Sec. 471-478]         |
| <b>(Title IV) Subtitle C – United States Customs Service</b>                  | <b>(Title IV) Subtitle B – United States Customs Service</b>                  |
| Sec. 451. Establishment; Commissioner of Customs                              | Sec. 411. Establishment; Commissioner of Customs                              |
| Sec. 452. Retention of customs revenue functions by Secretary of the Treasury | Sec. 412. Retention of customs revenue functions by Secretary of the Treasury |
| Sec. 453. Establishment and implementation of cost accounting system; reports |   |
| Sec. 454. Preservation of Customs funds.                                      | Sec. 413. Preservation of Customs funds                                       |
| Sec. 455. Separate budget request for Customs.                                | Sec. 414. Separate budget request for Customs.                                |
| Sec. 456. Payment of duties and fees  |   |
| Sec. 457. Definition; customs revenue function                                | Sec. 415. Definition  |
| Sec. 458. GAO report to Congress  | Sec. 416. GAO report to Congress  |
| Sec. 459. Allocation of resources by the Secretary                            | Sec. 417. Allocation of resources by the Secretary                            |
| Sec. 460. Reports to Congress   | Sec. 418. Reports to Congress   |
| Sec. 461. Customs user fees   | Sec. 419. Customs user fees   |

| <b>H.R. 5005, As Passed the House</b>                             | <b>H.R. 5710, As Introduced in the House</b>                            |
|---|---|
| <b>Title V – Emergency Preparedness and Response</b>              | <b>Title V – Emergency Preparedness and Response</b>                    |
| Sec. 501. Under Secretary for Emergency Preparedness and Response | Sec. 501. Under Secretary for Emergency Preparedness and Response       |
|   | Sec. 502. Responsibilities  |
| Sec. 502. Functions transferred                                   | Sec. 503. Functions transferred   |
| Sec. 503. Nuclear incident response                               | Sec. 504. Nuclear incident response                                     |
| Sec. 504. Definition  | Sec. 506. Definition  |
| Sec. 505. Conduct of certain public health-related activities     | Sec. 505. Conduct of certain public health-related activities           |
| Sec. 506. Role of Federal Emergency Management Agency             | Sec. 507. Role of Federal Emergency Management Agency                   |
| Sec. 507. Sense of Congress regarding funding of trauma systems   |   |
|   | Sec. 508. Use of national private sector networks in emergency response |
|   | Sec. 509. Use of commercially available technology, goods, and services |
|   |   |

| <b>H.R. 5005, As Passed the House</b>                                  | <b>H.R. 5710, As Introduced in the House</b>   |
|--|--|
|  | <b>Title VI – Treatment of charitable Trusts for Members of the Armed Forces of the United States and Other Governmental Organizations</b> |
|  | Sec. 601. Treatment of charitable trusts for members of the armed forces of the United States and other governmental organizations         |
|  |  |
| <b>Title VI – Management</b>   | <b>Title VII – Management</b>  |
| Sec. 601. Under Secretary for Management                               | Sec. 701. Under Secretary for Management   |
| Sec. 602. Chief Financial Officer                                      | Sec. 702. Chief Financial Officer  |
| Sec. 603. Chief Information Officer                                    | Sec. 703. Chief Information Officer  |
|  | Sec. 704. Chief Human Capital Officer  |
| Sec. 604. Establishment of Office for Civil Rights and Civil Liberties | Sec. 705. Establishment of Office for Civil Rights and Civil Liberties   |
| Sec. 605. Consolidation and co-location of offices                     | Sec. 706. Consolidation and co-location of offices   |
|  |  |

| <b>H.R. 5005, As Passed the House</b>  | <b>H.R. 5710, As Introduced in the House</b>   |
|--|--|
| <b>Title VII – Miscellaneous</b>   | <b>Title VIII – Coordination with Non-Federal Entities; Inspector General; United States Secret Service; Coast Guard; General Provisions</b> |
| [see: Sec. 777. Office for State and Local Government Coordination]            | <b>Subtitle A – Coordination with Non-Federal Entities</b><br>Sec. 801. Office for State and Local Government Coordination                   |
| <b>Subtitle A – Inspector General</b>  | <b>Subtitle B – Inspector General</b>  |
| Sec. 701. Authority of the Secretary   | Sec. 811. Authority of the Secretary   |
|  | Sec. 812. Law enforcement powers of Inspector General agents.  |
| <b>Subtitle B – United States Secret Service</b>                               | <b>Subtitle C – United States Secret Service</b>   |
| Sec. 711. Functions transferred  | Sec. 821. Functions transferred  |
| <b>Subtitle C – Critical Infrastructure Information</b>                        | <b>(Title II) Subtitle B – Critical Infrastructure Information</b>   |
| Sec. 721. Short title  | Sec. 211. Short title  |
| Sec. 722. Definitions  | Sec. 212. Definitions  |
| Sec. 723. Designation of critical infrastructure protection program            | Sec. 213. Designation of critical infrastructure protection program  |
| Sec. 724. Protection of voluntarily shared critical infrastructure information | Sec. 214. Protection of voluntarily shared critical infrastructure information   |
| Sec. 725. No private right of action   | Sec. 215. No private right of action   |

| <b>H.R. 5005, As Passed the House</b>                           | <b>H.R. 5710, As Introduced in the House</b>   |
|---|--|
| <b>Subtitle D – Acquisitions</b>                                | <b>Subtitle D – Acquisitions</b>   |
| Sec. 731. Research and development projects.                    |  |
|   | Sec. 831. Research and development projects  |
| Sec. 732. Personal services                                     | Sec. 832. Personal services  |
| Sec. 733. Special streamlined acquisition authority             | Sec. 833. Special streamlined acquisition authority  |
| Sec. 734. Procurements from small business                      |  |
|   | Sec. 834. Unsolicited proposals  |
| Sec. 735. Prohibition on contracting with corporate expatriates | Sec. 835. Prohibition on contracts with corporate expatriates  |
| <b>Subtitle E – Property</b>                                    |  |
| Sec. 741. Department headquarters                               |  |
|   | <b>Subtitle E – Human Resources Management</b><br>[aligns with H.R. 5005, Subtitle G, sections 761 & 762]  |
|   | <b>Subtitle F – Federal Emergency Procurement Flexibility</b>  |
|   | Sec. 851. Definition   |
|   | Sec. 852. Procurements for defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack                         |
|   | Sec. 853. Increased simplified acquisition threshold for procurements in support of humanitarian or peacekeeping operations or contingency operations. |

| <b>H.R. 5005, As Passed the House</b>   | <b>H.R. 5710, As Introduced in the House</b>  |
|---|---|
|   | Sec. 854. Increased micro-purchase threshold for certain procurements                                   |
|   | Sec. 855. Application of certain commercial items authorities to certain procurements                   |
|   | Sec. 856. Use of streamlined procedures   |
|   | Sec. 857. Review and report by Comptroller General  |
|   | Sec. 858. Identification of new entrants into the federal marketplace                                   |
| <b>Subtitle F – Support Anti-Terrorism by Fostering Effective Technologies Act of 2002 (SAFETY Act)</b> | <b>Subtitle G – Support Anti-Terrorism by Fostering Effective Technologies Act of 2002 (SAFETY Act)</b> |
| Sec. 751. Short title   | Sec. 861. Short title   |
| Sec. 752. Administration  | Sec. 862. Administration  |
| Sec. 753. Litigation management   | Sec. 863. Litigation management   |
| Sec. 754. Risk management   | Sec. 864. Risk management   |
| Sec. 755. Definitions   | Sec. 865. Definitions   |
| <b>Subtitle G – Other Provisions</b>  |   |
|   | <b>Subtitle E – Human Resources Management</b>  |
| Sec. 761. Establishment of human resources management system  | Sec. 841. Establishment of human resources management system  |
| Sec. 762. Labor-management relations  | Sec. 842. Labor-management relations  |
|   | <b>Subtitle H – Miscellaneous Provisions</b>  |
| Sec. 763. Advisory committees   | Sec. 871. Advisory committees   |



| <b>H.R. 5005, As Passed the House</b>   | <b>H.R. 5710, As Introduced in the House</b>  |
|---|---|
| Sec. 764. Reorganization; transfer of appropriations  | Sec. 872. Reorganization  |
|   | Sec. 873. Use of appropriated funds   |
|   | Sec. 874. Future Year Homeland Security Program   |
| Sec. 765. Miscellaneous authorities   | Sec. 875. Miscellaneous authorities   |
| Sec. 766. Military activities   | Sec. 876. Military activities   |
| Sec. 767. Regulatory authority and preemption   | Sec. 877. Regulatory authority and preemption   |
| Sec. 768. Provisions regarding transfers from Department of Energy  |   |
| Sec. 769. Counternarcotics Officer  | Sec. 878. Counternarcotics Officer  |
| Sec. 770. Office of International Affairs   | Sec. 879. Office of International Affairs   |
| Sec. 771. Prohibition of the terrorism information and prevention system  | Sec. 880. Prohibition of the terrorism information and prevention system  |
| Sec. 772. Review of pay and benefit plans   | Sec. 881. Review of pay and benefit plans   |
| Sec. 773. Role of the District of Columbia  | Sec. 882. Office for National Capital Region Coordination   |
| Sec. 774. Transfer of the Federal Law Enforcement Training Center   |   |
| Sec. 775. Requirement to comply with laws protecting equal employment opportunity and providing whistleblower protections | Sec. 883. Requirement to comply with laws protecting equal employment opportunity and providing whistleblower protections |
| Sec. 776. Federal Law Enforcement Training Center   | Sec. 884. Federal Law Enforcement Training Center   |
| Sec. 777. Office for State and Local Government Coordination  | Sec. 801. Office for State and Local Government Coordination  |
| Sec. 778. Reporting requirements  |   |
| Sec. 779. Joint interagency task force  | Sec. 885. Joint interagency task force  |

| <b>H.R. 5005, As Passed the House</b>   | <b>H.R. 5710, As Introduced in the House</b>  |
|---|---|
| Sec. 780. Sense of Congress reaffirming the continued importance and applicability of the Posse Comitatus Act | Sec. 886. Sense of Congress reaffirming the continued importance and applicability of the Posse Comitatus Act |
| Sec. 781. Air Transportation Safety and System Stabilization Act Amendments                                   | Sec. 890. Air Transportation Safety and Stabilization Act.  |
|   | Sec. 887. Coordination with the Department of Health and Human Services under the Public Health Service Act   |
|   | Sec. 888. Preserving Coast Guard mission performance  |
|   | Sec. 889. Homeland security funding analysis in President's budget  |
| <b>Subtitle H – Information Sharing</b>   | <b>Subtitle I – Information Sharing</b>   |
| Sec. 790. Short title   | Sec. 891. Short title; findings; and sense of Congress  |
| Sec. 791. Findings and sense of Congress  |   |
| Sec. 792. Facilitating homeland security information sharing procedures                                       | Sec. 892. Facilitating homeland security information sharing procedures                                       |
| Sec. 793. Report  | Sec. 893. Report  |
| Sec. 794. Authorization of appropriations   | Sec. 894. Authorization of appropriations   |
| Sec. 795. Authority to share grand jury information   | Sec. 895. Authority to share grand jury information   |
| Sec. 796. Authority to share electronic, wire, and oral interception information                              | Sec. 896. Authority to share electronic, wire, and oral interception information                              |
| Sec. 797. Foreign intelligence information  | Sec. 897. Foreign intelligence information  |

| <b>H.R. 5005, As Passed the House</b>                                | <b>H.R. 5710, As Introduced in the House</b>  |
|--|---|
| Sec. 798. Information acquired from an electronic surveillance       | Sec. 898. Information acquired from an electronic surveillance  |
| Sec. 799. Information acquired from a physical search                | Sec. 899. Information acquired from a physical search   |
|  |   |
|  | <p align="center"><b>Title IX – National Homeland Security Council</b></p> <p>[see H.R. 5005 Title X]</p>               |
|  |   |
| <p>[See Title XI]<br/>[see also: Sec. 208. Information Security]</p> | <p align="center"><b>Title X – Information Security</b></p> <p>[See also: H.R. 5005, Title XI and Sections 221-224]</p> |
|  |   |
|  | <p align="center"><b>Title XI. Department of Justice Divisions</b></p>  |
|  | <p><b>Subtitle A – Executive Office for Immigration Review (EOIR)</b></p>   |
|  | Sec. 1101. Legal status of EOIR   |
|  | Sec. 1102. Authorities of the Attorney General  |
|  | Sec. 1103. Statutory construction   |
|  | <p><b>Subtitle B – Transfer of the Bureau of Alcohol, Tobacco, and Firearms to the Department of Justice</b></p>        |
|  | Sec. 1111. Bureau of Alcohol, Tobacco, Firearms, and Explosives   |

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|                                       | Sec. 1112. Technical and conforming amendments   |
|                                       | Sec. 1113. Powers of agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives    |
|                                       | Sec. 1114. Explosives training and research facility.                                      |
|                                       | Sec. 1115. Personnel management demonstration project                                      |
|                                       | <b>Subtitle C – Explosives</b>   |
|                                       | Sec. 1121. Short title.  |
|                                       | Sec. 1122. Permits for purchasers of explosives.   |
|                                       | Sec. 1123. Persons prohibited from receiving or possessing explosive materials.            |
|                                       | Sec. 1124. Requirement to provide samples of explosive materials and ammonium nitrate.     |
|                                       | Sec. 1125. Destruction of property of institutions receiving federal financial assistance. |
|                                       | Sec. 1126. Relief from disabilities.   |
|                                       | Sec. 1127. Theft reporting requirement.  |
|                                       | Sec. 1128. Authorization of appropriations.  |
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|                                       | <b>Title XII – Airline War Risk Insurance Legislation</b>   |
|                                       | Sec. 1201. Air carrier liability for third party claims arising out of acts of terrorism                              |
|                                       | Sec. 1202. Extension of insurance policies  |
|                                       | Sec. 1203. Correction of reference  |
|                                       | Sec. 1204. Report   |
|                                       |   |
|                                       | <b>Title XIII - Federal Workforce Improvement</b>   |
|                                       | <b>Subtitle A – Chief Human Capital Officers</b>  |
|                                       | Sec. 1301. Short title:   |
|                                       | Sec. 1302. Agency Chief Human Capital Officers.   |
|                                       | Sec. 1303. Chief Human Capital Officers Council.  |
|                                       | Sec. 1304. Strategic human capital management.  |
|                                       | Sec. 1305. Effective date.  |
|                                       | <b>Subtitle B – Reforms Relating to Federal Human Capital Management</b>  |
|                                       | Sec. 1311. Inclusion of agency human capital strategic planning in performance plans and program performance reports. |

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|                                       | Section 1313. Permanent extension, revision, and expansion of authorities for use of voluntary separation incentive pay and voluntary early retirement. |
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|                                       | <b>Subtitle C – Reforms Relating to the Senior Executive Service</b>  |
|                                       | Sec. 1321. Repeal of recertification requirements of senior executives.   |
|                                       | Sec. 1322. Adjustment of limitation on total annual compensation.   |
|                                       | <b>Subtitle D – Academic Training</b>   |
|                                       | Sec. 1331. Academic training.   |
|                                       | Sec. 1332. Modifications to National Security Education Program.  |
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|                                       | <b>Title XIV – Arming Pilots Against Terrorism</b>  |
|                                       | Sec. 1401. Short title  |
|                                       | Sec. 1402. Federal Flight Deck Officer Program  |
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|   | Sec. 1406. Technical amendments   |
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| Sec. 801. Definitions.  | Sec. 1501. Definitions  |
| Sec. 802. Reorganization plan   | Sec. 1502. Reorganization plan  |
|   | Sec. 1503. Review of congressional committee structures                 |
| <b>Subtitle B–Transitional Provisions</b>                               | <b>Subtitle B – Transitional Provisions</b>                             |
| Sec. 811. Transitional authorities                                      | Sec. 1511 Transitional authorities                                      |
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| Sec. 811(b) Services and personnel.                                     | Sec. 1511(b) Services and personnel.                                    |
| Sec. 811(c) Transfer of funds.  |   |
| Sec. 811(d) Acting officials.   | Sec. 1511(c) Acting officials.  |
| Sec. 811(e). Transfer of personnel, assets, obligations, and functions. | Sec. 1511(d) Transfer of personnel, assets, obligations, and functions. |
| Sec. 811(f) Prohibition on use of transportation trust funds.           | Sec. 1511(e) Prohibition on use of transportation trust funds.          |
| Sec. 812. Savings provisions.   | Sec. 1512. Savings provisions   |
| Sec. 812(a). Completed administrative actions.                          | Sec. 1512(a) Completed administrative actions.                          |
| Sec. 812(b) Pending proceedings.  | Sec. 1512(b) Pending proceedings.                                       |
| Sec. 812(c) Pending civil actions.                                      | Sec. 1512(c) Pending civil actions.                                     |
| Sec. 812(d) References  | Sec. 1512(d) References   |
| Sec. 812(e) Employment provisions                                       | Sec. 1512(e) Employment provisions                                      |

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|   | Sec. 1512(f) Statutory reporting requirements.   |
| Sec. 813. Terminations.   | Sec. 1513. Terminations.   |
| Sec. 814. Specifies that nothing in this act shall be construed to authorize the development of a national identification system or card. | Sec. 1514. National identification system not authorized   |
| Sec. 815. Continuity of Inspector General oversight.  | Sec. 1515. Continuity of Inspector General oversight   |
|   | Sec. 1516. Incidental transfers  |
| Sec. 816. Reference   | Sec. 1517. Reference   |
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|   | <b>Title XVI – Corrections to Existing Law Relating to Airline Transportation Security</b>       |
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| <b>Title IX–Conforming and Technical Amendments</b>   | <b>Title XVII – Conforming and Technical Amendments</b>  |
| Sec. 901. Inspector General Act of 1978   | Sec. 1701. Inspector General Act of 1978   |
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| Sec. 906. Transfer of certain security and law enforcement functions and authorities. | Sec. 1706. Transfer of certain security and law enforcement functions and authorities. |
| Sec. 907. Transportation security regulations.  | Sec. 1707. Transportation security regulations.  |
|   | Sec. 1708. National Bio-Weapons Defense Analysis Center                                |
|   | Sec. 1709. Collaboration with the Secretary of Homeland Security                       |
| Sec. 908. Railroad security laws.   | Sec. 1710. Railroad safety to include railroad security                                |
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| Sec. 911. Chief Financial Officer   |  |
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| Sec. 1001. National Homeland Security Council.             | Sec. 901. National Homeland Security Council.              |
| Sec. 1002. Function.                                       | Sec. 902. Function.  |
| Sec. 1003. Membership.                                     | Sec. 903. Membership.                                      |
| Sec. 1004. Other functions and activities                  | Sec. 904. Other functions and activities                   |
| Sec. 1005. Homeland security budget.                       |  |
| Sec. 1006. Staff composition.                              | Sec. 905. Staff composition                                |
| Sec. 1007. Relation to the National Security Council       | Sec. 906. Relation to the National Security Council        |
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| Sec. 1102. Management of information technology            | Sec. 1002. Management of information technology            |
| Sec. 1103. National Institute of Standards and Technology  | Sec. 1003. National Institute of Standards and Technology  |
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| Sec. 1105. Technical and conforming amendments             | Sec. 1005. Technical and conforming amendments             |
| Sec. 1106. Construction                                    | Sec. 1006. Construction                                    |